

**Reasons for Decision:**

**Order# AP1819-0339**

<name removed> appealed that their Employment and Income Assistance application was denied due to excess liquid assets.

The Department advised that <name removed> applied for income assistance on <date removed>. The appellant returned a few days later to provide their bank information, which consisted of a bank statement for a U.S. account. This statement did not have on it any identifiers such as their name or account number. It was also noted that there were several transactions between a savings account and this account; <name removed> did not disclose any other accounts.

When questioned on the savings account, <name removed> advised the Department that the account had been closed, but they could not provide a closure date. The Intake Worker had <name removed> call the bank to verify the account. The bank provided them with information to access their account online and let them know that they were eligible for an upgrade on their savings account, which revealed that there were in fact two active accounts. It was verified that the savings account had never been closed and had very recent activity; which was inconsistent with <name removed>'s original claim that the account was closed. The total amount in Canadian dollars from both accounts was <amount removed>. <name removed> stated they had no knowledge of the money in the savings accounts, which amounted to <amount removed>, and that it belonged to their sister in the U.S.A.

<name removed>'s application for income assistance was denied as the money is in their account; it is to be treated as their own liquid asset unless they could prove conclusively that the money was not theirs. As the amounts total greater than the allowable liquid asset exemption of \$4,000 per person, <name removed> would not be eligible for benefits until their assets become \$4,000 or lower. A letter was sent to <name removed> on <date removed> advising of the decision.

<name removed> stated that when they applied for income assistance in <date removed>, the appellant had just arrived from the US as a refugee. The appellant is currently staying at the Salvation Army, as they are not eligible to get a work permit and has not secured housing. The appellant stated that they let their sister put some money into their account as she was contemplating a divorce from her husband and did not want her husband to have access to her money.

<name removed> stated that they did not know at the time that their sister transferred money into their account. At the hearing, <name removed> read to the Board a letter purportedly from their sister, which they accessed from their cell phone. The sister

stated she deposited <amount removed> into their siblings's account as she and her husband were having problems, however, has now withdrawn the money.

<name removed> also stated that when they came to Canada, they had approximately <amount removed> with them. The appellant said that <amount removed> was stolen from them at the Salvation Army about three days after they arrival. <name removed> stated that when they applied for income assistance, they had less than <amount removed> dollars in their savings account and <amount removed> in their chequing account.

The Manitoba Assistance Regulation 8(1)(iv) states: "In calculating the financial resources of an applicant's or recipient's household, the director shall exempt (a) the following assets:

- (iv) liquid assets of up to \$4,000 per person, to a maximum of \$16,000 per household".

As <name removed> is a family unit of one, they has a liquid asset exemption of \$4,000. Any funds that a person has that exceed \$4,000 are not exempted by any other sections of the Regulation and are considered available for current maintenance.

After carefully considering the written and verbal information, the Board has determined that the Department has correctly assessed that <name removed> has exceeded their liquid asset exemption and is not eligible at the present time for Employment and Income Assistance.

Eligibility for income assistance is determined by comparing a person's basic needs to their available financial resources. The Board finds that <name removed> provided insufficient verification of the money transactions between the two accounts. There were also a number of conflicting statements. As there was no evidence presented to the Board confirming <name removed>'s statements, the Board was left only with their word, which the Board did not find to be credible. Therefore, the decision of the Director has been confirmed.

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