

Reasons for Decision:

Order #AP1819-10-0385

On <date removed>, <name removed> filed an appeal against the Department's denial of retroactive payment of their Rent Assist benefit. The denial was provided verbally.

The Department and <name removed> agreed on the following facts:

- <name removed> received an application for School Tax Assistance for Tenants in <date removed>, and submitted the completed application on <date removed>;
- The application was processed, and a payment issued in <date removed>;
- When <name removed> did not receive a payment in <date removed>, they contacted the Department and explained they wanted to apply for the program that provides monthly rent subsidy payments;
- The Department provided <name removed> with a Rent Assist application, which they completed and submitted;
- <name removed>'s application was approved effective <date removed>.

<name removed> told the Board they did not know the names of the available programs when they contacted the Department. The appellant stated they asked for the program that helped low-income people with rent. The appellant stated the form the Department sent them was different than the form they were expecting, but they submitted that form because they assumed the Department had provided them with the correct form.

<name removed> stated the form asked for their rental payments, so they assumed it was the correct form. <name removed> stated they would have received Rent Assist starting in <date removed> if the Department had provided them with the correct form. The appellant asserted the Department should pay them Rent Assist retroactively to <date removed>, because it had made the error.

The Department stated the form it gave to <name removed> was clearly marked School Tax Assistance for Tenants. It stated it could not retroactively apply the Rent Assist benefit, because the Rent Assist policy requires an application to be completed in full, signed by the applicants and have all supporting documents attached. None of those conditions were met by <name removed> until they filed their complete application in <date removed>.

In response to a question from the Board, the Department stated it had no way of knowing <name removed> had applied for program that was different from their desired program. The Department noted there are no case notes from <name removed>'s initial contact with the Department.

After careful consideration of the written and verbal evidence submitted to it, the Board determined that the Department did not have a complete application until <date removed>. It was not possible to determine the source of the miscommunication between <name removed> and the Department from the evidence presented. The Board determined that the Department assessed <name removed>'s application correctly according to the *Regulation* and policy. The Board confirmed the Director's decision to deny a retroactive the Rent Assist benefit.

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