

**Reasons for Decision:**

**Order # AP2021-0053**

On <date removed>, <name removed> filed an appeal of the Director's decision to deny them a start up allowance. The date of the decision was <date removed>.

The decision letter sent to <name removed> indicated the reason for the denial was that the Department does not provide allowances for new furniture.

At the hearing, the Department told the Board that <name removed> requested a start up allowance to replace furniture that was infested with bed bugs. The Department advised <name removed> that it does not provide allowances to replace furniture for this reason. <name removed> was referred to community resources where they could obtain used furniture.

<name removed> indicated that the bed bug infestation in their suite spread to all of the rooms. As a result of the level of infestation, they decided to discard all of their furniture.

<name removed> argued that their circumstances were exceptional as a result of both the level of infestation, and that they had not received a start up allowance in the past.

In response to a question from the Board, the Department indicated that its policy is specific as to how one can qualify for a start up allowance, and <name removed> did not meet any of the eligibility criteria. The policy also clearly indicates that the Department does not provide assistance for costs associated with bed bugs.

The Board asked <name removed> about the impact the bed bugs had on them. <name removed> responded, indicating that their body was covered with bites, and some of them became infected. <name removed> stated that the increased stress and anxiety caused the management of their <health condition removed> to become uncontrolled, which had an adverse impact on the rate at which they healed from the bites.

In response to questions from the Board, <name removed> indicated they threw away all of their furniture. This included their bed, drawers, and dining room table. <name removed> stated they were able to obtain a bed from a friend, as well as several chairs for their suite. <name removed> indicated they did not utilize the resources suggested by the Department to obtain used furniture.

In response to a question from the Board, <name removed> indicated their suite was treated, and no longer has bed bugs.

<name removed> told the Board they did not receive the funds for bedding which they were eligible for. The Department agreed to follow up on this issue.

While the Board is bound by legislation and by regulations, it is not bound by Department policy. In previous Board decisions, the Board has varied Department policies only in exceptional circumstances. <name removed> has not demonstrated that their circumstances are so exceptional that they justify a departure from the policy of the Department.

In particular, <name removed> has been able to acquire a bed and other furniture, without having received an allowance to do so. Additionally, <name removed> has not utilized the community resources to which the Department had directed them, in order to obtain replacement furniture.

After carefully reviewing the verbal and written evidence presented to it, the Board determines that the Department correctly administered <name removed>' assistance according to the legislation, regulation, and policy. The Board confirms the decision of the Director to deny <name removed> a start up allowance.

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