

Reasons for Decision:

Order #AP2021-0118

On July 6, 2020, <name removed> filed an appeal of the Director's decisions to assess an overpayment of <amount removed> and to close their income assistance file. The dates of the decisions were <dates removed>.

The decision letters sent to <name removed> stated the reason that an overpayment was assessed against their file, and that their file was closed, was that they were in receipt of the Canadian Emergency Response Benefit (CERB).

The Department told the Board that it conducted an annual review of <name removed>'s file in June, and it was discovered that they had received a \$2000 CERB payment in <month removed>.

The Department recalculated <name removed>'s budget, and determined that the amount they received from the CERB payment exceeded their budget for <month removed>. The amount also resulted in an overage that was carried over into <months removed>, which resulted in them not being eligible to receive assistance during these months, and their file was closed.

The Department indicated that <name removed> had been provided with assistance for <months removed> before it learned of the CERB payment. The Department assessed an overpayment on <name removed>'s file for the assistance they received for these months.

<name removed> stated they did not understand what they were doing when they applied for CERB. The appellant also did not understand why their file was closed, as they were advised by the Department that they would have the CERB payment deducted from their assistance budget in small increments each month.

In response to a question from the Board, the Department indicated that as <name removed>'s file is currently closed, the overpayment would not be automatically collected. Rather, the Department will assess the best method to collect the overpayment when <name removed> re-applies for assistance.

In response to a question from the Board, <name removed> indicated they only received a single CERB payment.

The evidence before the Board clearly establishes that <name removed> received a CERB payment in <month removed>, which exceeded their assistance budget. Based on the information before it, the Board is satisfied that the overpayment applied against <name removed>'s file for the assistance they received while also in receipt of CERB was assessed correctly.

Based on a careful review of the written and verbal evidence, the Board determines the Department correctly assessed an overpayment against <name removed> for unreported income, and the closure of their file was consistent with the legislation and regulations. The Board confirms the Director's decision to assess the overpayment and to close <name removed>'s assistance file.

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