

Reasons for Decision:

Order #AP2021-0122

On <date removed>, <name removed> filed an appeal of the Director's decision to close their income assistance file. The date of the decision was <date removed>.

The decision letter sent to <name removed> stated the reason for his file being closed was that he was in receipt of the Canadian Emergency Response Benefit (CERB).

At the hearing, <name removed> told the Board they were appealing the Department's decision to close their file as they have upcoming surgeries and medical tests.

In response to questions from the Board <name removed> indicated they received <amount removed> in CERB payments. The appellant received the CERB payments as their family applied for them. The appellant decided to discontinue receiving the payments as they did not know what the consequences would be.

The Department stated <name removed> was found eligible for disability assistance until <date removed>. During an annual review of their financial eligibility they disclosed that they had received the CERB payment. <name removed> provided the Department with bank statements for <months removed>, which showed two CERB payments totaling ,amount removed>. <name removed>'s file was closed on <date removed> for excess earned income.

On <date removed>, <name removed> contacted the Department to request their file be re-opened as they have used all of the CERB funds. The appellant was asked to provide a bank statement for <month removed>, and when it was provided it showed a \$2,000 CERB payment. In order to re-apply for assistance <name removed> is required to contact the Department, and provide bank statements from <month removed> along with documentation from the federal government that they are no longer in receipt of CERB. Once received, the Department will be able to re-assess <name removed>'s financial eligibility.

In response to questions from the Board, <name removed> indicated that they used the CERB funds to purchase items for their twenty grandchildren, and provide them with cash. The appellant did not consider using the funds to provide for their basic needs as they were excited that they could spend the money on their family.

The Board notes that it is clearly established that <name removed> received CERB funds from <months removed>, which were in excess of their assistance budget. The Board encourages <name removed> to provide the Department with the information it requires in order to have their eligibility assessed.

Based on a careful review of the written and verbal evidence, the Board determines the Department's closure of <name removed>'s file was consistent with the legislation and regulations. The Board confirms the Director's decision to close <name removed>'s assistance file.

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