



# Non-EIA Rent Assist Policy Manual



The Department of Families  
Provincial Services Branch  
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## **1.0 INTRODUCTION**

Rent Assist is a financial benefit for eligible low-income private renters in Manitoba.

Authority for the Rent Assist program is derived from *The Manitoba Assistance Act*. Eligibility criteria are spelled out in *The Assistance Regulation*.

The program is administered by the Provincial Services Branch on behalf of the Department of Families.

## **2.0 ELIGIBILITY CRITERIA**

### **2.01 General Eligibility**

In order to be considered eligible for the Rent Assist program, the applicant should meet the following criteria:

- be a Canadian citizen, or permanent resident over the age of 18;
- have eligible rental accommodations as his or her primary residence;
- have eligible household income that falls within program guidelines;
- be named on the lease as a renter (not occupant);
- file income tax annually, and
- have claimed rental payments on their Canadian income tax return, and have had these payments found eligible by Canada Revenue Agency (CRA)

### **2.02 Establishing Eligibility**

The following is considered when establishing eligibility for Rent Assist benefits:

- a) Applicants will be assessed for benefits based on Line 236 of their CRA proof of income statement (option 'C' print);
- b) If an applicant has not filed an income tax return because they are newcomers to Canada, they are required to provide their world income from CRA. Upon their reapplication, the proof of income statement must be provided to determine continued eligibility;
- c) If an applicant has not filed an income tax return because they have only recently reached the age of majority, individual applications will be assessed utilizing current income for the first year. Upon reapplication, the proof of income statement must be provided to determine continued eligibility;
- d) The reported income of all individuals over the age of 18 who are part of the household will be considered when determining benefits;
- e) A spouse who is residing elsewhere due to employment/education/family reasons, must be included on the application along with their income to determine eligibility. If the spouse is outside of the country, world income as will be considered when determining eligibility.
- f) All applicants must have claimed rental payments on their Canadian income tax return, and have had these payments found eligible by CRA. In the case of first time renters, or newcomers who have not filed taxes, a signed lease from the landlord will be accepted for the initial application.
- g) Families with dependent children are required to submit a current CCB statement as proof of custody;

- h) Where an applicant has shared custody or visitation rights of their dependent children, assessment of eligibility will include the children as members of the household. The applicant can provide this through the following: current year CCB documents, custody documents (i.e. guardianship agreement, legal custody court documents) or a written letter provided by both parents advising shared custody or visitation. Applicants will receive full benefits regardless of the number of days an individual has the children in their care;

### **2.03 Ineligible Persons**

Applicants are not eligible for the Rent Assist program if they do not meet the general eligibility criteria as previously outlined in section 2.01 or if:

- a) the applicant or his or her co-habiting spouse or common-law partner, is receiving benefits from Employment and Income Assistance (EIA), except for an allowance or assistance respecting health care benefits;
- b) the applicant is living in accommodations, including a mobile home, that he or she owns or that is owned by his or her spouse or common-law partner;
- c) the applicant is living on a First Nation Community;
- d) individuals on the same lease are already in receipt of Non-EIA Rent Assist benefits;
- e) Individuals who are a temporary resident of Canada such as someone on a work or study permit;
- f) An applicant, such as a nanny or caretaker, is receiving rent in lieu of wages that person is deemed not to be paying rent and is not eligible for benefits;
- g) An applicant is 18 years of age or older and is receiving an allowance from Child and Family Services as part of an Extension of Care agreement.

### **2.04 Eligible Rental Accommodations**

An applicant, to be considered eligible for benefits, must live in an accommodation for which they are paying rent, including room and board and rent-to-own situations as outlined in 2.02(f).

### **2.05 Ineligible Rental Accommodations**

Applicants who reside in any of the following will not be eligible for Rent Assist:

- Any living accommodations owned, operated or receiving ongoing shelter assistance by Manitoba Housing and Renewal Corporation (MHRC);
- a hospital, personal care home or the Manitoba Developmental Centre;
- a licensed residential care facility, treatment centre or shelter;

- any housing owned, operated or supported by a post-secondary educational institution;
- a mobile home that is owned by the applicant or spouse/common law partner where rent is paid for the land on which it is situated.

In general, one Rent Assist benefit will be issued per lease. If there is an apparent interdependent relationship between multiple leaseholders, the Rent Assist program may ask for more information from the applicants in order to clarify the relationship.

## **2.06 Rent Assist Benefit Levels**

Rent Assist benefits are determined using the annual net household income, household size and use 75% of median market rent as established by the Canada Mortgage and Housing Corporation (CMHC) as a reference point. The amounts for each household situation of Rent Assist are:

<b>Number of Persons in the Household</b>	<b>Income Eligibility Threshold</b>	<b>Monthly Income Eligibility Threshold</b>	<b>New Monthly Maximum Benefit</b>
<b>Senior/Persons with a Disability/General Categories</b>			
1 person	\$23,040	\$1,920	\$576
2 person	\$26,320	\$2,193	\$658
3 to 4 person	\$32,600	\$2,717	\$815
5+ person	\$41,040	\$3,420	\$1,026
<b>Family Category</b>			
2 to 4 person	\$32,600	\$2,717	\$815
5+ person	\$41,040	\$3,420	\$1,026

Benefit amounts are calculated based on the difference between 30% of net household income and 75% of Median Market Rent (the maximum benefit). Maximum benefits cannot exceed the maximum benefit levels listed above.

### **3.0 APPLICATION PROCEDURES**

#### **3.01 Application Process**

In order to process an application for benefits the application must be completed in full, be signed by the applicant and all members of the household over the age of 18 and have all supporting documentation attached.

Applicants are entitled to receive benefits effective the first day of the month in which the complete application or reapplication **and all supporting documentation** is received.

Individuals will be approved for a period of twelve months. No reassessments of eligibility will occur during that period, unless CRA reassesses an individual's income for a particular tax year. Changes to the household composition or finances of the applicant will be reflected in the re-application following the expiry of the current benefit period. If an individual applies to the program and has had an application approved within the twelve months preceding their reapplication, the previously approved application will be used to determine eligibility for benefits.

#### **3.02 Incomplete Information**

Where an applicant makes an incomplete declaration of income or there is any other information missing on an application for program benefits, benefits may be delayed and/or the application cancelled.

#### **3.03 Request for Further Information**

If further information is required, staff will mail a letter to request that the applicant provide the missing information:

- a) if provided within 30 days from the date of the letter the application approval month will be the month the complete application or re-application was received.
- b) if information is received after the 30 days, but within 90 days from the date of the letter, the application approval month will be in the month in which the information is received.
- c) if no information is received within the 90-day time period, the application will be closed. A new application would be required if the applicant wishes to apply.

#### **3.04 Pre-Approved Applications**

Where an applicant is not currently renting accommodations, an application will be processed and pre-approved with the applicant given 90 days in which to secure accommodations. Failure

to obtain eligible rental accommodations within that time period will result in a new application being required.

### **3.05 Notification to Applicant**

The director or a person acting under the authority of the director shall notify an applicant in writing of any decision which approves, closes or denies Rent Assist to the applicant, stating the reasons for the decision and that he or she has the right under the Act to appeal the decision to the Social Services Appeal Board.

## **4.0 DETERMINING BENEFIT LEVEL**

### **4.01 Income to be included in Rent Assist Calculation**

Annual net household income is calculated by adding the annual net income of the applicant to the annual net income of all other persons residing with the applicant, as described in Section 11.4(1) of the Assistance Regulation under the Manitoba Assistance Act.

Annual net income is calculated utilizing Line 236 on the proof of income statement (option 'C' print). If an applicant is applying between January and June, net household income as determined by their proof of income statement from two years prior to the current year will be used. If the application is received between July and December, net household income as determined by their proof of income statement from the previous year will be used.

The proof of income statement is to be used with the following exceptions:

- a) Where newcomer applicants are under a sponsorship (government and privately sponsored refugees), they will be assessed based on the following federal sponsorship chart for the full duration of their sponsorship.

<b>Household Size</b>	
<b>1</b>	\$ 12,600
<b>2</b>	21,200
<b>3</b>	23,000
<b>4</b>	27,000
<b>5</b>	29,700
<b>6</b>	32,500
Additional member	2,550



- b) Where newcomer applicants (individuals and families) have world income but no formal documentation that indicates it (e.g. proof of income statement – if they have been in Canada less than a year), they are required to provide one of the following CRA benefit statements to show their world income:
  - i. For families with children: CCB notice is preferred. Other documents may be considered in special circumstances.
  - ii. For individuals and couples without children: Goods and services tax/Harmonized sales tax (GST/HST) credit notice is preferred. Other documents may be considered in special circumstances.
- c) Where a spouse is part of the household and is a permanent resident of Canada but resides in a foreign country, and there are no children in the family unit, the spouse shall be counted as a member of the household for the purposes of determining the appropriate Rent Assist rate. World income as listed on the GST/HST credit notice will be included in household income to determine eligibility for Rent Assist. Only one spouse per couple can claim the GST credit, the GST credit notice will indicate marital status.
- d) Where a spouse is part of the household and is a permanent resident of Canada but resides in a foreign country and there are children in the family unit, the spouse and children shall be counted as members of the household for the purposes of determining the appropriate Rent Assist rate. World income as listed on the CCB notice will be included in household income to determine eligibility for Rent Assist.
- e) Spouses who are not permanent residents of Canada, will also be counted as members of the household for the purposes of determining the appropriate Rent Assist rate and their income will be included in the household income to determine eligibility for Rent Assist, whether they reside in a foreign country or in Canada. The world income as listed on the CCB or GST notice will be used to determine eligibility for Rent Assist.
- f) Applicants or residents of the household who are 18 years of age and have not filed income tax will be assessed based on current income information for income that is normally counted on Line 236 of the proof of income statement.
- g) Applicants involved in a training/education program where they are receiving funding will have the cost of books, tuition and child care removed from their income with confirmation of the breakdown received from their funder as outlined in 11.4(5) of Part 3 of the Regulation.
- h) Households which include one or more foster children for the care of whom the applicant receives funds from CFS shall be eligible for the rate corresponding to the household size that does not include these foster children. For example, a couple with one foster child would receive the two-person general category rate and not the three-person family category rate. This is because the funds paid by CFS to foster parents for

the support of foster children are not considered income when assessing eligibility for non-EIA Rent Assist.

- i) In the case of households where a resident, who is not the applicant or the applicant's spouse, is receiving EIA benefits, that person's income shall be included in the household income in order to assess eligibility for the household. Income will be assessed using Line 236 of the proof of income statement unless the individual is 18 years of age and has not filed income tax in which case it will be based on current income information for income that is normally counted on Line 236.

#### **4.02 Involuntary Separation of Spouse or Common-Law Partner**

Involuntary separation is applicable when one of the individuals is housed in a care facility for health related reasons while the remaining spouse/common-law partner and/or family continue to reside in their rental accommodation.

For purposes of income calculation, the net household income will equal one half of the couple's total income as outlined in 11.4(3) of the *The Assistance Regulation*

If a spouse/common law partner is part of the household but not living at the address because of work/education/family reasons the conditions in 2.02 (e) and 4.01 (c & d) apply to the application, as does Section 11.4(1.1.) of *The Assistance Regulation*.

#### **4.03 Calculating Household Annual OAS and GIS Income**

For senior applicants, the amount of Old Age Security (OAS) pension combined with the Guaranteed Income Supplement (GIS) income as reported on the applicable tax return by each household member is adjusted based on April 1, 2011 rates as established by the federal government.

#### **4.04 Change in Circumstances**

Individuals will be approved for a period of 12 months. If during that year, there are changes to the household composition or finances, no mid-year reassessments will occur. The only exception is if CRA re-assesses the income the income used in the calculation of Rent Assist benefits. Otherwise the applicant will be able to reflect the changes in their re-application upon expiry of the current benefit period.

## **5.0 DEFAULTS AFFECTING ENTITLEMENT**

### **5.01 False Declaration**

In the event an applicant knowingly makes a false or incomplete declaration on their Rent Assist application, their eligibility will be reviewed.

Rent Assist will be recalculated retroactively and the applicant may be required to repay any benefits which he/she was not entitled to receive.

### **5.02 Responsibility of Applicant(s)**

Applicants are responsible to notify the Program of the following changes to their circumstances that might affect their eligibility, no later than 30 days after the change occurs:

- a) Purchased a home;
- b) Moved out of province;
- c) Moved into ineligible rental accommodations as defined in 2.05;
- d) Receive monthly EIA benefits (not including health benefits only);
- e) Moved to a First Nation community.

In these situations, benefits will end in the next benefit month or in the month after the change in the client's circumstances occurred.

Failure to report these changes may result in an overpayment being calculated.

### **5.03 Overpayments**

Clients who have an overpayment, but remain eligible for Rent Assist will have the overpayment amount deducted from their payable Rent Assist benefits until the amount owed is paid in full. The overpayment amount is calculated starting the month after the change in the client's circumstances occurred.

Clients who have an overpayment and are no longer eligible to receive Rent Assist benefits will be required to pay the arrears in full to the Minister of Finance. Payment arrangements may be considered by the Manager. The overpayment amount is calculated starting the month after the client failed to meet program eligibility requirements.

If a former recipient of non-EIA Rent Assist is now in receipt of EIA benefits, the EIA worker should be provided with all relevant information about the non-EIA Rent Assist benefits paid to

that individual. The EIA program will then determine the appropriate course of action based on EIA unearned income policy and the information provided by Rent Assist.

#### **5.04 Outstanding Warrants**

Clients or any household member over 18 years of age who have an outstanding warrant for a prescribed offence will be required to provide Provincial Services confirmation that the outstanding warrant has been dealt with. New applications will not be processed for eligibility until the confirmation is received.

If the client qualifies for benefits and the confirmation of their outstanding warrant was dealt with and was received within 60 days, their application will be assessed effective the 1<sup>st</sup> of the month their application was received.

If the client qualifies for benefits and the confirmation their outstanding warrant was dealt with was received after 60 days, their application will be assessed effective the 1<sup>st</sup> of the month their confirmation was received.

## 6.0 RIGHT TO APPEAL

If a client disagrees with a Rent Assist eligibility decision, they may choose to appeal that decision to the Social Services Appeal Board (SSAB). A written complaint must be submitted to the SSAB within 30 days of receiving the decision letter. An appeal letter will be prepared and submitted to the SSAB from the Department, upon request. The SSAB will render their decision once the hearing between the client and the Department has concluded. The SSAB can be contacted at:

Social Services Appeal Board  
7<sup>th</sup> Floor – 175 Hargrave Street  
Winnipeg MB R3C 3R8  
Phone: 204-945-3005 or 204-945-3003  
Toll Free: 1-800-282-8069  
[ssab@gov.mb.ca](mailto:ssab@gov.mb.ca)