

**Reasons for Decision:**

**Order # AP1617-0212**

The appellant appealed that the appellant did not receive retroactive benefits to <date removed>.

The program representative provided a history of the appellant's missed appointments since the appellant's file was transferred to the current income assistance office in <date removed>. An eligibility review session was scheduled for <date removed> which the appellant sent a letter as to why the appellant could not attend along with supporting documentations to substantiate the claim. A letter was sent on <date removed> for another appointment of <date removed>. The appellant did not attend that appointment. Another letter was sent on <date removed> for an <date removed> appointment which the appellant also did not attend. The file was then deactivated with intention to close.

Documentation was received to satisfy the program's reporting requirements to release suspension and an appointment of <date removed> was scheduled. The appellant was advised to bring further information to that appointment which the appellant complied with and benefits were issued for the month of <date removed>.

On <date removed> the appellant requested retroactive benefits to <date removed>. The appellant was asked to provide doctor or counselor's letter indicating what prevented the appellant from attending the previous appointments, which was not provided. The appellant was receiving full benefits up to <date removed> then was suspended due to many failed appointments to affirm the basis of eligibility.

The appellant attended the hearing with the appellant's parent who presented on the appellant's behalf. The parent stated the parent sent a letter to the program in response to the scheduled meeting in <date removed> and why the appellant could not attend.

The appellant has had a tragic life threatening event happen a few weeks ago which has caused the appellant significant anxiety and stress. Combined with that the appellant also suffers from an <text removed> and is in <text removed>. These have all caused the appellant to be unable to function properly making it difficult for the appellant to ask for help in terms of what is required of the program.

The appellant stated that the appellant was also requested to apply for disability benefits and was denied an application for the program.

The Manitoba Assistance Act Section 5.4(2) states:

If an applicant, recipient or dependant fails to satisfy the director under subsection (1), the director may deny, reduce, suspend or discontinue the income assistance or general assistance otherwise payable, in accordance with the regulations.

After carefully considering all the written and verbal information, the Board has determined that the appellant has not met the requirements of the program. The appellant's file was closed because the appellant was not meeting the obligations placed upon the appellant. The Department had reasonable expectations relating to participants' compliance with the program's requests in order to determine eligibility. The Board finds that as the appellant has been on income assistance for many years, it is expected that the appellant is fully aware of the program's requirements and well aware of the process and has shown an extensive history of missed appointments. Therefore the Board is confirming the decision of the Director and this appeal is dismissed.

## **DISCLAIMER**

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