

Reasons for Decision:

Order # AP1718-0053

The appellant appealed that the amount of Rent Assist the appellant is receiving is insufficient.

The program representative stated that the appellant and the appellant's spouse received the Rent Assist supplement in <text removed> in the amount of <amount removed> monthly using the income reported on their <year removed> Canada Revenue Agency (CRA) information. The combined annual family net income for that assessment was <amount removed>. Upon the family's annual reapplication the calculation was based on their <year removed> CRA information. The household's annual net income was <amount removed> and the Rent Assist benefit was assessed and approved in the amount of <text removed>.

In accordance with the Manitoba Assistance Regulations, an application that is received in the first six months of the year (January to June) will be processed based on the income for the second preceding calendar year, and an application received in the last six months (July to December) will be processed based on the income for the previous calendar year. The regulation does not allow for any adjustments based on a change in circumstances or financial hardship.

The appellants stated that they respect the program's policy, however the new benefit amount was a surprise to them and the need for assistance is greater now. The appellant is currently on <text removed> leave which is a significant decrease in the appellant's income.

Section 11.1.1(2) of the Manitoba Assistance Regulations state states:

When an application for shelter assistance under this Part is made

- (a) in the first six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the second preceding calendar year; and
- (b) in the last six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the preceding calendar year.

After carefully considering the written and verbal information the Board has determined that the appellant's eligibility for Rent Assist benefits has been calculated in accordance with the provisions of The Manitoba Assistance Regulation. The regulation calculates the amount payable on a sliding scale based on a person's income. Although the Board sympathizes with the family's reduction in income, the regulation does not allow for any

discretion to review current circumstances and income situations where a person's income is significantly lower than the amount reported in the previous year's income tax return. Therefore the decision of the Director has been confirmed and this appeal has been dismissed.

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