

Reasons for Decision:

Order #AP2021-0204

On <date removed>, <name removed> filed an appeal of the Director's decision to close their income assistance file. No decision letters were provided as evidence.

At the hearing, the Department indicated that during <name removed><name removed>'s annual review, it was discovered that they received Canadian Emergency Response Benefit (CERB) payments in July and August. The Department subsequently requested <name removed> provide it with their bank statements from April to June, which also showed CERB payments. In total <name removed> received \$12,000 in CERB from April through August.

When the Department recalculated <name removed>'s eligibility, they were found to have not been eligible for assistance from May through August. As a result <name removed> was assessed an overpayment for the assistance they had been provided during this time period.

<name removed> told the Board that they received \$12,000 in CERB from April through September. <name removed> acknowledged that they receiving the CERB payments was a mistake.

In response to questions from the Board, <name removed> stated they did not know the CERB funds were deposited into their account. During the time they received CERB they were purchasing items. The appellant had also provided their children with their bank card, who were using their account to purchase items for school.

In response to a question from the Board, <name removed> indicated their children had applied for CERB without their knowledge. The appellant did not know what questions were asked during the application process.

While <name removed> argues that they were unaware of having received the CERB payments, the evidence before the Board clearly establishes that they received the funds, and there is no provision in *The Manitoba Assistance Act* or the *Regulation* to simply ignore the income. It is also established that the CERB payments exceeded <name removed>'s assistance budget from May through August, and they would therefore not be eligible to receive assistance during this time period.

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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