

Reasons for Decision:

Order #AP2021-0207

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 <name removed> had received Canadian Emergency Response Benefit (CERB) payments. As CERB is not considered exempted income, the payments exceeded <name removed>'s budget, and their file was closed.

The Department sent <name removed> letters requesting information in order to have their file re-assessed, but they have not provided any information to date. Currently, the Department requires <name removed> provide it with information to show how the CERB funds were spent in order to assess their financial eligibility.

<name removed> told the Board that the global pandemic started shortly after they moved to Winnipeg. As they were not receiving assistance at that time, they panicked and applied for the CERB.

<name removed> indicated they used the CERB funds to purchase household items such as food, and to pay their utility bills. The appellant also purchased items for their grandchildren. The appellant has exhausted all of the CERB funds.

The Board asked the Department about the status of <name removed>'s file. In response, the Department stated their assistance file remains closed.

In response to a question from the Board, <name removed> acknowledged that the appellant understood that they were not eligible for CERB. The appellant indicated they applied for the benefit as they were panicking.

The Board has heard a number of CERB-related appeals. The Board is aware that there are eligibility criteria for CERB, and that CERB applicants must attest that they meet these criteria.

<name removed> acknowledged during the hearing that they understood they were not eligible for the CERB program. Despite their ineligibility for the CERB, the evidence before the Board clearly establishes that <name removed> received CERB payments that were in excess of their monthly assistance budget, and there is no provision in *The Manitoba Assistance Act* or the *Regulation* to simply ignore the income. As a result, <name removed> would not have been eligible for assistance during the months for which they received the CERB funds.

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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