

Reasons for Decision:

Order # AP1516-0180

The appellant appealed two issues. Firstly that the appellant's basic needs and property tax amounts are insufficient, and secondly, that the appellant's request for truck repairs was denied and the appellant is not receiving the transportation coverage.

Basic Needs Insufficient & Property Tax Coverage

The appellant reported that the appellant does not receive enough in the appellant's budget to cover the appellant's needs. The appellant has received a letter stating that the appellant must pay the appellant's property taxes by <date removed> or the appellant's property will be auctioned off.

The appellant is in receipt of Canada Pension Plan Disability benefits (CPPD) which the Department is deducting from the appellant's benefits and the appellant stated this should not be deducted. The appellant stated that the appellant needs <amount removed> a month to live on. The appellant also advised the Board of several repairs to the appellant's trailer, some of them being insulation, levelling and water damage.

The Department reported that CPPD benefits are unearned income, therefore are deducted dollar for dollar. The appellant's unearned income of <amount removed> as well as <amount removed> a month for recovery of an overpayment is deducted monthly. The appellant has amounts in the appellant's budget for basic needs, property tax, water, coin laundry, the health telephone, the diet allowance and the appellant's hydro and fuel costs are paid directly by the Department. The Department stated that they did not receive a property tax bill from the appellant but the appellant is receiving <amount removed> per month in the appellant's budget for the appellant's need.

After carefully considering all the appellant's written and verbal information the Board has determined that the appellant is receiving the regulated amounts for the appellant's income assistance benefits. Canada Pension Disability is considered an unearned income and deducted from the appellant's income assistance budget which has resulted in the appellant being eligible for hydro and fuel costs only. The appellant's needs are being met by the Department paying the appellant's bills directly to the suppliers. The Manitoba Assistance Regulation Section 8 states that some financial resources are exempted. However, the Regulation does not provide for any exemption on Canada Pension Plan benefits. Therefore, the Board has confirmed the decision of the Director and the appellant's appeal is dismissed.

However, the Department advised at the hearing that they will contact the municipality for the property tax information to assess the appellant's eligibility for payment of this bill and will also look into the trailer insurance the appellant just received for possible

reimbursement.

The Department also advised the appellant that there is a minor repair coverage of \$200.00 per year that the appellant can request.

Mileage and Truck Repairs

The appellant reported that the appellant's truck is in need of major repairs and the appellant has put too much money into it. The appellant requests funds from the Department to purchase a newer truck for around \$<amount removed>.

The appellant stated that the appellant sent the Department three mileage reports for medical appointments and the appellant hasn't been reimbursed.

The Department reported that the appellant has not provided any confirmations of the appellant's medical appointments in order to receive compensation for mileage expenses. Once the Department receives confirmation the Department would reimburse the appellant.

The Department also advised that they do not cover repairs to vehicles or purchase vehicles for participants. Truck repairs or purchases do not fall under Section 21 – Special Needs in the Employment and Income Assistance Administrative Manual under allowable items.

After carefully considering all the written and verbal information the Board has determined that the Department has properly administered the appellant's request for mileage and truck repairs. The Department has not received confirmation of the appellant's medical appointments in order to pay for mileage. The Department advised the appellant they will assist the appellant by contacting the clinics which the appellant attends to obtain verification of the appellant's appointments for reimbursement.

In regards to the truck repairs and request to purchase a better truck, the Board has determined that the Manitoba Assistance Regulations or policies do not make provision for vehicle repairs or purchases in any circumstances for income assistance participants. Therefore the Board has confirmed the decision of the Director and the appeal is dismissed.

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