

Reasons for Decision:

Order # AP1516-0234

The appellant appealed that the appellant was denied Rent Assist benefits as the appellant's income is over the maximum allowed.

The appellant indicated at the hearing that the appellant understands the program's policies but that the appellant's eligibility shouldn't be considered just on the appellant's income alone and requests the program to allow the appellant's expenses. Some examples of expenses the appellant presented are a dentist bill of \$<amount removed> for the appellant's spouse, car insurance, car repairs, \$<amount removed> for the appellant's tuition loan, phone, internet and television expenses. The appellant also advised that <the family> is expecting in <date removed> and the appellant would like to save some money for the new child expenses. The appellant currently is in a co-op training program for students which will end in <date removed>. The appellant stated that the appellant was depending on the Rent Assist benefit to help pay for some of these expenses until the appellant obtains a permanent position.

The program representative indicated that the appellant's current gross monthly income is \$<amount removed>. It should be noted that the program's decision letter as well as their report states that the average gross monthly household income for rent assist purposes, in the case of a household of three or more persons, that includes at least one minor dependant, is \$2,952.00. The Board found that amount to be an error as per section 11.3 (1) of the Manitoba Assistance Regulation where the amount is \$2,852.00.

The program representative indicated that the formula for calculating Rent Assist eligibility is established by The Manitoba Assistance Act and the Manitoba Assistance Regulation. The program does not have provision to deduct applicants' general expenses with the exception of a shelter expense deduction in their calculation formula. The program representative encouraged the appellant to reapply when the appellant's educational program ends in <date removed> as the appellant's income will change.

The Manitoba Assistance Regulation 11.3 (1) states:

“To be eligible to receive shelter assistance under this Part, a person must have an average gross monthly income for his or her household that is less than \$2,852 in the case of a household of three or more persons that includes at least one minor dependant”

After carefully considering the written and verbal information the Board has determined that the program has correctly calculated the appellant's eligibility for the Rent Assist program. The program representative explained at the hearing that there is a sliding

scale of income to benefit amount ratio; however that is only up to the maximum income level amount. Once you exceed that level there are no partial benefits. The appellant's gross monthly income was calculated to be \$<amount removed>. To be eligible to receive shelter assistance, as outlined in The Manitoba Assistance Regulation 11.3, an applicant's gross monthly household income cannot exceed \$2,852 in the case of the appellant's family size. The Board must make its decisions in accordance with the Regulation, and therefore the decision of the Director is confirmed and the appeal is dismissed.

The program representative also advised that there will be some enhancements to the program in December 2015 and suggested that the appellant reapply in December 2015 to recalculate the appellant's eligibility based on the enhancements implemented at that time.

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