

Reasons for Decision:

Order # AP1516-0368

The appellant appealed that the appellant's income assistance application was denied due to excess liquid assets.

The Department advised that the appellant attended an intake appointment with the Department on <date removed>. The appellant advised that the appellant had been staying at a shelter since <date removed>. The appellant has custody of <reference removed>, however the appellant informed the Department that the appellant has placed <reference removed> in the custody of <reference removed> due to the appellant's unstable living conditions. As such the Department has enrolled the appellant as a single-person general assistance applicant. The appellant has declared a total of <amount removed> in liquid assets consisting of a <reference removed>. As those amounts total greater than the allowable liquid asset exemption of \$4,000 per person, the appellant would not be eligible for benefits until the appellant's assets become \$4,000 or lower.

The appellant advised that the appellant does not have access to all of the appellant's liquid assets. The appellant submitted into evidence at the hearing, a statement of the registered accounts showing the <reference removed> account balance at <amount removed> and the <reference removed> balance at <amount removed> dated <date removed>. Also submitted was a letter from the bank dated <date removed> advising that the appellant cannot access the complete value of the <reference removed> and would be only eligible to access <amount removed>.

The appellant believes that as the appellant has legal custody of <reference removed>, <reference removed> should be added to the appellant's income assistance file. The appellant requests to be enrolled as a single parent, then would have an \$8,000 liquid asset exemption. It would also afford the appellant to obtain an apartment and work towards employment in order to have <reference removed> return to the appellant's care.

The Manitoba Assistance Regulation 8 (1) (iv) states: "In calculating the financial resources of an applicant's or recipient's household, the director shall exempt (a) the following assets: (iv) liquid assets of up to \$4,000 per person, to a maximum of \$16,000 per household". As the appellant is a family unit of one she has a liquid asset exemption of \$4,000.

After carefully considering the written and verbal information the Board has determined that the Department has correctly assessed that the appellant has exceeded the liquid asset exemption and is not eligible at the present time for income assistance benefits. Eligibility for income assistance is determined by comparing a person's basic needs to

their available financial resources. The regulation allows for a liquid asset exemption on financial resources up to \$4,000. Any funds that a person has that exceed \$4,000 are not exempted by any other section of the regulation and are considered available for current maintenance. Although the appellant may have legal custody of <name removed>, the appellant is not eligible for more than a single person liquid asset exemption as <reference removed> is not presently living with or under the appellant's primary care. The Department advised at the hearing that the portion of the appellant's funds that are not accessible to the appellant are not included in the total liquid asset amount, however the accessible amount still exceeds the Department's liquid asset exemption of \$4,000.00 per person. Therefore the decision of the Director has been confirmed.

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