

Reasons for Decision:

Order # AP1516-0424

The appellant filed an appeal that the appellant's application for Rent Assist benefits was denied.

The Rent Assist program received a reapplication for Rent Assist benefits on <date removed>. The income tax information for the 2014 tax year showed that rental payments were not claimed. The decision letter advising the appellant of this decision stated that the appellant's application for benefits was denied as the appellant did not claim rental payments on the appellant's 2014 income taxes.

At the hearing the appellant stated that the appellant initially misunderstood the reason for the rejection, but once the appellant got the appeal package the appellant understood. The appellant stated that the appellant has now filed for an adjustment on the appellant's taxes.

The appellant brought notification of the request for reassessment to the hearing, however this was not submitted as evidence, as the program representatives indicated they required the actual reissued "Option C" form before they could process the application. The appellant stated it will be a couple more weeks before the appellant receives this form. The program representatives stated that the appellant's application would be back dated once they received this information.

The Manitoba Assistance Regulation, Part 3 states:

Eligibility requirements

- 11.3(1) To be eligible to receive shelter assistance under this Part, a person must
- (a) have eligible rental accommodations as his or her primary residence; and
 - (b) have an average gross monthly income for his or her household that is less than
 - (i) \$2,044 in the case of a single person household,

The program has developed policies to assist in determining eligible rental accommodations. In policy 2.01 it is stipulated that a person applying for Rent Assist must claim rental payments on annual income tax.

After carefully considering the written and verbal information the Board has determined that the program was correct in requiring the appellant to claim 2014 rental payments on the appellant's income tax before the appellant can be found eligible for Rent Assist benefits.

Although Rent Assist is not considered income for the purpose of income tax filing, it is taken into consideration when calculating a person's non-refundable tax credits, and

therefore the program needs to ensure that persons claiming the Rent Assist are also the persons claiming the tax credits. Therefore the decision of the director has been confirmed.

Once the appellant has received the required information from Revenue Canada, the appellant should submit it to the Rent Assist Program so eligibility can be established.

DISCLAIMER

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