Reasons for Decision:

Order # AP1516-0335

The appellant appealed that the appellant's application for Rent Assist benefits was denied.

At the time of the appellant's application for Rent Assist the appellant's only source of income was the appellant's Employment Insurance benefits of $<amount removed> every two weeks. The Program calculated this biweekly pay rate into a monthly amount by multiplying the weekly rate of $<amount removed> by the 52 weeks in a year, divided by 12 months. This was calculated to a current monthly income of <amount removed>. In some months the appellant would receive 2 pays of <amount removed>, and in some months the appellant would receive 3. For the purposes of eligibility for the Rent Assist program, the monthly average is used.

The program determined that the appellant's average monthly income of <amount removed> was in excess of the maximum monthly threshold for a single person household of $2044 per month.

The appellant stated at the hearing that the appellant considers the appellant's current monthly income to be <amount removed> as the appellant gets two cheques of
<amount removed> each, and from this amount the appellant must pay <amount removed> rent. The appellant also stated that the appellant's Employment Insurance (EI) benefits will only be paid for 38 weeks, so the calculation of annual income should only include 38 weeks of EI benefits, not 52 weeks.

The Manitoba Assistance Regulation states:

Calculating shelter assistance payable

11.5(1) The shelter assistance payable to a person under this Part is to be determined in
accordance with this section and the following formula:

SA = (A - B) + C

In this formula,

SA. is the amount of monthly shelter assistance payable, subject to subsection (2);

A.   is the monthly rent payable by the person ,subject to subsections (3) to (6);

B.   is 25% of the person's monthly household income;

C.   is $20 if (A - B) is greater than 0, or

.   is $0 if (A - B) is 0 or a negative amount.

11.5(2) The maximum monthly shelter assistance payable to a person is $300.

11.5(3) If the monthly rent of
     (a) a single person exceeds $511, the person's rent is deemed to be $511;

After carefully considering the written and verbal information the Board has determined that the Rent Assist program has correctly calculated that the appellant's current monthly income is <amount removed> per month based on converting a weekly EI rate of <amount removed> into a monthly amount. The Board also agrees that based on the formula for calculating eligibility as outlined in The Manitoba Assistance Regulation, they properly determined that the appellant was not eligible for any Rent Assist benefits at this time. Therefore the decision of the Director has been confirmed.

Should the appellant's circumstances and/or income amount change, or after the appellant has filed the appellant's 2015 income tax return, the Board would suggest to the appellant that the appellant reapply for assistance at that time.

The Board also notes that the decision letter sent to the appellant contained an error as it stated that the appellant's income level was found to be greater than $28,528 when in fact the appellant's annual income based on the appellant's current rate of pay would be <amount removed>. The worker indicated at the hearing that the decision letter contained an error and incorrectly indicated the maximum annual income of a two person household, not a single person household. Therefore the Board would request that the program provide the appellant with a corrected decision letter citing the maximum annual income for a single household application ($24,528).