

Reasons for Decision:

Order # AP1516-0348

The appellant appealed that the appellant's request for duplicate/emergency assistance was denied.

The appellant reported at the hearing that the appellant contacted the Department requesting duplicate assistance as most of the appellant's basic needs assistance was provided to a lawyer. The appellant presented at the hearing a copy of a receipt from the law office in the amount of <amount removed> and a hand written note from a friend stating that the appellant borrowed <amount removed> in <date removed> to meet basic living needs.

The appellant is appealing a previous Board's decision and has filed with the Court of Appeal. The appellant said the lawyer was forced to file legal papers by an urgent deadline. The appellant advised that the appellant had to take the money out of the appellant's <date removed> budget.

The appellant knew the appellant had to decide either to buy food or give up the right to present the appellant's case in court, or give the money to the law firm and ask the Department for assistance after. The appellant stated that the appellant had a very difficult choice to make and was asking for the assistance as on overpayment to be recovered over a few months' time.

The Department stated that the appellant attended the office on <date removed> requesting food vouchers. After consultation with a program manager, it was determined that the appellant was not eligible for duplicate emergency assistance as the appellant had made a choice to provide the appellant's basic needs funds to a lawyer rather than using it to meet the appellant's basic needs. The Department did notice that the appellant was eligible for bedding funds and provided the appellant with \$42.00.

After carefully considering the written and verbal information the Board has determined that the Department was correct in determining that there were no extenuating circumstances that would warrant the need for duplicate assistance. The appellant's request was not extenuating circumstances or beyond the appellant's control. The Board confirms with the Department that it was the appellant's choice to spend the appellant's basic needs funds on legal fees.

Therefore the decision of the Director has been confirmed and this appeal is dismissed.

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