

Reasons for Decision:

Order #AP2021-0223

On <date removed>, <name removed> filed an appeal of the Director's decision to close their income assistance file. The letter communicating the decision was dated <date removed>.

The decision letter sent to <name removed> stated the reason for their file being closed was that their financial eligibility could not be determined.

<name removed> was represented at the hearing by their parent, <advocate removed>.

At the hearing, the Department indicated that as part of the intake process, <name removed> was requested to provide standard documentation, including bank statements from their two bank accounts, that showed the account histories for the previous 60 days. When <name removed> attended their intake appointment on <date removed>, they provided a transaction report for a single account, which covered the period of <dates removed>. The banking information they provided did not include both of their accounts, and did not include the 60 days that the Department required to assess their financial eligibility.

<name removed> subsequently contacted the Department, and was advised they needed to provide the outstanding bank statements in order to proceed with the intake process. The appellant did not provide the banking information, and their file was closed on <date removed>, as their financial eligibility could not be determined.

<name removed>'s parent told the Board that the appellant could not obtain the required 60 days of bank statements as their account was closed by the bank, for an extended period of inactivity. After outstanding service charges were settled, the appellant opened a new account in order to provide the Department with the bank statements it was requesting.

<name removed>'s parent indicated the appellant provided the Department with the documents they have obtained, and was told by a staff member that based on what had been provided, it appeared that the file was ready to be processed.

However, <name removed> later received the letter dated <date removed>, which informed them that their file was closed effective <date removed>.

In response to a question from the Board, <name removed>'s parent indicated the bank will not release additional records without the appellant's authorization. However, the current state of the appellant's mental health prevents them from attending to the bank. It is for this reason that the Department has not been provided with 60 days of bank statements.

In response to questions from the Board, the Department stated that if <name removed>'s accounts have been closed, they would need to provide confirmation of this. Once the Department confirms the accounts are closed there will no longer be a requirement to provide bank statements for these specific accounts. In order to provide the Department with the statements from their active accounts, <name removed> can print out the information through online banking resources. Alternatively, the Department can provide <name removed> with information that can be provided to their bank that lists the specific details that are required. Without the necessary information from the bank, or confirmation that their accounts have been closed, the Department cannot proceed with <name removed>'s application.

The Department indicated <name removed>'s assistance would have been effective <date removed> had they provided the required information, and had they been found financially eligible.

The Board notes that *The Manitoba Assistance Regulation* requires applicants to provide the Department with sufficient information to establish their eligibility to receive assistance. The Department cannot enrol <name removed> in the Employment and Income Assistance program until it is established that they are financially eligible.

Based on their presentation, the Board is satisfied that <name removed> and their parent have been actively participating in the intake process. Delays resulted from actions taken by <name removed>'s financial institution, as well as the limitations of the appellant's mental health condition.

After carefully reviewing the written and verbal evidence presented to it, the Board is satisfied that <name removed> was unable to provide the Department with the requested documentation by the deadline as a result of factors they could not control. The Board Rescinds the Director's decision to close <name removed>'s file, and directs the Department to enrol the appellant under section 5.1 of *The Manitoba Assistance Act*, effective <date removed>, upon receipt of information establishing their financial eligibility.

DISCLAIMER

These are electronic copies of the Reasons for Decision issued by the Social Services Appeal Board. These written reasons have been edited to protect the personal information of individuals by removing personal identifiers.