

**Reasons for Decision:**

**Order # AP1819-0374**

<name removed> appealed that their Rent Assist benefit is insufficient to meet their needs.

The program representative stated that they received a Rent Assist application and supporting documents from <name removed> on <date removed>. The application was assessed and approved for <amount removed> monthly based on their <year removed> household world income statement in the amount of <amount removed> as determined by the Canada Revenue Agency.

The program calculates the amount payable on a sliding scale based on a family's income. The Regulation does not allow for eligibility for Rent Assist benefits to be calculated based on current circumstances.

<name removed> requested the Board to consider their current circumstances. The appellant and their family came to Canada in <date removed> through the Provincial Nominee Program, and they are a permanent resident. The appellant family's income used to assess the Rent Assist benefit was earned prior to their coming to Canada, and there were several expenses which were not taken into consideration. Currently they have no income, as they are a full time student, and their spouse is home caring for their children. <name removed> advised that with their spouse currently not working their rent and living expenses render them unable adequately to support their family.

*Section 11.1.1(2) of the Manitoba Assistance Regulations states:  
When an application for shelter assistance under this Part is made  
(a) in the first six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the second preceding calendar year; and  
(b) in the last six months of a calendar year, a person's net income is to be determined based on the taxation year that ended on December 31 of the preceding calendar year.*

After carefully considering all the written and verbal information, the Board has determined that <name removed>'s eligibility for the Rent Assist program has been properly assessed in accordance with The Manitoba Assistance Regulation. The program does not have discretion to deduct applicants' general expenses, with the exception of a shelter expense deduction, in the calculation formula. The Regulation provides for the calculation of the amount payable on a sliding scale based on a person's income. Although the Board sympathizes with <name removed>'s current situation, the Regulation does not allow any discretion to review current circumstances

and income situations where a family's income is significantly lower than the amount reported in the previous year's income statement.

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

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