

Reasons for Decision:

Order #AP2021-0199

On <date removed>, <name removed> filed an appeal respecting the Director's calculation of their Rent Assist subsidy. The letter communicating the decision was dated <date removed>.

At the hearing, <name removed> told the Board that their subsidy decreased from <amount removed> to <amount removed>. <name removed> stated they would like their subsidy to be increased to the rate they previously received.

The Department stated it calculated <name removed>'s subsidy using their 2019 option C print out. <name removed>'s current subsidy has decreased when compared with what they had received previously, as their family income had markedly increased since their last application.

The Department stated the program is income based, and neither the legislation nor the regulations contain any provisions to reassess the subsidy due to changes in financial or personal circumstances.

In response to a question from the Board, the Department indicated the subsidy amount is calculated using a sliding scale. If an applicant's income is low, the subsidy amount will be greater. Conversely if an applicant's income increases, less subsidy is provided.

After careful consideration of the written and verbal evidence submitted to it, the Board determines that the Department assessed <name removed>'s application correctly according to the legislation and regulations, and that there is no provision in the legislation for discretion. The Board confirms the Director's decision calculating the Rent Assist subsidy.

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