

APPEAL #

### PART C – Decision under Appeal

In a reconsideration decision dated 27 May 2013, the Ministry denied the Appellant's request for a crisis supplement for food because it found the request did not meet the criteria in that no information was provided to explain why the food was an unexpected expense or that failure to obtain money for food would result in imminent danger to the Appellant's health as set out in the Employment and Assistance Act, Section 4 and the Employment and Assistance Regulation, Section 59.

### PART D – Relevant Legislation

Employment and Assistance Act (EAA) Section 4  
Employment and Assistance Regulation (EAR) Section 59

## PART E – Summary of Facts

In the request for reconsideration dated May 09, 2013 the Appellant states that since she was not eligible for transportation to attend a job interview, she asked for a crisis supplement for food and was denied. She says she went to two food banks the week before but did not receive enough food to last to her next cheque. She really wanted to go to the job interview in Vancouver. She says her rent has increased to \$391 and the Ministry deducts \$20 for repayments which leaves her with \$199 per month for food. She concludes it is difficult to budget that amount for food and transportation costs to seek jobs.

In the notice of appeal the Appellant explains that she asked for two separate supplements. When she was denied a crisis supplement for transportation, she requested a crisis supplement for food. She believes the Ministry assumed that if she obtained a crisis supplement for food that she would use it for transportation. She concludes that this was a misunderstanding by the Ministry that she tried to explain but was still denied a crisis supplement.

In the reconsideration decision dated May 27, 2013, the Ministry confirms the Appellant is a single employable recipient of IA with no dependants. On May 8, 2013 the Appellant requested assistance for transportation to attend a job interview. The Ministry denied this request, and the Appellant's subsequent request for a crisis supplement for food and referred the Appellant to family or friends for help with transportation.

The Ministry concludes that the Appellant's request for a crisis supplement for food was not an unexpected expense, and that failure to obtain the supplement would not result in imminent danger to her physical health.

At the hearing the Appellant reiterated that she had asked for two supplements and the worker wrongly understood that once the transportation supplement was denied, that she was going to use the funds from the food supplement for transportation. She stated that she has asked for a crisis supplement for food before and not been denied.

At the hearing the Ministry stated that the primary reason the crisis supplement was denied was because nothing was identified as an unexpected item of need in the Appellant's request. The Ministry agreed that the amount of support that the Appellant receives is sometimes inadequate to cover monthly expenses however nothing was identified as unexpected when the Appellant made her request.

## PART F – Reasons for Panel Decision

The issue in this case is the reasonableness of the Ministry's decision to deny the Appellant's request for a crisis supplement for food because it found the request did not meet the criteria in that no information was provided to explain why the food was an unexpected expense or that failure to obtain money for food would result in imminent danger to the Appellant's health as set out in the EAA, Section 4 and the EAR, Section 59. The pertinent legislation in this case is as follows:

**EAA Section 4** *Subject to the regulations, the minister may provide income assistance or a supplement to or for a family unit that is eligible for it.*

**EAR Section 59 (1)** *The minister may provide a crisis supplement to or for a family unit that is eligible for income assistance or hardship assistance if*

*(a) the family unit or a person in the family unit requires the supplement to meet an unexpected expense or obtain an item unexpectedly needed and is unable to meet the expense or obtain the item because there are no resources available to the family unit, and*

*(b) the minister considers that failure to meet the expense or obtain the item will result in*

*(i) imminent danger to the physical health of any person in the family unit,*

The Appellant argues the Ministry has misunderstood her request, that is upon denial of a crisis supplement for transportation, she requested a separate crisis supplement for food. She argues that she has only \$199 per month for food and transportation and that amount is difficult to budget in spite of using food banks.

The Ministry argues there is no information provided to explain why the crisis supplement for food was an unexpected expense or that why failure to obtain the supplement would result in imminent danger to her physical health.

The legislation in EAR, Section 59 sets out criteria that must be met to be eligible for a crisis supplement. In this case, the Appellant knows how much she has available for food and states it is difficult to budget her available funds between food and transportation. There is no information provided to explain that her request for a supplement for food was to meet an unexpected expense. Neither is there any evidence that would explain that the request, if denied, would result in imminent danger to the Appellant's physical health. The Panel finds, based on the lack of information to meet these criteria, that the Ministry's decision to deny the Appellant a crisis supplement for food was reasonable and confirms the decision.