

PART C – Decision under Appeal

The decision under appeal is the Ministry of Social Development (the "Ministry") March 27, 2013 reconsideration decision denying the Appellant, who has Persons with Disabilities designation, a crisis supplement to reimburse her for the cost of a sink and hot water tank because the Ministry determined that the information provided did not establish that failure to provide a crisis supplement would result in imminent danger to her physical health as required by section 57(1)(b) of the Employment and Assistance for Persons with Disabilities Regulation.

PART D – Relevant Legislation

Employment and Assistance for Persons with Disabilities Regulation Section 57.

PART E – Summary of Facts

The Appellant did not appear at the hearing. The Panel confirmed that the Appellant was provided with notice of the hearing and then proceeded with the hearing in her absence pursuant to section 86(b) of the Employment and Assistance Regulation.

For its reconsideration decision, the Ministry had the following evidence:

1. Information from the Appellant that her hot water tank broke and she paid the cost of replacing it with her credit card.
2. Appellant's request for reimbursement for a sink and a hot water tank submitted to the Ministry on February 22, 2013.
3. Invoice dated February 4, 2013 showing that \$1,369.77 was paid for plumbing services to access leaking area, install a sink and a hot water tank.
4. Appellant's request for reconsideration in which she wrote that her bill has not been paid in full. Her credit card paid for it, but she has to pay for her credit card every month. She has to pay interest if she does not get the card paid quickly enough. The Appellant submitted that she is having trouble making ends meet and she still has to have more work done on the plumbing in her place. She needs as much help as she can get. She owns an old mobile home.

In her notice of appeal, the Appellant wrote that she has money problems even though she has credit. She stated that she needs as much assistance as she can get to pay off debts. She had to replace a hot water heater and sink in her home and she just added the cost to her debts.

Because the Appellant did not appear at the hearing, the Panel will consider the submissions in her notice of appeal to be the Appellant's position in this appeal.

Pursuant to section 22(4) of the Employment and Assistance Act, the Panel admits the Appellant's testimony at the hearing and the statements in her notice of appeal as providing details about her finances and need for the supplement, and as being in support of the evidence that was before the Ministry when it made its reconsideration decision.

At the hearing, the Ministry reviewed and relied on its reconsideration decision.

PART F – Reasons for Panel Decision

The issue in this appeal is whether the Ministry reasonably denied the Appellant, a crisis supplement to reimburse her for the cost of a sink and hot water tank because the Ministry determined that the information provided did not establish that failure to provide a crisis supplement would result in imminent danger to her physical health as required by section 57(1)(b) of the EAPWDR.

Section 57(1) of the EAPWDR provides that:

The minister may provide a crisis supplement to or for a family unit that is eligible for disability 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 Parties' Positions

The Appellant's position is that she has money problems even though she has credit and she needs as much assistance as she can get to pay off her debts. She had to replace a hot water heater and sink in her home and she added those cost to her debts.

The Ministry's position is that the information provided does not establish that the failure to provide a crisis supplement to reimburse the Appellant for the cost of a sink and a hot water tank will result in imminent danger to her physical health. The Appellant covered the cost of the items with her credit card.

The Panel's Decision

The Panel finds that the Appellant provided no information that the failure to obtain the crisis supplement to pay for the sink and a hot water tank would result in imminent danger to her physical health. Under section 57(1) of the EAPWDR this is one of the requirements that the Appellant must satisfy to obtain a crisis supplement. Therefore, the Panel finds that the Ministry reasonably determined that the Appellant did not satisfy the regulatory requirements for a crisis supplement and the Panel confirms the Ministry's reconsideration decision because it was reasonably supported by the evidence.