

APPEAL NUMBER
2020-00043

PART C – DECISION UNDER APPEAL

The decision under appeal is the Ministry of Social Development and Poverty Reduction's (the "ministry") Reconsideration Decision of February 4, 2020 in which the ministry denied the appellant a supplement to obtain proof of identity, as set out in section 63.1 of the Employment and Assistance Regulation.

PART D – RELEVANT LEGISLATION

EAR *Employment and Assistance Regulation, section 63.1*

PART E – SUMMARY OF FACTS

The information before the ministry at the time of reconsideration included the following:

- 1) **December 12, 2019** – the appellant requested assistance with paying for their citizen application fee of \$530.00.
- 2) **December 17, 2019** – the ministry denied the request, noting the appellant had other identification sufficient to obtain an essential service.
- 3) **January 21, 2020** – the appellant submitted a Request for Reconsideration, noting:
 - o They lost their BR card two years ago
 - o They applied for replacement and the application was returned more than once
 - o They called immigration and asked what documents were needed in order to replace the lost card. In response, the appellant was told they needed a passport

PART F – REASONS FOR PANEL DECISION

The decision under appeal is the reasonableness of the Ministry of Social Development and Poverty Reduction’s (the “ministry”) Reconsideration Decision of February 4, 2020 in which the ministry denied the appellant a supplement to obtain proof of identity, as set out in section 63.1 of the Employment and Assistance Regulation.

Legislation relevant to this decision

Supplement to obtain proof of identity

63.1 The minister may provide a supplement to or for a family unit that is eligible for income assistance or for hardship assistance to cover the cost of obtaining proof of the identity of a person in the family unit that

(a) is required for the family unit to be eligible for income assistance, or

(b) in the minister's opinion, is required for a person in the family unit, or the family unit, to access services in British Columbia or for a similar purpose in British Columbia.

Panel Decision

The ministry’s position, as set out in the Reconsideration decision, is that the appellant is not eligible for the identity supplement, under the legislation due to the fact that the appellant has not clarified what a “BR” card is, nor what services they are not able to access in British Columbia in its absence. The ministry notes that the appellant has on file; a permanent residence card, and BC services card, a social insurance number, an active bank account, and credit card.

The appellant’s position is that they lost their “BR” card, and that a replacement has been applied for more than once. The appellant was informed, by immigration that they needed a passport in order to replace the “BR” card.

Under section 63.1(b) of the Employment and Assistance Regulation, the minister may provide a supplement to or for a family unit that is eligible for income assistance or for hardship assistance to cover the cost of obtaining proof of the identity of a person in the family unit that (a) is required for the family unit to be eligible for income assistance, or **(b) in the minister's opinion, is required for a person in the family unit, or the family unit, to access services in British Columbia or for a similar purpose in British Columbia.**

The panel finds that the evidence establishes the appellant did not provide additional clarification regarding what a “BR” card is, nor what services cannot be accessed in its absence. Given the lack of clarification, the panel determined that the ministry was reasonable to deny the supplement at reconsideration, and that the ministry acted reasonably when it required clarification, and a general demonstration of what services are/were not accessible in the absence of the identification, and particularly when other British Columbia identification was on file.

Accordingly, the panel finds that the decision of the ministry to deny the proof of identity supplement is reasonably supported by the evidence in this case. Therefore, the panel confirms the ministry’s decision pursuant to section

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24(1)(a) and section 24(2)(a) of the Employment and Assistance Act. The appellant therefore is not successful in this appeal.

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PART G- ORDER

THE PANEL DECISION IS:(Check one) UNANIMOUS BYMAJORITY

THE PANEL CONFIRMS THE MINISTRY DECISION RESCINDS THE MINISTRY DECISION

If the ministry decision is rescinded, is the panel decision referred back to the Minister
for a decision as to amount? Yes No

LEGISLATIVE AUTHORITY FOR THE DECISION:

Employment and Assistance Act

Section 24(1)(a) or Section 24(1)(b)

and

Section 24(2)(a) or Section 24(2)(b)

PART H- SIGNATURES

PRINT NAME

Jennifer Armstrong

SIGNATURE OF CHAIR

DATE(YEAR/MONTH/DAY)

2020/03/20

PRINT NAME

Kevin Ash

SIGNATURE OF MEMBER

DATE(YEAR/MONTH/DAY)

2020/03/20

PRINT NAME

Katherine Wellburn

SIGNATURE OF MEMBER

DATE(YEAR/MONTH/DAY)

2020/03/20