

Part C – Decision Under Appeal

The issue under appeal is the Ministry of Social Development and Poverty Reduction (the “Ministry”) reconsideration decision of December 6, 2023 (the “Decision”). The Ministry denied the Appellant’s request for backdated assistance in the form of shelter allowance for her youngest child.

Part D – Relevant Legislation

Employment and Assistance for Persons with Disabilities Act sections 1, 3, 4, 5, 11 and 24 (the “Act”).

Employment and Assistance for Persons with Disabilities Regulation sections 1, 23(5), 29 and Schedule A section 4 (the “Regulation”).

Please see attached Appendix for a copy of the applicable legislation.

Part E – Summary of Facts

The information before the Ministry at reconsideration is as follows:

The Appellant completed the application for assistance in September 2019 and began receiving income assistance (IA) for her family of four. The Appellant was approved for Person with Disability (PWD) designation effective June 2020 and began receiving disability assistance.

In July 2021, the Appellant's daughter was born. The Appellant did not report that she had been pregnant and did not report the birth or change in size of the family unit until two years after the child was born in September 2023. Up till this point, the Appellant had not submitted any monthly reports with this information.

On September 14, 2023, the Appellant contacted the Ministry concerned that the child did not have health coverage as advised by her dental office. The Ministry advised the Appellant that the child was not an active dependent on her case.

On September 15, 2023, the Appellant submitted a monthly report to change the number of members of the family unit and requested the child be added as a dependent and explained that they are a family of five since 2021 – she, her husband and her three children. The child was added as a dependent to the family unit and enrolled in health coverage. The addition of the child as a dependent resulted in no change to the monthly support allowance. According to the Decision, it resulted in a \$50 increase to the appellant's shelter allowance including for the month of September 2023.

On September 20, 2023, the Appellant requested a review of her case to issue assistance back to the time that the youngest child was born.

On October 4, 2023, the Ministry completed its review and determined the Appellant was not eligible for backdated assistance for the child, stating that:

- The Appellant did not advise the Ministry about the birth and change to family size as required under Regulation Section 29(b)(iv), until September 14, 2023. As the Appellant did not meet the reporting obligations, the Appellant was not eligible for backdated assistance.
- The Appellant reported she did not know that she was required to submit a monthly report to report this change. The Ministry notes the Appellant was informed of the

reporting obligations at the time of her PWD designation (June 2020) and agreed to these responsibilities to report when the Appellant signed her application for assistance in 2019.

On November 2, 2023, the Appellant requested a reconsideration of her case along with a request for an extension period. (As part of the reconsideration package, the Ministry included the Appellant's September 2023 monthly report form on which she claimed the child and a copy of the 'Application for Assistance - Consents (Part One)' document ("the Consents document").

On December 4, 2023, presumably to further her reconsideration request, the Appellant provided the following new information:

- Life has been hard since coming to Canada in 2019.
- Her oldest child has disabilities, and her middle child also has health challenges.
- The Appellant's own health challenges include depression, stress, anxiety, forgetfulness, concentration problems and more.
- The Appellant needs to manage most of the things in the family as her husband is new to Canada.
- The Appellant struggles with English, especially when trying to complete application forms, navigate things online and figure out what steps must be taken. This became more difficult with the addition of the third child.
- The child has been living with her parents (that is the Appellant and her husband) since she was born. As the Appellant has a PWD designation and receives assistance by direct deposit, the Appellant does not fill out a monthly report each month. She was not aware that she needed to report the change in dependents living in the home.
- The Appellant applied for a birth certificate, health card and child tax benefits as directed in the hospital. She thought that this was all that was necessary.
- The Appellant submitted names of individuals who could attest the child has been with her since birth as well as their contact information.

- The Appellant submitted the child's birth certificate.

Appellant's Appeal Submission:

In her appeal, the Appellant submitted a letter dated December 10, 2023, with the following information:

- She is the mother of the child born [REDACTED].
- She is writing the letter so that her voice is heard by relevant authorities.
- She believes her child was eligible to receive financial support from the Ministry at birth.
- There are several reasons for this confusion and misunderstanding for not applying for assistance for the child until September 2023, including:
 - She is new to living in Canada. She came to Canada with her family in April 2019.
 - Her baby was born in July 2021.
 - It is not easy for her to manage administrative matters since she is going through difficult health and psychological circumstances and not to mention the increase in stress and depression after giving birth.
 - She is responsible for all family duties; this includes taking care of her eldest child who has severe disabilities.
 - Her income assistance is deposited directly into her account. As a PWD she does not have to fill out a monthly report which would have reminded her to advise the Ministry about changes to her family unit.
 - She is an ordinary person with much going on in her life, it is possible to get confused in some situations.
 - She is certain that her daughter deserves financial support, (although there was confusion and misunderstanding on her part in terms of the requirement to submit forms) therefore she is insisting on getting backdated assistance.

At the hearing the Appellant reviewed the information she had provided in her appeal and in her request for reconsideration. When asked the Appellant said:

- She had no help or assistance with her family responsibilities at the time her child was born. She mentioned having a Caesarean Section with this baby. She had no help raising her children, just her and her husband taking up all the duties.
- She was asked by the hospital to complete a number of forms, but she could not recall exactly by whom. She believed she had done everything that was needed.
- She thought the additional benefit that would be available for this child would be about \$100 per month.
- When on income assistance she filled in monthly reports, but once she moved to PWD status she did not fill in forms. The first was the one she completed in September 2023 when she realized the child was not receiving health benefits.
- She did not receive any help completing the forms when she applied for disability assistance.
- Her oldest child is autistic and has many challenges. She said at first her oldest child had an assistance worker, but this is no longer the case. This child only goes to school part-time where she has 2 special needs aids assigned to her. She is frequently called to bring the eldest home from school and asked to take the child to the doctor. The eldest has many difficult behaviours, and she is concerned about the baby's safety. She notes her own disability makes everything more challenging for her to deal with.
- She was asked to complete paperwork related to the baby in the hospital. The hospital did not know of her PWD designation.
- She understood that she had done everything she was asked and it came as a surprise that the baby did not have health care coverage.

The Appellant said that she did not know she had to inform the Ministry (and thereby apply for the child to be added as a dependent). As her assistance is received directly, there is no reminder of the obligation to report changes to her family (in contrast to when she was on IA.) The Appellant remarked that if she had known there were benefits available to her when she was pregnant, she would have applied for them.

Ministry Submission:

The Ministry relied on its decision of December 6, 2023. Under Section 11 of the Act the family unit must notify the ministry of any change in circumstances or information that may affect the eligibility of the family unit. Under Section 29 of the Regulation, the Appellant is required to report when there has been a change in family unit membership or marital status. This is done through the monthly report. The Decision says the Appellant's obligation to advise the Ministry regarding the birth of the child began in August 2021, that is the next month after the child was born. In addition to the legislation, the Decision points to the Consents document which the Appellant and her spouse signed in 2019 as part of their original application for assistance. In the Consents document, the Appellant agrees to notify the Ministry of any changes to membership in her family unit. This obligation to report changes in family members was also conveyed to the Appellant through information included with the PWD designation sent to them in May 2020. The Appellant did not advise the Ministry about the addition of the child to the family unit until September 2023.

The Decision relies on Section 23(5) of the Regulation, which says a family unit is not eligible for assistance in respect of a service provided or a cost incurred before the calendar month in which the assistance is requested. Assistance includes disability assistance and supplements. As the Appellant contacted the Ministry regarding the child's lack of coverage on September 14, 2023, and filed the report on September 15, 2023, the effective date of eligibility for assistance for this child is September 14, 2023. The Appellant is not eligible for backdated shelter allowance for the child from July 2021 to August 2023.

At the hearing the Ministry representative ("the Representative") reviewed the decision. The Representative provided the following additional information. Prior to the new baby, the Appellant had PWD status, a spouse and two dependents. She was on IA from September 2019 to June 2020 when she was given PWD status. During this time, she filed monthly reports. In July of 2021, her child was born. She did not advise the Ministry of the birth, nor pregnancy, and did not request pre-natal supplements.

In September 2023, she advised the Ministry that the child did not have health coverage. The Ministry put this in as an urgent request and the child was added as a dependent.

The Representative noted that the forms in the hospital were federal forms, for example for the Child Tax Benefit. The Representative said the income from this is exempt for the purpose of calculating the PWD benefit. The Representative pointed out the signed Consents document, indicating that the Appellant should have been aware of her

responsibility to advise the Ministry of changes of status. When asked, the Representative said the signatures for the husband and Appellant would have been typed in by Ministry workers when the Appellant applied for income assistance in 2019.

The representative introduced information from a document from the appellant's file dated July 26, 2021 in which the appellant has signed a form to release personal information. Although this form was signed after the baby's birth it indicates the family has only two adults and two dependents. The form is blank regarding who the release is for.

(When asked the appellant said she does not recall this form, or why she wanted it. When asked she objected to it being added as evidence, as she does not recall it.)

When asked the Representative said:

- There is no obligation to inform the Ministry about a pregnancy. Instead, it is helpful for the Ministry to know, as many clients need extra help.
- There is no monthly reporting obligation for PWD, only for IA.
- There is a transitional or final report when a client transitions from IA to PWD assistance.
- There is no application needed for increased shelter allowance in the Appellant's case where a third child was added to the family unit; the increase in shelter allowance is automatically approved.
- The Ministry and federal government share information with regards to Child Tax Credit claimants, however, this information can be inexact therefore it is not a good source for the Ministry to learn about an additional child in the family.
- The signatures on the Consents document were likely done in office or on the phone as the time period is pre-COVID.

The Representative was questioned by the panel regarding section 23(5) of the Regulation. The panel was interested in knowing what the provision meant by "extra costs incurred" and by whom was this cost was being expended. The Representative responded that the provision was related to the assistance, shelter and other costs incurred by the Appellant. The extra shelter allowance provided in this case would be \$25 per month for the fifth

family member, which the panel confirmed as \$600 over the two years' of assistance in dispute.

The panel queried the Representative regarding the discrepancy in amount for the shelter allowance reported in the Decision vs by the Representative. She suggested that the amount reported in the Decision may have represented two months allowance. However, the panel notes the difference could also be explained by the difference in minimum and maximum shelter allowance for four vs five family members. That is \$25 for the minimum allowance and \$50 for the maximum allowance. (See Regulation Schedule A, section 4.)

When asked the Representative was not able to clarify if the health care benefits in question were provided through the Ministry of Health or through the Ministry of Social Development and Poverty Reduction. The Representative was able to confirm the information in the forms provided to enroll the baby under the Medical Services Plan would not be provided to the Ministry of Social Development and Poverty Reduction.

Admissibility of Additional Evidence:

The Ministry did not object to the additional written and oral evidence provided by the Appellant.

The Appellant raised objections about the Ministry's introduction of additional evidence with respect to the release of personal information form from July 26, 2021, as she had no recollection of it. Otherwise, the Appellant did not object to the additional written and oral evidence provided by the Ministry.

The Panel finds that the additional evidence is reasonably necessary for the full and fair disclosure of all matters relating to the decision under appeal, and therefore is admissible under Section 22(4) of the *Employment and Assistance Act*. With regard to the Ministry's introduction of the release of personal information form, it reports there are four family members three weeks after the birth of the third child, rather than five family members. The panel does not give this document any weight. There was no information regarding who it was intended for, either from the Ministry or the Appellant. The birth date of the child precedes the date on this document, and this is not in question. The document appears to be an anomaly.

Part F – Reasons for Panel Decision

The issue on appeal is whether the Ministry's December 6, 2023 decision that the Appellant was not eligible for backdated monthly shelter allowance for her child between July 2021 and August 2023 was reasonable.

Appellant's Position:

The Appellant holds that she had considerable family responsibilities and had multiple challenges related to her own and her families' health, especially after her third child was born. These challenges were overwhelming and required all her attention. After she had filled out the government forms that were given to her at the hospital, she believed that all necessary formalities concerning the birth of her third child were addressed. As her PWD assistance comes directly to her bank account she had no reminders to tell her to fill in a monthly report to advise the Ministry about changes to her family composition. She did not realize there was any action she needed to take and was surprised to learn that her youngest child was not a dependent. She immediately advised the Ministry of the change once she was advised to do so. She believes her child should be eligible for support from birth and argues the Ministry should backdate the monthly shelter allowance for her child.

Ministry's Position:

The Ministry holds that per Section 11 of the Act and Section 29 of the Regulation, the Appellant was under obligation to report any changes to her family circumstances to the Ministry by the 5th day of the following calendar month. In the Appellant's case, she should have reported the new child in August of 2021. The Appellant was aware of this obligation as she had signed the Consent document at the time she applied for assistance and as she would have been given a brochure about this at the time that she was approved for PWD designation. The Appellant did not advise the Ministry of the pregnancy or birth of the child until September 2023. Further, under section 23(5) of the Regulation, a family unit is not eligible for assistance in respect of a service provided or a cost incurred before the calendar month in which the assistance is requested. In the case of the Appellant, she did not request benefits for her additional child until September 2023 at which point the Ministry immediately added the child for purpose of calculating the family's shelter allowance. The Ministry has no discretion to backdate the assistance for the Appellant to prior to this date.

Majority Decision

The majority of the panel agreed the appellant was acting in good faith and under extremely challenging circumstances. Her failure to notify the Ministry of the changes to her family status was an understandable and honest oversight. In this case the key issue is whether the Ministry was reasonable in its finding that the Appellant was not eligible for backdated shelter allowance for her child. In other words, is the Ministry's application of Section 23(5) and 29 of the Regulation a reasonable application of the applicable enactment in the circumstances of the Appellant.

Although the majority was sympathetic to the circumstances of the Appellant, the responsibility of the panel is to determine whether the Ministry was reasonable in its decision that it had no authority to backdate assistance for the Appellant. That is, could a reasonable person reach this conclusion given a possible range of outcomes.

In this case, the Appellant had an obligation under Section 11 of the Act and Section 29 of the Regulation to report changes to the Ministry. The Appellant had signed the Consents document, agreeing to the reporting obligations associated with receiving assistance in 2019 and was reminded of these obligations when approved for PWD assistance. The Appellant did not dispute this. The majority held the Ministry was reasonable in finding the Appellant had not fulfilled these reporting obligations.

The next question is whether the Ministry was reasonable in deciding it had no ability to backdate the shelter allowance to the time of the child's birth rather than when the Ministry was advised of this change in family composition. Section 23(5) of the Regulation says a family unit is not eligible for assistance in respect of a service provided or a cost incurred before the calendar month in which the assistance is requested. The panel finds that the Appellant first requested increased assistance rates due to the birth of her third child in September 2023. Accordingly, the family unit would become eligible for this assistance in September 2023. The panel finds the Ministry was therefore reasonable in deciding not to provide backdated assistance as requested by the Appellant as it has no legislated authority to do so. The majority panel therefore confirms the Ministry's decision. The Appellant is unsuccessful on appeal.

Dissenting Opinion

The application of sections 11 and 23(5) seems heavy-handed and inequitable in the circumstances of the Appellant. There is overwhelming evidence that the Appellant, who is a recipient of PWD assistance, had no access to increased shelter allowance until two years

after her child was born - a benefit she should have access to immediately following birth. As a result of insurmountable obstacles, she had failed to report the birth to the Ministry as required.

At the hospital the Appellant was given government forms to complete (applications for a birth certificate, health care card, child tax credit etc.). After filling out the forms the Appellant thought that all formalities concerning the birth of the child were taken care of. As confirmed by the Ministry at the hearing, there is data matching set up between the Ministry of Health and the Ministry of Social Development and Poverty Reduction. It should be noted that despite this data matching the Appellant had also missed out on the natal supplement.

At home the Appellant had to recover from the birth and deal with exceptionally difficult circumstances. The challenges were overwhelming and required all her attention. There was a continuous concern about the baby's safety which the mother had to watch out for. The reason for this was that both older siblings have disabilities. Especially the oldest sibling cannot not be relied on to behave appropriately around the young child. This sibling has autism, only attends school part time, has two special needs aids at school, and the school often calls the mother to pick up the child due to behavioral issues. The middle child also has health issues. Even though the mother struggles with disabilities of her own (depression, stress, anxiety forgetfulness, concentration problems etc.), she must take care of most family matters.

Sections 11 and 23(5) include a bias that denies access to benefits to a certain group of people. How can a mother who just gave birth reasonably be expected to apply for increased shelter allowance within the time limit set out in section 11 (by the fifth day of the following month)? The situation becomes even more challenging if mothers and/or their children have disabilities.

Appendix

EMPLOYMENT AND ASSISTANCE FOR PERSONS WITH DISABILITIES ACT

[SBC 2002] CHAPTER 41

Assented to May 30, 2002

Interpretation

1 (1) In this Act:

"applicant" means the person in a family unit who applies under this Act for disability assistance, hardship assistance or a supplement on behalf of the family unit, and includes

- (a) the person's spouse, if the spouse is a dependant, and
- (b) the person's adult dependants;

"dependant", in relation to a person, means anyone who resides with the person and who

- (a) is the spouse of the person, or
- (b) is a dependent child of the person;
- (c) [Repealed 2019-36-98.]

"dependent child", with respect to a parent, means a child, other than a child who is 18 years of age and is a person with disabilities, who resides in the parent's place of residence for more than 50% of each month and relies on that parent for the necessities of life, and includes a child in circumstances prescribed under subsection (2) but excludes a child in circumstances prescribed under subsection (2.1);

"disability assistance" means an amount for shelter and support provided under section 5 [*disability assistance and supplements*];

"family unit" means an applicant or a recipient and the applicant's or the recipient's dependants;

Eligibility of family unit

3 For the purposes of this Act, a family unit is eligible, in relation to disability assistance, hardship assistance or a supplement, if

- (a) each person in the family unit on whose account the disability assistance, hardship assistance or supplement is provided satisfies the initial and continuing conditions of eligibility established under this Act, and
- (b) the family unit has not been declared ineligible for the disability assistance, hardship assistance or supplement under this Act.

Application of Act

- 4** To be eligible for disability assistance or hardship assistance under this Act, a family unit must include a person with disabilities.

Part 2 — Assistance

Disability assistance and supplements

- 5** Subject to the regulations, the minister may provide disability assistance or a supplement to or for a family unit that is eligible for it.

Reporting obligations

- 11** (1) For a family unit to be eligible for disability assistance, a recipient, in the manner and within the time specified by regulation, must
 - (a) submit to the minister a report that
 - (i) is in the form specified by the minister, and
 - (ii) contains the prescribed information, and
 - (b) notify the minister of any change in circumstances or information that
 - (i) may affect the eligibility of the family unit, and
 - (ii) was previously provided to the minister.
- (2) A report under subsection (1) (a) is deemed not to have been submitted unless the accuracy of the information provided in it is confirmed by a signed statement of each recipient.

Minister's powers

- 24** (1) For the purposes of this Act, the minister may acquire and dispose of real or personal property.
- (2) The minister may conduct surveys and research activities for the purposes of program evaluation.
- (3) The minister may
- (a) prescribe forms for use under this Act, and
 - (b) specify forms for use under this Act.

EMPLOYMENT AND ASSISTANCE FOR PERSONS WITH DISABILITIES REGULATION

[Last amended April 6, 2023 by B.C. Reg. 99/2023]

Definitions

- 1** (1) In this regulation:

"**Act**" means the *Employment and Assistance for Persons with Disabilities Act*;

"**assistance**" means disability assistance, hardship assistance or a supplement;

Effective date of eligibility

- 23** (1) Except as provided in subsections (1.1), (3.11) and (3.2), the family unit of an applicant for designation as a person with disabilities or for both that designation and disability assistance
- (a) is not eligible for disability assistance until the first day of the month after the month in which the minister designates the applicant as a person with disabilities, and
 - (b) on that date, the family unit becomes eligible under section 4 and 5 of Schedule A for that portion of that month's shelter costs that remains unpaid on that date.

- (1.1) The family unit of an applicant who applies for disability assistance while the applicant is 17 years of age and who the minister has determined will be designated as a person with disabilities on the applicant's 18th birthday
- (a) is eligible for disability assistance on that 18th birthday, and

(b) on that date, is eligible under section 4 and 5 of Schedule A for that portion of the month's shelter costs that remains unpaid on that date.

(1.2) A family unit of an applicant for disability assistance who has been designated as a person with disabilities becomes eligible for

(a) a support allowance under sections 2 and 3 of Schedule A on the disability assistance application date,

(b) for a shelter allowance under sections 4 and 5 of Schedule A on the first day of the calendar month that includes the disability assistance application date, but only for that portion of that month's shelter costs that remains unpaid on the date of that submission, and

(c) for disability assistance under sections 6, 7 and 8 (2) (b) of Schedule A on the disability assistance application date.

(2) Subject to subsections (3.01) and (3.1), a family unit is not eligible for a supplement in respect of a period before the minister determines the family unit is eligible for it.

(3) Repealed. [B.C. Reg. 340/2008, s. 2.]

(3.01) If the minister decides, on a request made under section 16

(1) [*reconsideration and appeal rights*] of the Act, to provide a supplement, the family unit is eligible for the supplement from the earlier of

(a) the date the minister makes the decision on the request made under section 16 (1) of the Act, and

(b) the applicable of the dates referred to in section 72 of this regulation.

(3.1) If the tribunal rescinds a decision of the minister refusing a supplement, the family unit is eligible for the supplement on the earlier of the dates referred to in subsection (3.01).

(3.11) If the minister decides, on a request made under section 16 (1) of the Act, to designate a person as a person with disabilities, the person's family unit becomes eligible to receive disability assistance at the rate specified under Schedule A for a family unit that matches that family unit on the first day of the month after the month containing the earlier of

(a) the date the minister makes the decision on the request made under section 16 (1) of the Act, and

(b) the applicable of the dates referred to in section 72 of this regulation.

(3.2) If the tribunal rescinds a decision of the minister determining that a person does not qualify as a person with disabilities, the person's family unit is eligible to receive disability assistance at the rate specified under Schedule A for a family unit that matches that family unit on the first day of the month after the month containing the earlier of the dates referred to in subsection (3.11).

(4) If a family unit that includes an applicant who has been designated as a person with disabilities does not receive disability assistance from the date the family unit became eligible for it, the minister may backdate payment but only to whichever of the following results in the shorter payment period:

- (a) the date the family unit became eligible for disability assistance;
- (b) 12 calendar months before the date of payment.

(5) Subject to subsection (6), a family unit is not eligible for any assistance in respect of a service provided or a cost incurred before the calendar month in which the assistance is requested.

(6) Subsection (5) does not apply to assistance in respect of moving costs as defined in section 55.

[am. B.C. Regs. 340/2008, s. 2; 264/2013, s. 2; 151/2018, App. 2, ss. 7 and 8; 122/2019, App. 2, s. 1; 35/2020, App. 2, s. 3; 85/2022, App. 2, s. 2; 21/2023, App. 2, s. 2.]

Reporting requirement

29 For the purposes of section 11 (1) (a) [*reporting obligations*] of the Act,

(a) the report must be submitted by the 5th day of the calendar month following the calendar month in which one or more of the following occur:

- (i) a change that is listed in paragraph (b) (i) to (v);
- (ii) a family unit receives earned income as set out in paragraph (b) (vi);
- (iii) a family unit receives unearned income that is compensation paid under section 191 [*temporary total disability*] or 192 [*temporary partial disability*] of the *Workers Compensation Act* as set out in paragraph (b) (vii), and

(b) the information required is all of the following, as requested in the monthly report form specified by the minister:

- (i) change in the family unit's assets;
- (ii) change in income received by the family unit and the source of that income;
- (iii) change in the employment and educational circumstances of recipients in the family unit;
- (iv) change in family unit membership or the marital status of a recipient;
- (v) any warrants as described in section 14.2 (1) of the Act;
- (vi) the amount of earned income received by the family unit in the calendar month and the source of that income;
- (vii) the amount of unearned income that is compensation paid under section 191 [*temporary total disability*] or 192 [*temporary partial disability*] of the [Workers Compensation Act](#) received by the family unit in the calendar month.

[en. B.C. Reg. 335/2007; am. B.C. Regs. 85/2012, Sch. 2, s. 4; 332/2012, s. 1; 226/2014, s. 1; 151/2018, App. 2, s. 9; 270/2019, App. 2, s. 5; 268/2020, App. 2, s. 2.]

Schedule A

[am. B.C. Regs. 286/2003, s. 2 (b); 521/2004, s. 3; 164/2005; 306/2005, s. 6; 58/2007, s. 1; 70/2007, s. 2; 88/2008, App. 2, s. 2; 316/2008, s. (b); 62/2010 s. (b); 73/2010 s. 11; 197/2012, Sch. 2, ss. 9 and 10; 175/2016, App. 1, ss. 13 to 16; 95/2017, ss. 1 to 3; 34/2017, App. 2, s. 4; 153/2017, App. 2, s. 1; 193/2017, ss. 9 to 12; 151/2018, App. 2, s. 10; 32/2019, App. 2, s. 1; 122/2019, App. 2, s. 5; 270/2019, App. 2, s. 23; 35/2020, App. 2, s. 6; 108/2021, App. 2, s. 3; 233/2021, App. 4, ss. 1 to 3; 85/2022, App. 2, s. 3; 21/2023, App. 2, s. 11.]

Monthly shelter allowance

4 (1) For the purposes of this section:

"family unit" includes a child who is not a dependent child and who relies on the parent for the necessities of life and resides in the parent's place of residence for not less than 40% of each month;

"warrant" has the meaning of warrant in section 14.2 [*consequences in relation to outstanding arrest warrants*] of the Act.

(2) The monthly shelter allowance for a family unit other than a family unit described in section 14.2 (1) of the Act is the greater of

(a) the minimum set out in the following table for the family unit, and

(b) the lesser of

(i) the family unit's actual shelter costs, and

(ii) the maximum set out in the following table for the family unit.

Item	Column 1 Family Unit Size	Column 2 Minimum	Column 3 Maximum
1	1 person	\$75	\$375
2	2 persons	\$150	\$570
3	3 persons	\$200	\$665
4	4 persons	\$225	\$715
5	5 persons	\$250	\$765
6	6 persons	\$275	\$815
7	7 persons	\$300	\$865
8	8 persons	\$325	\$915
9	9 persons	\$350	\$965
10	10 persons	\$375	\$1 015

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Part G – Order

The panel decision is: (Check one) Unanimous By Majority

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)

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

Part H – Signatures

Print Name

Corrie Campbell

Signature of Chair

Date (Year/Month/Day)

2024/01/21

Print Name

Inge Morrissey (dissenting member)

Signature of Member

Date (Year/Month/Day)

2024/01/21

Print Name

John Pickford

Signature of Member

Date (Year/Month/Day)

2024/01/22