

Part C – Decision Under Appeal

The decision under appeal is the reconsideration decision of the Ministry of Social Development and Poverty Reduction (the ministry) dated May 3, 2024, which held that the appellant is not eligible for a crisis supplement for food for the following reasons:

- The ministry was not satisfied that the appellant’s need for food is due to unexpected circumstances.
- The appellant has already received the maximum crisis supplement for food that she would be eligible for.

The ministry was satisfied that the appellant has no resources to obtain food, and that her health will be in imminent danger if she does not obtain food. The panel notes that these findings are not at issue in this appeal.

Part D – Relevant Legislation

Employment and Assistance for Persons with Disabilities Regulation (the Regulation), section 57

This section of the legislation can be found at the end of the decision.

Part E – Summary of Facts

The hearing took place on June 28, 2024, as a written hearing.

Information before the ministry at reconsideration

From the ministry file:

- The appellant is a sole recipient of disability assistance.
- On April 8, 2024 the appellant received \$50 for a crisis supplement for food. [The appellant does not dispute this.]

On April 26, 2024, the appellant signed a form for a crisis supplement for food. She indicated that

- She needs \$50 for food.
- The situation that led to her request is not unexpected.
- She has no money, and her family cannot afford to help her out with food.

In her request for reconsideration dated April 29, 2024, the appellant wrote that

- She needs food for her fatty liver.

A FortisBC bill shows that on May 3, 2024, the appellant owed \$1271.78 on her account.

The appellant submitted a Notice of Appeal dated May 7, 2024. She wrote that

- She cannot afford food.

New information

In her submission dated June 13, 2025, the appellant wrote that

- She cannot afford good food for her fatty liver.

In a submission dated June 19, 2024 the ministry wrote that

- The appellant's June 13, 2024 submission (see above) has no impact on the outcome of the decision.
- The reconsideration decision denied the appellant's request for a crisis supplement for food because she had not demonstrated an unexpected need and because she had already received the \$50 maximum for food for the month of the request (April).

- This appellant has also received the maximum for May and June, under separate requests. A \$50 crisis supplement for food was approved on May 8, 2024 and another \$50 on June 13, 2024.

Admissibility of New Information

The panel finds that the information provided by the appellant and ministry on appeal is reasonably required for a full and fair disclosure of all matters related to the decision under appeal. The new information provides additional information on the appellant's request and eligibility for a crisis supplement for food. Consequently, the panel admits this information as evidence pursuant to section 22(4) of the *Employment and Assistance Act*. The Panel notes that appellant's June 13, 2024, submission does not contain new evidence.

Part F – Reasons for Panel Decision

The issue in this appeal is whether the ministry's decision to deny the appellant a crisis supplement for food was reasonably supported by the evidence or was a reasonable application of the legislation in the circumstances of the appellant.

Section 57(1) sets out several criteria all of which the appellant must meet before the ministry may provide a crisis supplement. One criterion is that the appellant requires the supplement to meet an unexpected expense or obtain an item unexpectedly needed.

Section 57(4)(a) sets out that the maximum amount that may be provided for food in a calendar month is \$50 for each person in the family unit.

The appellant's position is that she should receive a crisis supplement for food because she has no money to buy "good" food for her fatty liver, and her family cannot afford to help her.

The ministry is satisfied that the appellant does not have the resources to obtain food, and that the appellant's physical health will be in imminent danger if she does not obtain food. However, the ministry determined that the appellant's need for food is not due to unexpected circumstances because she indicated that the circumstances that led to her need for food were not unexpected. The ministry also found the appellant is ineligible because she already received \$50 for food on April 8, 2024, which is the maximum she can receive in a 1-month period for crisis supplement for food.

Panel Decision

The panel finds the ministry was reasonable when it denied the appellant a crisis supplement for food. Because there is no evidence of unexpectedness, the appellant does not meet the requirement that is set out in section 57(1)(a) of the Regulation; the appellant herself had indicated that the situation that led to her request was not unexpected. In addition, the panel finds that the appellant does not qualify for a crisis supplement for food as set out in section 57(4)(a) because the appellant has already reached the maximum limit of \$50 for a crisis supplement for food for the month of April. The appellant does not dispute this. Consequently, the panel finds the ministry was reasonable when it found the appellant ineligible for a crisis supplement for food because there is no evidence that her need for food is unexpected, and because she had already received the maximum amount for a crisis supplement for food for the month of April.

Conclusion:

The panel finds that the ministry's decision to deny the appellant a crisis supplement for food was reasonably supported by the evidence and a reasonable application of the legislation in the circumstances of the appellant. The ministry's reconsideration decision is confirmed, and the appellant is not successful on appeal.

Relevant Legislation

Employment and Assistance for Persons with Disabilities Regulation

Crisis supplement

- 57** (1) 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, or
 - (ii) removal of a child under the *Child, Family and Community Service Act*.
- (2) A crisis supplement may be provided only for the calendar month in which the application or request for the supplement is made.
- (3) A crisis supplement may not be provided for the purpose of obtaining
- (a) a supplement described in Schedule C, or
 - (b) any other health care goods or services.
- (4) A crisis supplement provided for food, shelter or clothing is subject to the following limitations:
- (a) if for food, the maximum amount that may be provided in a calendar month is \$50 for each person in the family unit;
 - (b) if for shelter, the maximum amount that may be provided in a calendar month is the smaller of
 - (i) the family unit's actual shelter cost, and
 - (ii) the sum of
 - (A) the maximum set out in section 2 of Schedule A, the maximum set out in section 4 of Schedule A and any supplements provided under section 54.3 [*pre-natal shelter supplement*] or Division 7 [*Housing Stability Supplement*] of Part 5 of this regulation, or
 - (B) the maximum set out in Table 1 of Schedule D, the maximum set out in Table 2 of Schedule D and any supplements provided under section 54.3 or Division 7 of Part 5 of this regulation,

as applicable, for a family unit that matches the family unit;
(c)if for clothing, the maximum amount that may be provided in the 12 calendar month period preceding the date of application for the crisis supplement is \$110 for each person in the family unit.

(5) and (6)Repealed. [B.C. Reg. 248/2018, App. 2, s. 2.]

(7)Despite subsection (4) (b), a crisis supplement may be provided to or for a family unit for the following:

- (a)fuel for heating;
- (b)fuel for cooking meals;
- (c)water;
- (d)hydro.

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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) and Section 24(1)(b)

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

Part H – Signatures

Print Name

Inge Morrissey

Signature of Chair

Date (Year/Month/Day)

2024/07/02

Print Name

Kevin Ash

Signature of Member

Date (Year/Month/Day)

2024/07/02

Print Name

Neena Keram

Signature of Member

Date (Year/Month/Day)

2024/07/03