



Income Assistance Policy Manual



April 2015



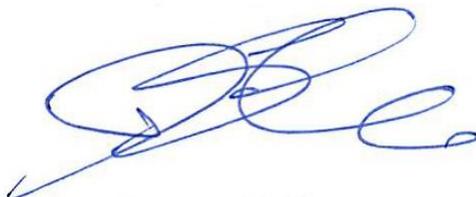
A MESSAGE FROM THE DEPUTY MINISTER

It is a pleasure to provide you with the revised Income Assistance Policy Manual. The manual has been updated to include recent changes to the Income Assistance Regulations, policies and procedures that will guide you in the administration of the Income Assistance Program. I encourage you to refer to the manual when you assess and adjudicate applications.

These are very interesting times for Income Security, and I look forward to continuing the work to improve programs and streamline policies which will help you, where it really counts, in service delivery and options for your clients. In the near future, you can expect to participate in the refocusing of Income Assistance Programs for Clients living with a disability.

This manual is a living document, and new policies will be added and old ones amended as the Income Assistance Programs evolves. I am confident that these changes will provide you with the tools and the expertise to effectively assist your community members.

The best way to ensure this manual is useful to you is for you to provide comments and suggestions to the Program Director. I encourage you to be actively involved in improving this manual.



R. Dana Heide
Associate Deputy Minister
Education, Culture, and Employment

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SECTION 1: INTRODUCTION

This manual explains the Regulations and policies of the Income Assistance Program in the Northwest Territories (NWT) and offers procedures on how to implement these Regulations. Where there is a discrepancy between policies and legislation, the legislation takes precedence.

What Is the Income Assistance Program?

The Income Assistance Program is one of five Income Security Programs delivered by the Department of Education, Culture and Employment. Income Security Programs provide financial resources in combination with other Government Programs and services to help people become independent and self-reliant.

The Income Assistance Program helps people when they do not have enough money each month to pay for basic needs like food, shelter and utilities. The Income Assistance Program also provides enhanced benefits for longer-term supports, such as clothing or disability allowance. The amount of support available to individuals is based on overall needs, where a person lives, the size of the family, and the person's ability to provide his/her own financial resources. The program encourages people to make productive choices, allowing them to achieve self-reliance.

What are the Income Assistance Regulations?

The Income Assistance Regulations, R.R.N.W.T. 1990, c.S-16 (the Regulations), are part of the Social Assistance Act. The Regulations outline how the Income Assistance Program operates and how assistance is delivered to Clients.

What About Other Legislation?

Other legislation that can influence the Income Assistance Program is the Access to Information and Protection of Privacy Act (ATIPPA) and the Interpretation Act. This list is not inclusive.

Who is Responsible?

The head of the Income Assistance Program is the Director of Income Security Programs. He/she works out of the Department of Education, Culture and Employment's headquarters office in Yellowknife. When an Officer finds himself/herself in a situation that is not covered by the Act, the Regulations, or this Policy Manual, the Officer, through his/her Supervisor, should contact the Director, who makes a decision on how to handle the Client's situation.

Must Clients Use the Assistance for Which it Was Intended?

Clients are expected to use the assistance for the purpose it was provided. Officers are not expected to monitor spending except in unusual circumstances that require the Officer's discretion, e.g. homelessness.

What Happens When a Client is No Longer in Need?

When a Client is no longer considered to be in need, he/she is no longer eligible to receive Income Assistance. If a Client is later considered to be in need again, they can be considered for Income Assistance.

Can Clients Receive Benefits While They are Disqualified?

Clients cannot receive Income Assistance or request a financial review at any time during their disqualification period. An Officer may change his/her decision to disqualify a Client if he/she has new information that shows the Client is eligible for Income Assistance.

When there is an appeal pending, Income Assistance shall not be granted until the decision of the appeal committee or the appeal board is decided.

Asking for Types of Assistance

If a Client does not ask for a certain type of assistance, the Officer must make the Client aware of what is available and offer the assistance to the Client.

How is This Manual Set Up?

This manual follows the same order as the Regulations. The manual groups the Regulations according to themes before providing a brief explanation of those Regulations.

Each section includes the following headings:

- **The Law** – a copy of the Regulation(s)
- **What it Means** – provides details of the Regulation(s)

Each section may also include:

- **Current Practice** – describes what approved practices are in place
- **Example** – describes “real life” examples of how the Regulation(s) should be used
- **Note(s)** – outlines any issues or circumstances that an Officer should be aware of

SECTION 2: INCOME ASSISTANCE REGULATIONS

Section 2.1: Interpretations – The Meaning of Words

The Law

1. In these regulations,

"Act" means the *Social Assistance Act*;

"adult" means a person who has attained 19 years of age;

"applicant" means a person who applies or on whose behalf an application is made for assistance, and includes a recipient;

"application" means an application for assistance under these regulations

"basic benefits" means the benefits set out in Schedule A;

"budget deficit" means the amount by which the total cost of those basic benefits that are necessary to an applicant exceeds the financial resources of the applicant;

"budget surplus" means the amount by which the financial resources of an applicant exceed the total cost of the basic benefits;

"child" means a person under 19 years of age;

"dependant" means a member of the family of the applicant who resides with him or her and who is wholly or in part dependant on the income of the applicant, and includes the spouse living with the applicant, but does not include an adult living in the home of the applicant who is maintained by the Director;

"earned income" means the items set out in subsection 20(3);

"enhanced benefits" means the benefits set out in Schedule B;

"financial resources" means the financial resources of an applicant and his or her dependants as determined in accordance with section 20;

"foster child" means a child who is maintained in a private home by the Director of Child and Family Services;

"head of a family" means a person who has charge of a household and who has one or more dependants in the household;

"Officer" means a Social Welfare Officer appointed under section 4 of the Act;

"recipient" means a person to whom assistance has been granted;

"spouse" means a person who

(a) is married to another person,
(b) has together with another person, in good faith, entered into a marriage that is voidable or void, or
(c) is cohabiting with another person in a conjugal relationship outside marriage;

"unearned income" means the items set out in subsection 20(4);

"unit" means, for the purpose of calculating the amount of assistance to be granted, a person who is an applicant or one of his or her dependants.

What it Means

Section 1 of the Regulations provides the exact meaning of significant words that are used throughout the Regulations.

Words in This Manual

The following are definitions of words and terms about the Income Assistance Program used in this manual:

Application Period – Revised February 2014

An Application for Income Assistance, which includes the Statement and Authorization, must be completed at least once per year, or when there is a break in service of at least one calendar month. However, Income Assistance benefits are assessed on a monthly basis. Clients who are not payrolled must complete a Monthly Reporting Form and submit all supporting documentation in order to have their monthly benefits assessed.

Asset

Any item of economic value owned by an individual, which may include cash, investments, vehicles, real estate or other property.

Bankruptcy

When determining the need of a person, it should be noted that bankruptcy is always on an individual basis - couples cannot claim bankruptcy.

Business Day

Monday through to Friday, excluding statutory and civic holidays.

Compensation

Money paid or payable as compensation for harm done to an individual.

Director's Discretion

The Director has the legislative authority to make a decision in a Client's case.

Disabled Person

A person with either physical or mental impairments that significantly restrict his/her ability to perform daily living activities, either permanently or periodically for extended periods, and medical treatment **would not** remove or heal his/her disability and because of these restrictions, requires assistance with daily living activities.

Earned Income

The items set out in subsection 20(3) of the Regulations (any income that comes from participation in a community activity, employment or an activity that includes honoraria).

Excluded Income

Items that are excluded from the calculation of financial resources.

Family

This refers to immediate family and is defined as an Officer's or Client's father; mother, brother, sister, spouse, child, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, and all relatives permanently residing with the employee.

Financial Review

A monthly review of a Client's income that is required before that Client, and their dependant(s), can receive assistance.

Friend

A close and favoured companion.

Headquarters

The head office of ECE where the Income Security Programs Division is located, the Director is based and support is provided for the administration of Income Security Programs.

Health Care Professional

The following personnel have been approved by the Director as Health Care Professionals: a doctor of medicine, a doctor who is specialized in an area of medicine, a physiotherapist or occupational therapist, a psychologist, a nurse practitioner or a registered mid-wife.

Landlord

The legal owner or owners of a property and/or building.

Month or Monthly

The period of time that represents a calendar month, such as the month of February. [*Interpretations Act*]

Parenting

The raising of children by a parent or legal guardian.

Prorate

To divide expenses based on days. Income assistance is based on monthly payments, but if a Client requests assistance in the middle of the month, the amount the Client is allowed to receive is based on the number of days left in the month and not the whole month.

For example, a food allowance for a family of three in Aklavik is \$994. If this family made an application for a food allowance on July 14, they are entitled to \$546. The amount is calculated using this formula: $\$994 \div 31 \text{ days} \times 17 \text{ days} = \546 .

Productive Choice

The activity or program a client must take part in to continue receiving Income Assistance unless he/she is exempt.

Remote/Inaccessible Area

A remote or inaccessible area is any place that is not easily accessible and is more than 50 kilometres from the nearest road.

Resident

A person lawfully entitled to be, or to remain in Canada, who makes his or her home and is ordinarily present in the Territories, but does not include a tourist, transient or visitor to the Territories.

Retroactive – Revised February 2014

Intended to apply or take effect at a date in the past.

Separated – Revised April 2014

When couples no longer live together but are not divorced. The Director must be consulted if other circumstances exist.

- Indicators of Separation: A partner of legal or common law marriage, who claims to be separated when applying for Income Assistance, must sign a statutory declaration in support of this separation.
- Evidence of Family Violence: Physical evidence or information provided by police, medical personnel or social worker, accompanied by a change in residence for the client or partner.
- Geographic Separation: Occurs when a Client is residing outside of their home community and maintaining a separate residence from their spouse due to educational or medical reasons. This does NOT apply to Clients who are residing separately from their spouse for employment reasons.

Spouse – Revised July 2014

A person, 19 years of age and older, whom is either legally married to another person or living together in a common-law relationship.

A person under the age of 19 can only be added to the Income Assistance assessment as a spouse if they are legally married to the Head of Household.

Transient

A person who is in need of short-term assistance.

Traditional Activities

A traditional activity is any one of the following: hunting, fishing, trapping, crafting (baskets, dream-catchers, etc.), carving or being out-on-the-land in a remote or inaccessible area.

Unearned Income

The items set out in subsection 20(4) of the Regulations. Income received as a result of activities other than participation in community activities, employment, or training.

Notes

1. The words “must”, “shall” and “will” in the Act and Regulations, or in this manual, refer to something that has to be done, there is no choice.
2. The word “may” in the Act, Regulations, or in the manual will be used to express possibility, opportunity or permission and it is not a requirement.

Section 2.2: Person in Need – Who is Eligible

The Law

1.1. (1) In this section, "long term care facility" means a residential facility providing personal assistance and care to persons outside of their homes and includes a nursing home and an extended care ward of a hospital.

"safe shelter" means a facility providing shelter, protection, emergency care, or support to persons who have experienced domestic violence or abuse and to their children.

(1.1) Subject to subsection (2), an applicant is a person in need if, by reason of inability to obtain employment, loss of the principal family provider, illness, disability, age or other cause of any kind that makes the applicant unable to provide adequately for himself or herself and his or her dependants or any of them,

(a) a budget deficit exists; or

(b) a budget surplus exists that is inadequate, as determined in accordance with the direction of the Director, to provide for an unexpected situation.

(2) An applicant described in subsection (1.1) is not a person in need if the applicant

(a) is employable but is unwilling to accept employment of any type that has been offered in the Territories that would enable the applicant to provide adequately for himself or herself and his or her dependants;

(b) is unemployed but is employable as determined under section 5 and an Officer is not satisfied that the applicant is searching for and is willing to undertake wage employment or self-employment;

(c) is a child;

(d) is residing in a

(i) Repealed, R-063-2004, s.2.

(ii) hospital, other than a long term care facility, or

(iii) safe shelter;

(e) is incarcerated;

(f) has the means available to maintain himself or herself and his or her dependants adequately; or

(g) refuses or neglects to utilize all of the financial resources that he or she may access including but not limited to employment, unemployment or disability benefits or, subject to subsection (3), pension benefits.

(3) An applicant is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

1.11. An applicant is only eligible to receive assistance if he or she

(a) is a Canadian citizen;

(b) is a permanent resident as defined in subsection 2(1) of the *Immigration and Refugee Protection Act* (Canada);

(c) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and he or she

(i) has applied for permanent resident status, and

(ii) has been issued a social insurance number; or

(d) is a person who has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim

(i) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and

(ii) has not been rejected, suspended, abandoned or withdrawn.

1.12. (1) If the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person, the applicant is not eligible to receive assistance until 60 days after the day on which the Director makes that determination.

(2) If an applicant voluntarily left employment without just cause as set out in paragraph 29(c) of the *Employment Insurance Act* (Canada) he or she is not eligible to receive assistance until 60 days after the day on which he or she left the employment.

(3) If an applicant's employment was terminated by his or her employer for just cause the applicant is not eligible to receive assistance until 60 days after the day on which his or her employment was terminated.

1.13. (1) If a recipient's assistance is terminated under paragraph 16(1) (b), (c), (d.1), (d.2) or (d.3),

he or she is not eligible to receive assistance until 60 days after the day on which his or her assistance is terminated.

(2) If a recipient's assistance is terminated under paragraph 16(1) (b), (c), (d.1), (d.2) or (d.3) and it

was previously terminated under the same paragraph, he or she is not eligible to receive assistance until 90 days after the day on which his or her assistance is terminated.

What it Means

Section 1.1(1) to 1.13(2) of the Regulations explains how to determine if a person is in need and is eligible to receive Income Assistance. It also explains what an Officer must do when a Client's assistance is increased, reduced or refused.

A person in need is a person who does not have enough money to pay for his/her or his/her dependants' basic needs (food, shelter and utilities). The amount of Income Assistance needed is calculated by subtracting the Client's income from the cost of his/her basic needs. If a person **does not have** money left over, he/she may be eligible for Income Assistance.

If a person has money left over, he/she is not a person in need unless the Director believes the money left over is not enough to provide for an unexpected circumstance.

Person in Need

The following are examples of situations where Clients and/or their dependants would be considered a person in need:

- The Client cannot find work
- An income earner no longer supports the Client and/or dependants
- The Client is ill or homeless and unable to support himself/herself or his/her dependants
- The Client is disabled and living:
 - Alone or with someone
 - In a group home
 - In a long-term care facility/hospital, a nursing home or an extended care facility/hospital
- A senior has an income that is not enough to meet his/her needs
- A Client is unable to provide adequately for himself/herself and/or his/her dependants, according to the Director
- A Client who is under house arrest

Person Not in Need

The following are examples of situations where Clients and their dependants **would not be** considered persons in need:

- A Client will not take offered work

- A Client can work but the Officer is not satisfied that the person who has applied for assistance is actively looking for work
- A Client is under the age of 19 and considered a child
Revised April 2014
 - In cases where a parent is receiving IA benefits for a child who turns 19 during the assessment month, benefits will not be prorated. If the child is unable to sustain themselves financially in subsequent months, they are required to apply for IA benefits on their own behalf
- A Client is in a hospital in the NWT for a medical, surgical, or psychiatric procedure (extended care or long-term care excluded). When Clients are temporarily hospitalized, the supervisor can grant up to three months of assistance for:
 - Shelter, utilities, food and clothing for dependants at home
 - Shelter and utilities for single clients
 - The aged, disabled, incidental, and/or clothing allowance, if eligible.

Revised October 2014

The food and clothing allowance should be determined based on the number of family members at home.

For example, a Client with a spouse and two dependants (family size of 4), is temporarily hospitalized. The food and clothing allowance should be issued to assist the remaining family members at home based on a family size of 3.

- Since each case is different, the Officer must send an email to his/her Supervisor to obtain approval

Revised October 2014

- A Client is living in a safe shelter. There are six (6) shelters within the NWT. They are:
 - Sutherland House, Fort Smith;
 - Family Support Centre, Hay River;
 - Inuvik Transition House, Inuvik;
 - Aimayunga Women and Emergency Foster Care Shelter, Tuktoyaktuk
 - Alison McAteer House, Yellowknife;
 - Centre for Northern Families, Yellowknife;
 - A Client residing in a safe shelter may still be considered a person in need if his/her dependants require care and his/her home needs to be maintained. The Client's dependants and home must be in the NWT
- A Client is in prison
- A person who, while receiving Income Assistance:
 - Now has the resources (money, goods or services) to support himself/herself and/or his/her dependants

- Will not, or does not, use all the financial resources he/she can access (other than Income Assistance) and is thus not eligible for assistance for 60 days
- Will not participate, or stops participating, in a productive choice and is thus not eligible for assistance for 60 or 90 days (unless exempt from a productive choice)
- Will not, or does not, provide any personal or financial information required for the Officer to carry out a financial review
- Is now working and the earnings are enough to support the Client and his/her dependants according to the Officer. (Income assistance can continue until a Client's first paycheque. If assistance overlaps, no recovery is required)
- Has made a false or misleading statement, as determined by the Director, in order to receive assistance for himself/herself, or for another Client
- Quits a job without just cause. See section 29(c) of the Employment Insurance Act
- Is fired with just cause
- Leaves the NWT, **unless** the Client leaves in order to receive medical treatment or participate in a Productive Choice that is unavailable in the NWT.

Penalties of 60 or 90 Days

- **False or Misleading Statement - *Revised December 6, 2013***: If the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person, the applicant is not eligible to receive assistance until **60 days** after the day on which the Director makes that determination.
- **Left a Job**: Where a Client, who has not been a recipient of Income Assistance in the last 31 days, has voluntarily left employment without just cause, as set out in paragraph 29(c) of the Employment Insurance Act, he or she is not eligible to receive assistance until **60 days** after the day on which he/she left the employment. For more information, please visit: <http://laws-lois.justice.gc.ca/eng/acts/E-5.6/page-17.html#h-17>
- **Job is Terminated with Just Cause**: Where an applicant's employment was terminated by his or her employer for just cause, the applicant is not eligible to receive assistance until **60 days** after the day on which his/her employment was terminated.
- **Assistance is Terminated**: Where a recipient's assistance is terminated based on this section of the Regulations, he/she is not eligible to receive assistance until **60 days** after the day on which his/her assistance is terminated.

- **Two Strikes Rule:** If a Client's assistance is terminated a second or subsequent time, for the same reason as the first, he/she is not eligible to receive assistance until **90 days** after the day on which his/her assistance is terminated.

Who is Eligible?

Canadian citizens, permanent residents, refugee claimants and protected persons with a social insurance number living in the NWT are eligible for assistance.

If refugee claimants or protected persons and their dependants have not been issued temporary or permanent social insurance numbers, they are not eligible to receive assistance. Officers must contact a Supervisor/Director who can verify the Clients' and their dependants' Canadian citizenship status.

Clients Temporarily Leave the NWT – Revised February 2014

When Clients temporarily leave the NWT to receive medical treatment or participate in a Productive Choice that is not available in the NWT, the Director can grant up to three months of assistance (for shelter, utilities, food and clothing for dependants at home). The Client can receive the aged or disabled, clothing and incidental allowances, if eligible. Since each case is different, the Officer must send an email to his/her Supervisor to get approval from the Director.

Notes

1. A Client cannot receive assistance for a need that is outside of the Regulations. A debt of any type (credit card, maintenance, personal taxes, etc.) is not considered a need. Rent, utilities, or fuel arrears incurred when a Client was not receiving Income Assistance are not considered needs. See the Client Services Officer Resource and Procedure Manual for more information.
2. The NWT Housing Corporation delivers the Homelessness Assistance Fund, which can assist a Client and his/her dependants to return to their home community within Canada or those who are at risk of becoming homeless. See the Client Services Officer Resource and Procedure Manual for more information.
3. A person in need can include someone who is self-employed.
4. When a Client is issued a Notice of Refusal, regardless of the reason, he/she and his/her dependants will no longer be eligible for assistance.
5. A person aged 16 to 18 years is not eligible for assistance, but can be directed to the Department of Health and Social Services, which may provide benefits

under a social services program through a Support Services Agreement (SSA). See the Client Services Officer Resource and Procedure Manual for more information.

Section 2.3: Kinds of Assistance – Money, Goods or Services

The Law

1.2. (1) The kinds of aid that constitute assistance for the purpose of the Act are money, goods and services.

(2) Basic benefits and enhanced benefits or a portion of them may be provided in goods or services of an equivalent amount.

What it Means

Section 1.2(1) to 1.2(2) of the Regulations explains how Income Assistance can be provided to Clients and their dependants.

Aid for basic and/or enhanced benefits can be provided to the Client and his/her dependants in the form of:

- Money (cheque or direct deposit) and/or
- Goods and services (e.g., food, fuel, etc.)

For more information on basic and enhanced benefits, refer to Sections 3 and 4 of this manual.

Section 2.4: Delegation – Transfer of Responsibilities

The Law

1.3. The Minister may delegate to a local authority designated under section 5.1 of the Act the implementation of any direction of the Director

referred to in these regulations in a community in respect of which the local authority has been designated.

What it Means

Section 1.3 of the Regulations explains how local First Nations, Aboriginal governments and other community groups can be given responsibilities regarding Income Assistance.

The Minister can delegate duties, not the authority of the Director, to community groups. However, at this time, the Minister has not delegated any authority.

Regardless of the employer, all Officers are subject to the same Regulations, policies and procedures. On matters regarding policies and procedures, Officers should report to the Supervisor of Income Security Programs.

Section 2.5: Application for Assistance – How to Apply

The Law

2. Every person applying for assistance shall

- (a) make application for assistance to the Officer for the area in which the applicant is residing; and
- (b) sign a statement and authorization in the presence of the Officer taking the application.

3. Application for assistance on behalf of a family shall be made by the head of a family on behalf of himself or herself and his or her dependants, but if an Officer is satisfied that the head of the family is unable, for a valid reason, to make the application, the Officer may permit the application to be made by another adult member of the family, or by a responsible person outside of the family.

3.1. Subject to sections 3.2 and 3.3, the Director shall determine the content of the forms to be used by an Officer for an application, statement and authorization referred to in section 2, and for an assessment and verification of whether an applicant is a person in need and for any other purpose that the Director considers necessary.

3.2. (1) In this section, "income in kind" means goods or services received by an applicant free of charge.

(2) The following must be provided in respect of an applicant and each of his or her dependants before assistance is granted:

- (a) name, sex, address, phone number, birth date, marital status and ethnicity;
- (b) education and occupation;
- (c) subject to subsection (3), proof satisfactory to an Officer, of health care number and social insurance number;
- (d) description of any maintenance order entitling the applicant to maintenance;
- (e) reason for the application for assistance;
- (f) employment history;
- (g) the monthly amount and sources of all income including gross earned income, net earned income, unearned income and income in kind;
- (h) the value and description of all assets;

- (i) information concerning finances from, if relevant, his or her employer, bank or other financial institution, mercantile organization, educational institution and federal, provincial, territorial and municipal government departments and agencies, including the Canada Revenue Agency and Human Resources and Skills Development Canada;
- (j) the most recent Canada Child Tax Benefit Notice.

(3) If, for reasons satisfactory to the Officer, proof of health care number or social insurance number, or both, is not available at the date of an application for assistance, the applicant shall, within two months after that date, provide proof that he or she has applied for a health care number or social insurance number, or both, as the case may be.

3.3. The statement and authorization of the applicant referred to in paragraph 2(b) must include statements that the applicant

- (a) meets one of the eligibility criteria set out in paragraphs 1.11(a) to (d);
- (b) has attained the age of 19 years;
- (c) will inform the Officer immediately of any change in his or her circumstances that would affect his or her application or the amount of assistance granted, including change in dependants, income, assets or residence;
- (d) authorizes the Officer to verify the information provided by the applicant;
- (e) authorizes the release to an Officer of any information, including personal information, relating to the applicant by the applicant's employer, bank or other financial institution, mercantile organization or educational institution or by a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Human Resources and Skills Development Canada for the purpose of determining the applicant's financial resources and his or her eligibility for assistance and for the effective and efficient general administration and

enforcement of the Act and the regulations made under it;

- (f) authorizes the release to an Officer of any information, including personal information relating to any claim by the applicant for benefits including but not limited to employment, unemployment, pension or disability benefits under any Act of Canada, the Northwest Territories, another territory or a province;
- (f.1) authorizes the release by an Officer of any information relating to the applicant including personal information, to the applicant's employer, bank or other financial institution, mercantile organization or educational institution or to a federal, provincial, territorial or municipal government department or agency, including the Canada Revenue Agency and Human Resources and Skills Development Canada for the purpose of determining the applicant's financial resources and his or her eligibility for assistance and for the effective and efficient general administration of the Act and the regulations made under it;
- (g) declares that he or she understands the circumstances under which the procedure by which he or she may appeal a decision respecting assistance and the circumstances under which the Officer may assist the applicant in making the appeal;
- (h) declares the information that he or she provides to the Officer is true;
- (i) declares that he or she understands that making a false or misleading statement for the purpose of

obtaining assistance for himself or herself or any other person is an offence punishable on summary conviction;

(k) will repay assistance for which the applicant is not eligible or in excess of the amount of assistance to which the applicant is eligible and understands that such assistance may be deducted from future assistance payments.

5. If an applicant is unemployed but is employable, as determined in accordance with the direction of the Director, the Officer shall satisfy himself or herself that the applicant is searching for and is willing to undertake wage employment or self-employment.

6. (1) An Officer may require an applicant to disclose fully such information as the Officer considers necessary to establish the eligibility of the applicant and the Officer may refuse assistance until sufficient information is provided. (2) The applicant shall be informed in writing of a refusal under subsection (1) together with the reasons for the refusal within 24 hours of the refusal.

7. An Officer shall refuse assistance to any applicant whom the Officer determines is not a person in need, and the applicant shall be informed in writing of the refusal and the reason for the refusal within 24 hours of the refusal.

What it Means

Sections 2 to 7 of the Regulations set out the rules Clients must follow when applying for Income Assistance and the rules an Officer must follow when refusing a Client.

Place of Residence

Clients must apply for Income Assistance in their community. Before Clients can receive Income Assistance from another community, they must provide proof of residence (such as address change, rental agreement, utility bill, etc.) to the Officer that they have moved to the new community. To assess eligibility for assistance in the new community, the Officer must determine the amount of assistance received prior to the Client's move to the new community.

A new application and a Statement and Authorization are required.

Revised November 2013

The Client's file is not to be transferred to the new community. Specific documents (such as income tax notice of assessment, old application, Statement and Authorization, etc.) will be available through CMAS Document Storage (DSM). To view the scanned documents in CMAS select **Documents** from the Attachment screen, then **Download File**. A paper file can be created from these documents. See Section 8.2 CMAS Document Storage Module (DSM) in the Client Services Officer Resource and Procedure Manual.

Application and Forms

The Director must approve all forms. Officers **shall** use only the approved forms.

Clients must complete and sign all necessary forms to apply for assistance. Clients who are unable to complete the forms may request assistance from another adult member of the family, another responsible adult person, or the Officer.

Client and Dependant Information

Clients must provide all of the following information (for themselves and for any dependants). The Officer must collect all of this information before the need for Income Assistance is determined:

- Full name (first, last, middle, as well as any nicknames, maiden names, aliases, etc.)
- Gender
- Address (street and mailing)
- Phone number(s)
- Birth date
- Marital status
- Ethnicity
- Education and occupation
- Health care number (copy)
- Social insurance number (copy)
- Description of any maintenance order (copy)
- Explanation of why they are applying for Income Assistance
- Employment history
- Monthly income (gross earned, net earned, unearned and income-in-kind)
- Description and estimated value of all assets
- Information about the money kept in or received from employers, financial institutions, agencies or governments, and,
- Most recent copy of their Canada Child Tax Benefit Notice

Revised December 6, 2013

First time Clients who are unable to provide proof of health care number or social insurance number, or both, must provide proof within two months that they have applied for their health care number or social insurance number, or both. Clients who

do not provide this information within two months must be issued a Request for Missing Information form and are ineligible to receive Income Assistance benefits until such time as the information is provided.

Verification must be done before an Officer can determine if a Client and his/her dependants are eligible to receive Income Assistance. Please refer to the Verification Procedures Manual to determine which verifications need to be completed and when.

Statement and Authorization

When applying, Clients must sign the Statement and Authorization (SOA) included in the application. If a Client has a spouse, the spouse must sign a SOA as well.

The SOA allows the Officer to collect information about a Client and his/her dependants, as well as use any information that the Client has provided. It also indicates that the Client and his/her dependants understand the form and will tell the truth on their application.

Looking for Employment

The Officer must verify that a Client who is employable is actively searching for employment and is willing to work for a wage, salary or to become self-employed. If the Officer does not believe a Client is searching for employment and/or is not willing to work, his/her Supervisor must be contacted and he/she must agree with the Officer's decision not to provide Income Assistance.

The Client must show the Officer that he/she made a reasonable effort to look for work. The Client may also be requested to complete a job application, submit a resume and obtain a dated signature from potential employers.

Request for Additional Information

Clients may be asked to provide additional information if the Officer believes it is essential to complete the application.

Refusing Assistance

An Officer may refuse assistance to any Client and his/her dependants if the Officer believes they are not in need. The Client should be notified in writing of the decision within 24 hours. If that is not possible, the written decision should be mailed to the Client. The date the decision was mailed should be recorded in the file and in CMAS.

Section 2.6: Granting of Assistance – How Assistance is Given

The Law

9. If, after thoroughly reviewing and verifying the information provided by the applicant, an Officer is satisfied that an applicant is a person in need, the Officer shall

- (a) determine the amount of assistance based on the applicant's need for assistance;
- (b) determine, in accordance with the direction of the Director, whether the assistance is to be provided as money, goods or services, or any combination of them;
- (c) grant assistance in accordance with Schedule A as is applicable to the circumstances of the applicant; and
- (d) subject to section 13.1, grant assistance in accordance with Schedule B as is applicable to the circumstances of the applicant.

10. If assistance has been granted under section 9, the Officer shall inform the applicant immediately (a) of the kind and the amount of assistance, the manner in which the amount of assistance was determined and the method of providing the assistance; and

(b) of the responsibility of the applicant to report immediately any change in circumstances that would affect the amount of the assistance that has been granted.

What it Means

Sections 9 and 10 of the Regulations set out the process Officers must follow to provide Income Assistance.

Current Practice

Although the Director should be in agreement with how the Client receives assistance, the practice has been to allow the Officer and Client to decide how the assistance will be provided, without consultation with the Director.

Officer Responsibilities

After an Officer has reviewed and examined the Client's application information and determined that the Client and his/her dependants are in need, the Officer must:

- Calculate the amount of eligible assistance (full month or prorated)
- Tell the Client he/she is eligible to receive assistance and what he/she can receive
- Decide how the assistance will be provided – cheques, direct deposit, goods, services or a combination
 - The Officer determines how the assistance will be provided in consultation with the Client
 - The Director has the authority to overturn the Officer's decision.

- Provide assistance under Schedule A – Basic Benefits and/or Schedule B – Enhanced Benefits, depending on the circumstances
- Tell the Client he/she must report all changes to his/her personal information (where he/she lives, how many people are in the family, etc.) and financial information (income and assets)
- Explain the Income Assistance Program to the Client, making sure that he/she understands what he/she is eligible to receive, how much he/she is receiving, what his/her rights and obligations are and what the government's rights and obligations are

Providing Assistance to Family Members and Friends

An Officer who works alone in a community can help a family member, friend or co-worker who is applying for assistance, but cannot issue Income Assistance without approval from an Officer in another community or Supervisor. Please refer to the CSO Resource and Procedures Manual

Section 2.7: Commencement of Assistance – When Assistance Starts

The Law

11. (1) Assistance shall commence
(a) on the day application for assistance was made,
or
(b) on the day in respect of which the need for
assistance is established whichever day is the later,
but assistance for rent, fuel and utilities may, if the
need exists, be granted commencing from the
beginning of the month in which application was
made.
(2) If the eligibility of an applicant for
assistance cannot be determined immediately
for reasons beyond the control of the applicant

or the Officer and the need is apparently urgent,
a grant of minimal assistance may be made in
accordance with Schedule A to meet the need
until the eligibility of the applicant can be
determined.

(3) Notwithstanding subsections (1) and (2),
assistance shall not be granted in respect of a
period of time during which an applicant is not
eligible to receive assistance under sections 1.11,
1.12 or 1.13.

What it Means

Section 11(1) to 11(3) of the Regulations explains when to begin a Client's Income Assistance.

Revised February 2014

An Application for Income Assistance, which includes the Statement and Authorization, must be completed at least once per year, or when there is a break in service of at least one calendar month. However, Income Assistance benefits are assessed on a monthly basis. Clients who are not pay rolled must complete a Monthly Reporting Form and submit all supporting documentation in order to have their monthly benefits assessed.

A Client's Income Assistance begins on the day he/she submits an Application for Income Assistance/Monthly Reporting Form. However, a Client's assistance for rent, utilities, or fuel can be retroactive to the first day of the month, or at any time during the month, if the Officer determines the need exists.

Start of Assistance

Once the application process is complete, assistance is retroactive to the date the application process started or the day the Client told an Officer of his/her intent to make an application, unless the Client misses his/her appointment to start the application process.

If the Officer is not in the community, the assistance starts when the Client makes contact with the Officer by phone, fax or email, unless the Client misses the appointment date to start the application process

Revised February 2014

If the Client does not submit the required supporting documentation with the Application for Income Assistance/Monthly Reporting, the Officer must issue a Request for Missing Information. The Client has until the last day of the calendar month to submit the supporting documentation. If the Client does not submit the supporting documentation by the last day of the calendar month, the Officer must issue a Notice of Refusal as per Section 16.(1)(c).

Officers do not have the authority to issue Income Assistance for a prior month without Supervisor approval.

Urgent Assistance Requirements

In circumstances where eligibility for assistance cannot be immediately determined and the Officer believes the need is urgent, the Officer may issue $\frac{1}{4}$ or $\frac{1}{2}$ of a Client's food allowance under Schedule A – Basic Benefits.

Revised August 2011

Once eligibility is established, the amount of urgent assistance must be deducted from the Client's total assistance available.

For example, a single Client in Yellowknife is eligible for \$286 month in food allowance from Schedule A – Basic Benefits. If the Officer believes the need of the Client is urgent, the Officer can issue a quarter or a half of the \$286, with Supervisor approval.

If it is determined that the Client was not eligible, the amount of assistance that was advanced to the Client must be recovered from the Client through the appropriate overpayment process.

Other extraordinary circumstances may be reviewed on a case-by-case basis in consultation with the Director.

Verification Delays – Revised February 2014

Clients must provide all of the required documents the Officer needs to determine eligibility for assistance. In addition to the required information, Officers must complete additional verification checks as per the Verification Procedures Manual. Awaiting responses from ClientCheck for this additional information shall not prevent an Officer from determining eligibility.

In situations where client verification checks are delayed beyond three business days, the Officer shall assess the application.

If the Client has provided all of the documentation required to complete the assessment and they are eligible for assistance, benefits are to be issued, regardless if ClientCheck verifications are outstanding. Once ClientCheck verifications are received and it is determined that the Client was not eligible, the assessment must be amended to reflect the new information.

Example 1:

A Client who receives income from CPP and has not provided documentation regarding the amount would not be assessed until verification is received from ClientCheck.

Example 2:

If a Client has indicated that they have zero sources of income and bank verifications from ClientCheck take longer than three days, you would assess the application based on the information provided by the Client and make any necessary adjustments once verifications have been received.

Section 2.8: Method of Providing Assistance – Money Now or Later

The Law

12. (1) Assistance shall be provided in advance either monthly or on a *pro rata* monthly calculation at intervals during the month, as considered appropriate by the Officer having regard to the circumstances of the recipient.

(2) Assistance may be provided in advance for up to two months if the recipient is able to demonstrate to an Officer that the recipient and his or her family will be residing in a remote or inaccessible location for an extended period of time.

(3) Assistance in the form of money may be paid

(a) by cheque or direct deposit to the recipient or as otherwise directed by the recipient; or

(b) Repealed, R-096-2001, s.10 (1).

(c) by cheque to a trustee.

(3.1) Assistance in the form of goods or services may be provided to the recipient by the Officer or by a person authorized by the Officer to provide the goods or services.

(4) If, under subsection (3), payment is made to a trustee the trustee shall, in a manner approved by the Director and at intervals of not longer than three months, provide an accounting of expenditures to the Officer granting the assistance.

What it Means

Section 12(1) to 12(4) sets out the rules for providing Income Assistance to Clients by the month, in advance, or to another person or agency.

With the Client's circumstances in mind, the Officer can provide assistance to the Client and his/her dependants as follows:

- At the beginning of the month
- At prorated intervals during the month, or
- If the Client and his/her family are residing in a remote, inaccessible area, assistance can be provided for up to two months in advance

When and How to Prorate – Revised April 2014

If a Client applies on the 1st to the 7th day of a month, **do not** prorate the Client's assistance for that month. If a Client applies on or after the 8th day of a month, prorating would take place and begin on the day they applied.

In cases where Officers are unable to travel to the community within the first 7 days of the month, benefits will not be prorated.

During a given month, the only needs that should be prorated are food and/or rent. Rental allowance is only in cases where rent has been prorated by the landlord. These needs are prorated for **ALL** Clients who apply on or after the 8th day of the month, regardless of the Client's reporting frequency:

- Meets face-to-face each month
- Submits the Monthly Reporting Form and required backup
- Pay rolled

When a Client applies during the first 7 days of a month, look at the full month prior to determine the Client's income.

Previous Month

For example, if a Client applied February 7th, the Officer would use the income from the entire month of January to determine benefits for February.

Count 31 Days Back

For example, a Client applies on February 8th, the Officer would start counting 31 days back beginning on February 7th and ending on January 8th, using the income earned during the period January 8th to February 7th, prorating food and assisting with other needs as necessary. If that same Client returned in March, count the income earned from February 8th to February 28th, do not prorate. If the same Client returned in April, count all of the income earned in March to determine benefits.

Advanced Assistance – Revised February 2014

In order to advance IA benefits for up to two months, the Client must demonstrate to the Officer that they will be residing in a remote or inaccessible location for an extended period of time. The Officer should obtain the following information to determine if advancing IA benefits is appropriate:

- Completed and signed Productive Choice (PC) Agreement for a Traditional PC for Clients required to participate in a PC
 - Estimated dates when the Client is leaving and returning must be included on the form
 - Should the Client return sooner than the date on the form, outside of an emergency, the PC is considered incomplete
- Estimated dates when the Client is leaving and returning
- Household members who will be residing in the remote or inaccessible location
- Location where the Client will be
- Reason for the Client being in the remote or inaccessible location

If the Officer determines that the information provided by the Client is not sufficient, the Officer must consult with their Supervisor if they feel that the Client has not provided sufficient detail and obtain approval to request additional information from a third party including, but not limited to an Aboriginal organization, Hunters and Trappers Associations, the Department of Environment

and Natural Resources (ENR), the Department of Industry Tourism and Investment (ITI).

All requested information must be documented in CMAS Attachment Notes prior to the advancement of IA.

Assistance Paid to a Public Trustee

If assistance is paid to a public trustee, the trustee must provide the list of expenses paid on behalf of the Client to the Officer **at least every three months** unless the Director approves another time-period. The Director has not approved a standard format for this information; therefore, the Officer must contact the Director in all cases involving a public trustee.

When assistance is paid to the public trustee, the public trustee must arrange to take care of the Client's affairs by completing all the necessary paperwork and signing, or arranging for signatures for, all necessary documents.

Section 2.9: Continuing Eligibility – Pay Rolling

The Law

13. A recipient who, in the opinion of the Officer is likely to be in monthly receipt of assistance in substantially similar amounts for a period of three months or more and whose financial

circumstances, in the opinion of an Officer, are unlikely to change, may be issued assistance monthly without financial review for a period up to 12 months.

What it Means

Section 13 of the Regulations explains that if a Client and his/her dependants' circumstances are unlikely to change during a period of three to twelve continuous months, the Officer may provide monthly assistance to the Client without a monthly financial review. This practice is known as pay rolling.

Continuous Payments

The Officer must be completely satisfied that the circumstances of the Client and his/her dependants will not change during the approved continuous period. Generally, Clients who are exempt from participating in a Productive Choice may be good candidates for pay rolling.

For example, a 25-year-old Client is disabled and unable to work. That Client has no other source of money and is not able to receive money from any other source. An Officer can issue all basic and enhanced benefits on a monthly basis without meeting with the Client or looking at the Client's income and expenses. Under these circumstances, the Client (or a designate) is still responsible for providing the Officer with all bills that are to be paid by Income Assistance.

Clients Reporting Changes

An Officer should remind the Client, or the person taking care of the Client's expenses, that any changes to the Client's information must be reported to the Officer immediately.

Headquarters' Monthly Downloads

Every month, ECE downloads information for the National Child Benefit Supplement, Territorial Worker's Supplement and the Senior Citizen's Supplementary Benefit and loads it into CMAS. This usually occurs between the 10th and 15th of the month. Staff should never manually enter either of these benefits without first verifying the information with their supervisor. Amounts should never be overwritten, as the actual amount paid to the Client is what is loaded into CMAS. If you are in doubt about a particular payment please contact

the CMAS Helpdesk. See the Client Services Officer Resource and Procedure Manual for Income Security Programs staff contact information.

Section 2.10: Participation in a Program or Activity – Productive Choice

The Law

13.1. (1) An Officer shall meet with an applicant and

- (a) discuss the activities and programs referred to in subsection (6) that are available in the community in which the applicant resides or to the residents of that community;
- (b) determine the activities and programs that the applicant is capable of participating in; and
- (c) recommend to the applicant one or more activities or programs in which the applicant must participate that are available in the community in which the applicant resides or to the residents of that community.

(2) An Officer, in consultation with the recipient, shall determine the time within which an applicant must commence participation in any activity or program recommended by the Officer and the duration of the applicant's participation in the activity or program.

(3) An Officer shall monitor an applicant's participation in any activity or program recommended by the Officer and the applicant shall report to the Officer on his or her participation in the activity or program as required by the Officer.

(4) An Officer may change his or her recommendation respecting an activity or program in accordance with subsection (1) and shall review his or her recommendation on the request of an applicant.

(5) An applicant shall participate in the activities and programs recommended by an Officer unless

- (a) a person in a health care profession approved by the Director, an occupational therapist or a medical practitioner certifies that the applicant is

not capable of participating in the activity or program for a specified period of time; or

- (b) the applicant attained the age of 60 years.

(6) The activities or programs that an Officer may recommend to an applicant are the following, if the activities or programs conform with criteria approved by the Director:

- (a) wage employment;
- (b) traditional activities;
- (c) education and training;
- (d) career counselling;
- (e) wellness programs and activities, including but not limited to medical treatment, counselling and treatment programs;
- (f) parenting or care of adult family members;
- (g) unpaid community work;
- (h) other activities or programs designated by the Director as activities or programs that an Officer may recommend to applicants.

(7) If an applicant is participating in an activity or program recommended by an Officer or is exempted under subsection (5), in addition to the assistance granted under Schedule A, an Officer shall grant assistance under Schedule B.

(8) In granting assistance under subsection (7), the Officer shall

- (a) determine the amount of assistance based on the applicant's need for assistance;
- (b) determine, in accordance with the direction of the Director, whether the assistance is to be provided as money, goods or services, or any combination of them; and
- (c) grant assistance in accordance with Schedule B as is applicable to the circumstances of the applicant.

What it Means

Section 13.1(1) to 13.1(8) of the Regulations outlines the programs and activities most Clients must take part in to continue to receive Income Assistance and to be eligible for enhanced benefits. These programs and activities are called productive choices.

Who Participates in a Productive Choice

Productive choices are mandatory for all adults in the Client's household, unless exempt under section 13.1(5) of the Regulations.

Deciding on a Productive Choice

A Client must participate in a productive choice if he/she is able. The Officer must meet with the Client and together they must:

- Discuss the productive choices that are available in the community
- Determine which productive choice(s) the Client is capable of participating in
- Recommend to the Client productive choice(s) that are available
- Decide when participation in the productive choice(s) will begin
- Decide how much time during the month the Client must participate in a productive choice
- Decide how long the Client will participate in the productive choice

Multiple Productive Choices

Through service management planning, a combination of two or more productive choices may best realize the client's goal(s).

Beginning a Productive Choice

Although the Regulations do not provide a start and end date for a productive choice, the common practice in the NWT is to begin productive choices when the Client starts his/her third month of assistance.

Clients may begin productive choices right away or any time within a two-month transitional period. The two-month period gives the Client and the Officer time to identify a plan of action.

If a Client is in a transitional period, he/she is not eligible for enhanced benefits.

An Officer will determine with the Client the appropriate time for the Client to begin a productive choice.

Verifying a Productive Choice

The Officer must monitor the Client's participation in his/her productive choice. The Client must submit material that confirms the participation in a productive choice.

For example, post-secondary school attendance records, pay stubs, or letters from volunteer agencies would be considered material that confirms the participation in a productive choice.

Changing a Productive Choice

At any time, an Officer may review a Client's circumstances and change the Client's productive choice *in consultation with the Client*. The change can take place at the Client's request or if the Officer deems, in agreement with the Client, that changing the productive choice would benefit the Client, or if the Client quits a productive choice for a valid reason.

A change can be made either to the type of productive choice or to the length of time a Client participates in the productive choice.

The Client must receive approval from the Officer before altering dates, the length of time, or changing/quitting their productive choice(s).

The Officer should review each situation on a case-by-case basis.

Quitting a Productive Choice

The Officer should review with a Client the reason they quit a productive choice. There may be valid reasons that could lead the Officer to recommend another productive choice rather than refuse assistance.

Productive Choice Options – Revised October 2008

- Employment that generates wages or a salary
 - The CSO should be verifying employment through paystubs and/or with the job verification form.
- Traditional activities – hunting, trapping and fishing are generally considered traditional activities. The CSO may use his/her discretion in other activities that are presented as traditional, e.g. art, sewing, crafting etc. Hunters, trappers, or fishers who are associated with a Renewable Resource office, local hunting organization or have a non-government organization in the community that will verify the clients involvement in this productive choice.
- Education – choices may include post-secondary, ALBE or an up to Grade 12 program in an approved school. Conditions for these productive choices include:
 - A copy of the education institution's attendance policy should be requested prior to the signing of the productive choice. If the client's

current attendance record is not meeting the educational institute's attendance policy the CSO should contact the educational institution, or

- A passing grade for each registered course. If the client's school marks begin to decline, the file should be reviewed with the educational institution
- Career Planning – there must be a career plan or action plan developed with a Career Development Officer.
 - Career workshops or short term skill based courses (usually less than 3 months in duration) such as safety, driver's education, life skills, etc. are considered here
- Wellness Programs – programs may include, but are not limited to:
 - Medical treatment supported by a note from a medical practitioner
 - Workshops for self-improvement, grieving, parenting, budgeting, etc.
 - Counselling for personal, spiritual, family, financial matters
 - Addictions treatment for drugs, alcohol, gambling, etc.
 - Participating in a 'Plan of Care' developed by the Department of Health and Social Services

Revised April 2014

- Following any Court Order with **optional** conditions
 - The Client must provide the Officer with a copy of the Court Order in order for the Officer to verify the optional conditions
- Parenting
 - A biological child or if the client provides verification that they are the legal guardian of the child(ren), from birth to three years of age, or
 - Two children under the age of six
- Caring for Disabled Adult dependant(s) or a dependant requiring homecare services
 - The duties of the Client and the needs of the adult family member must be outlined by a health care provider that is familiar with the family member.
- Unpaid Community Work (Volunteering)
 - The Client is involved in a volunteer activity in a field of work related to his career goals or is performing a meaningful service to the community. This may develop confidence and experience to access paid employment.
 - The Client and CSO together will decide upon the required volunteer hours per month.

The Officer must speak to his/her Supervisor and get approval from the Director for all productive choices not shown on the list above.

Exempting a client from participating in a PC for reasons other than Short-Term Medical, Long Term Disability, or Aged (over the age of 60) must be discussed with the Regional Manager and approved by the Director. Reasons for this exception may include emergency, tragedy in the family or crisis in the community.

Exempt from a Productive Choice

Clients who are disabled, aged, or have medical certificates are not required to participate in productive choices, but may participate if they wish to. The following people are exempt from participating in a productive choice:

- A Client who is 60 years of age or older
- A Client who has received a note from a health care professional that states the Client is a person with a disability
- A Client who has received a note from a health care professional that states the Client cannot work, attend school or volunteer, as a result of his/her medical condition

Revised October 2014

- A Client who is unable to obtain daycare for his/her children under the age of 13 during holidays, March break or summer break, can be exempt from participating in a productive choice during those time-periods

Providing Enhanced Benefits

A Client participating in a productive choice(s) is eligible for enhanced benefits. The Officer and the Client must:

- Determine the type of benefit to be provided based on the Client's need
- Decide how the assistance will be provided – cheques, direct deposit, goods or services, or a combination

Exempt from a Productive Choice and Enhanced Benefits

A Client who is exempt from participating in a productive choice is eligible for enhanced benefits from the day he/she applies for Income Assistance, or from the day he/she becomes exempt from participating in a productive choice.

Note

As each Client's situation is different, the Officer should consult with his/her Supervisor to determine the best productive choice option for the Client.

Section 2.11: Changes in Amount of Assistance – Changing or Stopping Assistance

The Law

14. (1) If a recipient provides information satisfactory to an Officer that the recipient's need for assistance has increased due to a change in circumstances, the Officer shall, subject to subsection (3), grant an increase in the amount of assistance granted under paragraph 9(c).

(2) An increase granted under subsection (1) must commence on the earlier of the day the Officer is advised of the change in circumstances and the day the increased need is determined.

(3) An increase in assistance may be denied if, in the opinion of the Director, the recipient has, in an unreasonable manner, caused or contributed to the change in his or her circumstances.

15. If the need of a recipient for assistance is reduced, the Officer shall take immediate action to reduce the amount of the assistance.

16. (1) Every Officer shall terminate assistance to a recipient and in the case of a family of recipients for which one application was filled under section 3, the Officer shall terminate assistance to all other recipients in that family

(a) the recipient has the means available to maintain himself or herself and his or her dependants adequately;

(a.1) the recipient refuses or neglects to utilize all the financial resources that he or she may access including but not limited to employment, unemployment or disability benefits or, subject to subsection (1.1), pension benefits;

(b) the recipient refuses or ceases to participate in an activity or program recommended by an Officer under section 13.1 unless exempted under subsection 13.1(5);

(c) the recipient refuses or neglects to provide the Officer with any information that is required in order to determine the financial resources and other circumstances of the recipient that may affect the amount of assistance provided to the recipient;

(d) the recipient obtains employment resulting in earnings adequate to meet the needs of himself or herself and his or her family, but assistance may

be continued until receipt of his or her first pay cheque;

(d.1) the Director is satisfied that the recipient has made a false or misleading statement for the purpose of obtaining assistance for himself or herself or any other person;

(d.2) the recipient voluntarily leaves employment without just cause as set out in paragraph 29(c) of the *Employment Insurance Act* (Canada);

(d.3) the recipient's employment is terminated by his or her employer for just cause; or

(e) subject to subsection (2), the recipient leaves the Northwest Territories.

(1.1) A recipient is not required to access pension benefits before he or she attains the age of 65 years if doing so would reduce his or her future entitlements under the pension plan.

(2) Assistance may be continued for a temporary period, as determined by the Director, if a recipient leaves his or her home community in the Northwest Territories or leaves the Territories;

(a) to receive treatment or medical care; or

(b) to participate in an activity or program, if the recipient maintains his or her ordinary residence in the Territories or in his or her home community and the activity or program is, in the opinion of the Director,

(i) similar to an activity or program referred to in section 13.1; and

(ii) not available, and not ordinarily available, in the Territories.

(3) The temporary period for which assistance is provided under paragraph (2) (b) must not exceed three months.

17. (1) Before changing, suspending, reinstating or terminating assistance, an Officer shall, if possible, review the circumstances of the recipient with him or her, or in lieu of this review and with the knowledge of the recipient, make such inquiry and obtain such information as he or she considers necessary.

(1.1) An officer shall inform the recipient of the results of an inquiry conducted and the information obtained under subsection (1).

(2) If assistance is changed, suspended, reinstated or terminated, the Officer shall endeavor to inform the recipient within two business days of such

change, suspension, reinstatement or termination and the reasons for it.

What it Means

Sections 14(1) to 17(2) of the Regulations provide information on when and how to increase, decrease, or end a Client's Income Assistance. This section only applies to Clients who have received Income Assistance **during the previous month**.

Increased Need

A Client must provide proof if his/her eligible need increases. The Officer, after confirming the increased need, must increase the eligible Income Assistance starting from the day the Client reported the increased need.

For example, if a Client's rent is increased, he/she must provide a report or a bill to prove it.

If the Director feels that a Client has purposely caused or contributed to his/her poor circumstances, the Director may refuse assistance.

For example, a cause or contribution to a poor circumstance would be: damaging a rental property and being evicted, refusing employment for no just cause, or using all resources to travel outside of a home community to visit.

Decreased Need

When the need of a Client decreases the Officer must reduce the Income Assistance immediately.

For example, if the Client takes on a roommate, the need for rent and utilities assistance will decrease.

If the decrease takes place before the Client reports it to the Officer, the Client has received too much assistance. In this case, a recovery is required and the Officer will need to set up an overpayment.

When to Stop Assistance

An Officer shall stop assistance immediately when a Client:

- Has the resources (money, goods or services) to support himself/herself and his/her dependants
- Will not or does not use all the financial resources (such as paid employment or Employment Insurance benefits) that he/she can access and is thus not eligible for assistance for 60 days

- Will not participate, or stops participating in productive choices (including quitting or being fired with just cause) and is thus not eligible for assistance for 60 to 90 days (unless he/she is exempt from productive choices)
- Will not or does not provide the personal or financial information required by the Officer to carry out a financial review and is thus not eligible for assistance for 60 to 90 days
- Is now employed and the earnings are adequate to meet his/her needs according to the Officer. Income assistance can continue until the Client receives his/her first paycheque. If assistance overlaps, no recovery is required
- Has been dishonest in order to receive assistance, or so that other Clients can receive assistance. The Officer must be sure, beyond a reasonable doubt, that there was intent to be dishonest

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- Leaves his or her home community in the NWT or leaves the NWT. This does not include leaving to receive medical treatment or to participate in an activity/program related to a productive choice that is not available in the NWT, such as specialized counselling or employment training, etc. A Client can continue to receive assistance for a time-period of up to three months to maintain his/her home and care for his/her dependants if the home and dependants are in the NWT. All basic needs from Schedule A are issued when the Director approves this leave. The enhanced needs from Schedule B are issued at the Director's discretion. (The Director must be contacted for approval of the type of activity or program a Client requests in order to leave the NWT.)

See Section 2.2 of this manual for clarification on length of time assistance is stopped.

Changing the Assistance

Changes to a Client's Income Assistance may include, but are not limited to:

- Providing more or less assistance
- Delaying assistance
- Restoring assistance
- Stopping assistance

Before an Officer can make changes to a Client's Income Assistance, the Officer, wherever possible, must let the Client know he/she is investigating the possibilities of a change. The Officer must explain the change and the reasons for the change to the Client. The Officer must do whatever is possible to let the Client know within two business days that the Client's assistance will change.

Assistance is Stopped

Where the Director is satisfied that an applicant has made a false or misleading statement for the purpose of obtaining assistance for himself/herself or any other person, the applicant is not eligible to receive assistance until 60 days after the day on which he or she made the false or misleading statement. If there is suspicion of fraud, see the applicable section in the Client Services Officer Resource and Procedures Manual.

Where a Client voluntarily left employment without cause as set out in paragraph 29(c) of the Employment Insurance Act (Canada), he/she is not eligible to receive assistance until 60 days after the day on which he/she left the employment. For more information, please visit: <http://laws-lois.justice.gc.ca/eng/acts/E-5.6/page-17.html#h-17>

Where a Client was fired for just cause, the applicant is not eligible to receive assistance until 60 days after the day on which his/her employment was terminated.

Where a Client's assistance is terminated based on sections 16(1)(b), (c), (d.1), (d.2) or (d.3) of the Regulations, he/she is not eligible to receive assistance until 60 days after the day on which his or her assistance was terminated.

Where a Client's assistance is terminated based on sections 16(1)(b), (c), (d.1), (d.2) or (d.3) of the Regulations, and it was previously terminated under the same section, he/she is not eligible to receive assistance until 90 days after the day on which his or her assistance is terminated.

If a Client's assistance is terminated, his/her spouse and dependants are also disqualified from receiving assistance.

Child Support: Guardians

Anyone who has guardianship for a child(ren) must provide documentation that they are or have made an attempt to apply for all financial resources on behalf of that child(ren) such as Federal Tax Benefit, Child Support, etc.

Documentation that the Client has day-to-day care of the named child(ren) can be one or more of the following:

- A letter from Health and Social Services (does not include Foster children)
- A signed Statutory Declaration from the parent outlining that guardianship has been given over.
- Guardianship Order

This would not apply in a custom adoption situation as the child(ren) will be considered legally adopted. In the event of a separation, the parent who has day-to-day control of the child(ren) must apply for child support.

Section 2.12: Financial Resources – What Income is Counted?

The Law

20. (1) In calculating the financial resources of an applicant and the dependants of an applicant, an Officer shall, in accordance with these regulations, ascertain the net monthly income of the applicant and dependants and shall complete an application and make such inquiries as are necessary for the purpose.

(2) In this section, "net monthly income" means the total, for a calendar month, of all

(a) earned income referred to in subsection (3), and

(b) unearned income referred to in subsection (4), less any allowable income referred to in subsection (7).

(3) Subject to subsection (5), the following shall be considered as earned income for the purposes of subsection (2):

(a) salary and wages including voluntary deductions but excluding mandatory deductions;

(b) net income, determined in accordance with the direction of the Director, from hunting, trapping and fishing;

(c) net income, determined in accordance with the direction of the Director, from business operations;

(d) fellowships, bursaries, and scholarships;

(e) honoraria received from benevolent or other organizations or agencies.

(4) Subject to subsections (5) and (6), the following shall be considered as unearned income for the purposes of subsection (2):

(a) net income, determined in accordance with the direction of the Director, from roomers, other than roomers referred to in paragraph (b.1);

(b) net income, determined in accordance with the direction of the Director, from boarders, other than boarders referred to in paragraph (b.1);

(b.1) gross income received from roomers or boarders who receive assistance under the Act;

(c) net income, determined in accordance with the direction of the Director, received from rented self-contained living quarters or property the applicant is allowed to retain;

(d) the regular or periodic payments received under any annuity, pension plan, superannuation scheme or insurance benefit, except if the insurance payment is received as a result of fire,

theft, or property damage and is used to replace or repair loss;

(e) benefits from benevolent organizations or other agencies;

(f) any payments received under a mortgage, agreement for sale or loan agreement;

(g) any pension or payment received under the legislation of any other country;

(h) money held in trust for a child and available for distribution;

(i) money received under the terms of maintenance orders, parent's maintenance orders, affiliation or contribution orders or agreements, separation agreements, court orders, divorce decrees, inheritance settlements or other types of settlements or agreements;

(j) the goods and services tax credit under the *Income Tax Act* (Canada), paid by the Government of Canada;

(k) the reasonable value of goods and services received by an applicant as estimated by the Officer;

(l) a gift or gratuity of cash, or of a financial instrument that can be converted into cash, with a loss not exceeding 25% of reasonable market value;

(m) Repealed, R-055-2007, s.4 (3).

(n) tax refunds, including payments for tax credits;

(o) the National Child Benefit Supplement, paid by the Government of Canada;

(o.1) universal child care benefits paid by the Government of Canada;

(o.2) income, benefits or money, not otherwise dealt with in this subsection, received from or paid by a government agency;

(p) payments, including grants and loans, that are received for training and education and that are considered in accordance with the direction of the Director to be provided for monthly living expenses;

(q) winnings, including but not limited to bingo or lottery winnings;

(r) Repealed;

(s) money, or the value of goods, in excess of \$500.00 per year, received by a person in accordance with the provisions of Treaty No. 8

(June 21, 1899) and Treaty No. 11 (June 27, 1921);

(t) money, or the value of goods, in excess of \$500.00 per year, received by a person under a self-government agreement, or a land claims agreement or an impact benefits agreement;

(u) payments made by the Workers' Safety and Compensation Commission that are considered, in accordance with the direction of the Director, to be paid or payable as compensation for loss of income;

(v) subject to subsection (6), financial instruments or other assets that can be realized within 90 days or that can be converted into cash at a loss not

exceeding 25% of reasonable market value, including

(i) real property and equity in real property,
(ii) personal property, including money in a bank or other financial institution,

(iii) a right to receive or recover a debt on demand,

(iv) the immediate realizable value of stocks, bonds or other securities,

(v) mortgages,

(vi) agreements for sale,

(vii) entitlements under life insurance or other insurance policies, and

(viii) entitlements under wills, trusts or other settlements.

What it Means

Sections 20(1) to 20(4) of the Regulations describe what an Officer should consider as earned and unearned income.

In order to determine a Client's net monthly income, an Officer must consider all of the resources a Client and his/her dependants receive during the month (money, net income, assets, gifts of money, gifts other than money, etc.). In order to complete a Client's application for assistance, the Officer may also investigate the family's personal and financial information.

For example, the Officer may make bank enquiries, ask for the Client to provide copies of documents, or request to see a record of employment.

When Income is Counted - Revised April 2014

Income is counted when the Client receives the money in hand.

For example, if a Client receives a cheque on March 28th and does not cash/deposit it until April 10th, the income would be received on April 10th and counted in the May assessment.

Lump Sum

Lump sum payments must be considered income in the month that it is received, and any payments held in a financial institution may also be considered as income unless they are items listed in sections 20(6) or 20(7) of the Regulations.

Income from an Incarcerated Spouse

If a Client and his/her dependants receive income from his/her spouse who is incarcerated, that income is included in the Client's assessment.

Net and Gross Income

Net income is the amount of money after mandatory deductions. Gross income is the amount of money before mandatory deductions.

Net Monthly Income

A Client and his/her dependants' net monthly income is determined by reviewing the earned income, unearned income and income-in-kind.

Earned Income

Clients with earned income are able to exempt \$200 if they are single and \$400 if they have dependants. An additional 15% exemption for any earned income above \$200 / \$400 exemption is also applied. These deductions are an incentive to be and stay employed.

For example, a couple with dependants earns \$1,000 for salary and wages. They are allowed to exempt the first \$400, plus 15% of the remaining \$600. The total amount exempted will be \$490 (\$400 + 15% of \$600).

Income from hunting, fishing, trapping or business operations approved by the Director is considered self-employment. If a Client does not have official financial statements showing net income, he/she must prepare a statement showing his/her total income using the following formula:

(Gross Income Earned) minus (Business Operating Expenses)

The Officer also has discretion, on a case-by-case basis, to consider all, some or none of the net income from hunting, fishing, trapping or business operations. The Officer should speak with his/her Supervisor and Director in these situations.

Mandatory Deductions

A Client's income is subject to the following deductions:

- Federal/Provincial/Territorial Income Tax
- Canada Pension Plan (CPP)
- Employment Insurance (EI)
- NWT Payroll Tax, and
- Union dues

A Client can opt out of all other deductions with the exception of some superannuation and pension deductions. Employers should be contacted to verify whether the Client could opt out of these deductions.

Unearned Income

Unearned income for the recipient's household is exempt, up to a maximum amount of \$1,200 in a 12-month period. The exemption can be taken as a lump sum amount, or be split into smaller amounts that do not exceed \$1,200 for the 12-month period. In CMAS, the unearned exemption is defaulted at \$100 per month; however, the Officer, in consultation with the Client, can change this amount.

The 12-month exemption period will not be the same for all Clients. Clients who accessed Income Assistance in September 2007 will always have an exemption period that runs from September 1 to August 31. Clients who access the program for the first time after September 2007 will begin their 12-month period in the month they began receiving assistance. Breaks in assistance will not impact the 12-month period.

For example, a new Client who receives assistance for the first time in November will always have their 12-month exemption period run from November 1 to October 31. On the other hand, a new Client that receives assistance for the first time in September 2008 will always have their exemption period run from September 1 to August 31.

Officers shall discuss with the Client how the unearned exemption will be used. The use of the unearned exemption will be different for each Client depending on the Client's circumstances and it may require some longer term planning by the Officer and Client.

For example, see Scenario 1 and 2:

Scenario 1:

A couple with children who receive the National Child Benefit Supplement (NCBS) every month, and who receive no other unearned income may be better off exempting \$100 per month.

Scenario 2:

A single Client expects that they will receive a GST cheque every 3 months and also expects to receive an Impact Benefit Agreement (IBA) payment of more than \$500, as well as many small gifts totalling \$50 each. For this Client, it would be in their best interest to plan ahead and ensure that their GST, and IBA payments in excess of \$500, can be exempted before considering any small gifts.

Patronage Refunds - Revised April 2014

Income received as a result of patronage refunds will be included in the calculation of benefits as a unearned income as per S.20 (4)(d).

Loans – Revised February 2014

Any payments received as a result of a loan agreement, either written or verbal, must be considered income in the month that it is received. The Officer may, on a case-by-case basis request confirmation of the purpose of the loan in order to submit a request to the Director to exempt the unearned income under s.20.(5)(e).

For example, a person receives a loan of \$3,000 from a family member to pay arrears to the Housing Authority. A paid invoice from the Local Housing Authority confirms the reported intent of the loan. The CSO can request the Director to exempt this income based on the unusual circumstance.

Maintenance Orders/Child Support - Revised April 2014

Clients are required to apply for maintenance/child support. In cases where Clients do not pursue legal action but are receiving child support payments from the non-custodial parent, the payments must be equivalent to the minimum amounts established by the Federal Department of Justice. The child support table is located at: <http://www.justice.gc.ca/eng/fl-df/child-enfant/look-rech.asp>.

If payments do not meet the minimum amount set by the child support table and/or payments are missed, the Client must apply for Legal Aid and Maintenance Enforcement through the GNWT Department of Justice.

For information on how to apply for Legal Aid and Maintenance Enforcement refer to the CSO Resource and Procedures Manual.

Income Tax Notice of Assessment - Revised October 2014

All Clients are required to file their income tax each year and submit the following documents to the Officer:

- Proof that they filed their tax by the applicable Canada Revenue Agency (CRA) deadline (April 30th for individuals);
 - If a Client applies for the first time or returns from a break in service after the CRA deadline, they must provide proof that they filed their tax within 60 days of applying for IA
- Proof of the date the refund was received, if applicable, and;
- Copy of the CRA Notice of Assessment within 60 days of the CRA deadline. If the Client does not receive their NOA within this time frame a request should be sent to ClientCheck.
 - First time applicants or those who have had a break in service as per above, must provide their NOA within 60 days of filing their taxes

If Clients do not submit the above documentation by the required dates, their file will be considered to have missing information and the assessment cannot be completed until the information is received.

***Student Financial Assistance (SFA)/LMDA Living Allowance Benefits -
Revised April 2014***

Similar to IA benefits, the purpose of Remissible Loan/Supplementary Grant/LMDA living allowance benefits are to assist with a Client's current month expenses. These benefits are included as income in the month they are intended for. For example, a student who receives a Supplementary Grant payment for the month of September would declare the income in the September IA assessment.

SFA Repayable Loans are intended to assist with tuition, book, travel and living allowance expenses. Clients who access only SFA Repayable Loans may seek an exemption from the Director for the tuition, book and travel expenses. In these situations, the Officer must consult with their Supervisor and the Director.

Clients may receive IA benefits while waiting for their SFA application to be processed. In these cases the Client must sign the Recovery of Duplicate Payment form. Refer to the CSO Resource and Procedures Manual for additional information.

Exemption of Impact Benefit Agreement, Treaty, and Land Claim Payments under Income Assistance - Revised December 2012

In addition to the current unearned income exemption of \$1,200 per year per household, \$500 per person, per family unit, per calendar year of any Impact Benefit agreement, Treaty, and Land Claim Payment received will be exempt.

Note

An Officer should speak to his/her Supervisor if he/she is unsure if the financial resource should be considered income or if the deduction is considered mandatory.

Section 2.13: Financial Resources – What Income is Not Counted?

The Law

20. (5) In calculating net monthly income under subsection (2) the following items shall not be included:

(a) child tax benefits, except the National Child Benefit Supplement paid by the Government of Canada;

(b) the Child Disability Benefit, paid by the Government of Canada;

(c) contributions, other than for ordinary maintenance, that are determined in accordance with the direction of the Director to be paid or payable to the applicant or members of the family of the applicant who require special care;

(d) payments determined in accordance with the direction of the Director to be paid or payable for the maintenance of a dependant adult;

(d.1) funds accumulated in or received from a registered disability savings plan as defined in subsection 146.4(1) of the *Income Tax Act* (Canada), and as referred to in paragraph 2(2) (b) of the *Canada Disability Savings Act*;

(e) money paid or payable that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to include in the calculation of monthly income;

(e.1) payments made by the Director of Child and Family Services on behalf of a foster child;

(f) money paid or payable under the Memorandum of Understanding, dated April 30, 2002, between the 28 Claimants of Grollier Hall Residential School as identified in Appendix "A" and the Government of the Northwest Territories, the Government of Canada and the Roman Catholic Episcopal Corporation of Mackenzie-Fort Smith, except money paid or payable as compensation for loss of income;

(g) money paid or payable as an advance payment on the Common Experience Payment as defined in the Agreement in Principle, dated November 20, 2005 between Canada, the Plaintiffs, the Assembly of First Nations, and the General Synod of the Anglican Church of Canada, the Presbyterian Church in Canada, the United Church of Canada and Roman Catholic Entities;

(h) money paid or payable under the Indian Residential Schools Settlement Agreement, dated May 8, 2006 between Canada, the Plaintiffs, the Assembly of First Nations and Inuit Representatives and the General Synod of the Anglican Church of Canada, the Presbyterian Church of Canada, the United Church of Canada and Roman Catholic Entities;

(i) money paid or payable under the 1986-1990 Hepatitis C Settlement Agreement made June 15, 1999, except money paid or payable under article 4.02 or 6.01 of Schedule A or under article 4.02 or 6.01 of Schedule B of that agreement;

(j) individual redress payments granted by the government of Canada to a person of Japanese ancestry;

(k) money paid or payable under the Merchant Navy Veteran Special Benefit;

(l) money paid or payable by the Workers' Safety and Compensation Commission, other than payments referred to in paragraph (4) (u);

(m) any other money that is considered, in accordance with the direction of the Director, to be paid or payable as compensation for pain and suffering.

(6) The following shall not be included as unearned income referred to in paragraph 20(4) (v):

(a) the value of real property used as a residence of the applicant unless the property is, in the opinion of the Director, in excess of the reasonable needs of the applicant;

(b) the value of real property and equipment necessary for the operation of a viable business of the applicant as determined by an economic development agency or the Director;

(c) in respect of a person who has attained the age of 60 years, the value of assets up to a maximum of \$50,000;

(d) in respect of a person who is disabled, the value of assets up to a maximum of \$50,000;

(e) the value of materials or vehicles that are, in the opinion of the Director, reasonably required by the applicant for the purposes of hunting, trapping or fishing;

(f) the value of household furnishings, appliances and clothing of the applicant that are, in the opinion of the Director, reasonably required by the applicant;

(g) the value of a motor vehicle that is specially adapted to accommodate a physical disability of the applicant or his or her dependant;

(h) the value of a motor vehicle as determined in accordance with the direction of the Director, other than a motor vehicle to which paragraph (e) or (g) applies;

(i) the value of an asset purchased using money that is traceable to (i) an item not to be included under subsection (5) in the calculation of net monthly income, or

(ii) allowable income referred to in subsection (7);

(j) money held in a bank or other financial institution by the applicant, up to a maximum of

(i) \$300, if the applicant has no dependants, or

(ii) \$300 plus a further \$100 for each dependant adult and a further \$80 for each dependant child, if the applicant has dependants;

(k) money that is held in a bank or other financial institution and that is traceable to an item not to be included under subsection (5) in the calculation of net monthly income;

(l) money held in trust for a child and not available for distribution;

(m) money held in a Registered Education Savings Plan as defined in s.146.1 of the *Income Tax Act* (Canada);

(n) money that is held in a bank or other institution in a savings plan of a type approved by the Director;

(o) the value of an asset that, in the opinion of the Director, having regard to the social and economic circumstances of the applicant, it would be unreasonable to expect the applicant to convert into cash.

(7) For the purposes of subsection (2), allowable income is the total of

(a) \$200 of earned income for a calendar month in the case of an applicant who has no dependants, or \$400 of earned income for a calendar month in the case of an applicant who has one or more dependants;

(b) 15% of any earned income in excess of the applicable amount under paragraph (a); and

(c) unearned income of the applicant and his or her dependants for a calendar month, provided that the total amount of all monthly unearned income considered as allowable income under this subsection over a 12-month period does not exceed \$1,200.

What it Means

Section 20(5) to 20(7) of the Regulations describes what are not considered resources (money, income, assets and gifts) when an Officer is determining the needs of Clients and their dependants.

The Regulations lists all income and assets that are not to be considered as unearned income. Please refer to the Regulations.

Investigation

When determining the family's net monthly income, an Officer **must** consider all of the Client's resources (money, net income, assets, gifts of money or gifts other than money) to determine what to include.

The Officer may also investigate a family's personal or financial information to complete the Client's application for assistance.

For example, the Officer can ask the Client to provide copies of any documents, or make a bank inquiry.

d.1 Registered Disability Savings Plans – Revised March 2009

A registered disability savings plan (RDSP) is a savings plan to help parents and others save for the long-term financial security of a person who is eligible for the disability tax credit.

The funds accumulated in or received from a registered disability savings plan will not be considered earned or unearned income when calculating the needs assessment for Income Assistance. The Registered Disability Savings Plan is considered excluded income. These funds are reportable but not assessable.

To assist your clients with more information about RDSPs refer to Canada Revenue Agency's website <http://www.cra-arc.gc.ca/tx/rgstrd/rdsp/menu-eng.html>

Food Bank - Revised February 2014

The Director has excluded the value of goods received from food banks and hampers under Section 20.(5)(e) of the Regulations.

Household Income: 18 years Old & Under

When a dependant is under the age of 19 and is a full time student, income earned from employment will be exempt.

Proof of school enrolment and attendance must be submitted to the Officer for verification.

Per Diem Allowances – Revised February 2014

The Director has excluded per diem allowances under Section 20.(5)(e) of the Regulations. The per diem allowance for accommodations and food allowance will not be considered earned or unearned income. However, the Income Assistance Program will not provide duplicate assistance for food allowance.

Victims of Crime Emergency Fund - Revised April 2014

The Director has excluded all financial assistance received through the Victims of Crime Emergency Fund delivered by the GNWT Department of Justice under Section 20.(5)(e) of the Regulations.

Fostering Dollars

The income obtained for fostering children will not be included as unearned income. The foster child(ren) will not be included in the assessment.

If a foster parent applies for Income Assistance the Officer must contact Health and Social Services and a case management process must be initiated on this file.

Section 2.14: Medical Certificates – Income Assistance Medical Forms

The Law

21. An Officer may, at any time the Officer considers it necessary, require a medical certificate setting out the condition of health of an applicant as an aid in determining the applicant's employability or ability to participate in an activity or program referred to subsection 13.1(6).

What it Means

Section 21 of the Regulations states that an Officer can ask a health care professional to determine whether a Client is employable or can participate in a productive choice.

Medical Certificates

The Permanent Long Term Disability Assessment and Medical Assessment for Employability Short Term are used to provide information about why a Client is unable to participate in a productive choice and/or why the Client is considered disabled.

The Permanent Long Term Disability Assessment and Medical Assessment for Employability Short Term must state the health conditions of the Client so that the Officer can decide whether the Client is able to participate in a productive choice. Depending on the severity of the medical condition, the Client may be considered to have a short-term condition or a permanent disability of 12 months or more.

For example, a Medical Assessment for Employability Short Term for a Client who has a broken leg would state that he or she is unable to participate in employment due to a short-term condition. The Client could then be exempt from all or certain types of productive choices for that period of time.

Canada Disability Pension or Benefit

If a Client is receiving a Canada Pension or Benefit for a disability, the Officer does not need to ask for a Permanent Long Term Disability Assessment because the federal government has completed a thorough review of the Client's disability. Proof that the monthly benefit is being received provides enough evidence of a disability.

Accepting an Income Assistance Medical Form

Income assistance medical forms **must** be faxed directly from a health care professional's office. Officers should not accept medical forms handed in by Clients.

Renewing an Income Assistance Medical Form

The Permanent Long Term Disability Assessment and Medical Assessment for Employability Short Term must include an end date, or a date when the Client can return to work. If the form has reached its end date, the Client must provide an updated form to be exempt from participating in a productive choice while receiving Income Assistance.

For example, the Client has a broken leg and the doctor wrote a note stating that the Client could not work from July 1 to October 31, 2007. If the Client claims he or she cannot return to work because of pain, they must submit another Medical Assessment for Employability Short Term before enhanced disability benefits are issued for November 1, 2007.

Clients whose medical practitioners have indicated that the disability is permanent do not need to renew the forms or assessments.

Disabled Allowance

In order to qualify for the disabled allowance under enhanced benefits, Clients must have a Permanent Long Term Disability Assessment form approved for 12 or more continuous months.

For example, a Client who provides a Medical Assessment for Employability Short Term every four months for a year is not eligible for the disabled allowance retroactively or at the 12-month period.

For example, a Client waiting for an organ transplant or receiving cancer treatments could be considered to have a long-term, debilitating medical condition. The Officer should discuss the Client's circumstances with his/her Supervisor.

Alcohol and/or Drugs

A Client with an addiction to drugs and/or alcohol must provide an Income Assistance medical form that indicates his/her addiction is considered chronic. This Client may be considered exempt from a productive choice but is not eligible to receive the disability allowance as the addiction can be removed with counselling and/or medical treatments.

Section 2.15: Recovery of Assistance – Taking Money Back

The Law

22. The Director may recover from a recipient or the estate of a recipient the amount of assistance (a) in excess of that authorized by the Act, these regulations or any other regulations made under the Act; or

(b) to which the recipient was not entitled, but which was granted because of his or her failure to disclose income or assets.

What it Means

Section 22 of the Regulations indicates that a Director **may** recover Income Assistance given to a Client or his/her dependants if the assistance was more than they were eligible to receive, or if the assistance was given because the Client made false statements or failed to provide correct information.

Director's Discretion

The Regulations give the Director the right to choose whether to recover monies from Clients and their dependants on a case-by-case basis. The Director has issued a blanket policy that allows the Officer to recover assistance on amounts under \$2,500 without case-by-case Director's approval. Any amount of \$2,500 and over must be presented to the Director for approval.

What is a Debt?

A debt is money a Client received above the amount he/she and his/her dependants were entitled to receive.

Security deposits are not considered debts until the Client and his/her dependants have left the premises. Once the premises are vacated, the security deposit becomes a debt. This must be repaid in full or in part.

Collection of the Debt

The minimum amount an Officer can collect from a Client who owes money to the Income Assistance Program is \$25 a month, regardless of the amount outstanding or the number of different debts a Client owes. If a Client wants more than \$25 deducted from his/her Income Assistance, he/she must provide a written and signed request, including the amount he/she wishes to have deducted.

Clients who Separate

When a couple owes money to the Income Assistance Program and the couple separates, the amount owed shall be divided in half and become a separate debt of each party unless one party agrees, in writing, to accept and repay the entire debt.

Time Limited on Recovering a Government Debt

If a debt was proven to be a result of fraud, there is no time limit for collection of the debt.

For example, in 2000 a Client living common-law did not claim the spouse when applying for Income Assistance. This fraud was not discovered until 2005 - five years later. The debt is still recoverable.

A debt invoiced to a Client that has remained inactive for seven or more years with no effort at collection, is barred by legislation and is not collectable.

Note

Officers must be careful not to collect money twice when considering recoveries.

For example, a Client received the National Child Benefit Supplement from the Federal Government that they should not have received and did not report. The Federal Government realized the error and begins to recover the funds. The Officer should not consider the unreported benefit as an overpayment. If an Officer did, the Client would be repaying the benefit twice – once to the Income Assistance Program and once to the Federal Government.

Section 2.16: Voluntary Repayment of Assistance

The Law

23. Any person who has received assistance may repay such assistance and the moneys so received shall be deposited in the Consolidated Revenue Fund.

What it Means

Section 23 of the Regulations explains how Clients, if they choose to, may repay assistance they received.

Repayment

This section refers to Clients who have been receiving assistance for a period-of-time and because that Client's circumstances have changed, they no longer need assistance. It does not deal with Clients who have debts or security deposits.

This Regulation allows Clients to pay back some, or all of the assistance they received. The Officer can receive the payment but must forward it to the Supervisor.

For example, a Client receives assistance from May to September and then finds employment in October. That Client can pay back any portion of the assistance he/she has received during May to September.

Section 2.17: Alienation or Transfer of Assistance – Client Owes Money to a Third Party

The Law

24. Assistance granted under these regulations is not subject to alienation or transfer by the recipient, or to attachment or seizure in satisfaction of a claim.

What it Means

Section 24 of the Regulations explains that assistance given to a Client and his/her dependants is for their use only and not something that can be transferred, sold, etc. to a third person. It also states that any assistance received cannot be seized or taken by a third party having a claim against the recipient.

Income assistance is for the Client's use for basic needs. If the Client owes money to a third party, this money cannot be used to repay that debt.

For example, a bank cannot take a Client's assistance to pay an overdraft or other debt. A collection agency cannot take a Client's assistance to pay an outstanding invoice.

Notes

1. When advising clients about direct deposits as a payment option, an Officer shall always speak with the Client to ensure the Client understands that if they have an outstanding debt with the bank, a maintenance enforcement attachment or a loan/debt that has been sent to a collection agency, the payment may be seized by the bank.
2. Although the Regulations state that Income Assistance cannot be seized, the bank will attempt to recover any deposit made to the account to satisfy the terms of the debt and it can be a lengthy process to get the money back.
3. If this type of situation occurs, the Supervisor shall contact the bank in the first instance and explain our Regulations. In the event that this does not result in the client receiving their Income Assistance back, the Director should be contacted.

SECTION 3: SCHEDULE A – BASIC BENEFITS

This section of the Regulations lists the types of basic benefits that Clients and their dependants may receive.

The following are some general instructions when administering basic benefits.

Decline of Benefits

If a Client does not want a benefit that he/she is entitled to, the Officer must receive written confirmation from the Client.

For example, the Client chooses not to receive an allowance for food. The Client must indicate in writing that he/she does not wish to receive it.

Reduction of Benefits

If a Client only wants a portion of the benefit that he/she is entitled to, the Officer must receive the request in writing from the Client.

Sharing the Costs

If a Client and his/her dependants are sharing the premises with other individuals, the rent and utility (power, water, sewer) costs are prorated by the number of separate adults living within the unit.

For example, a single Client is sharing a house with a couple also on Income Assistance and another single person who is not receiving Income Assistance. The rent and utility (power, water, sewer) costs would be divided by four, and each adult receiving Income Assistance would be eligible to receive one-fourth of the assistance.

Section 3.1: Food Allowance

The Law

1. (1) Assistance in the form of a food allowance may be provided to persons in need in accordance with the Maximum Monthly Food Allowance Table set out in this Schedule that shows maximum scales in force in various settlements of the Northwest Territories.

What it Means

Section 1.(1) of Schedule A sets the rates of the food allowance available to Clients depending on the size of the family and where the Clients lives. This allowance is for the purchase of food as well as cleaning and personal products.

Custody of Children

A food allowance is affected by a Client's arrangement to share custody of a child with another parent. The Client should not receive a food allowance for that child when the child is not in his/her custody.

For example, a Client has custody of his/her children for two weeks every month. The Client only receives a food allowance for his/her children for those two weeks, not for the whole month.

Revised April 2015

Use the following food allowance table:

Community	Total Number in Household											
	1	2	3	4	5	6	7	8	9	10	11	12
Aklavik	585	818	994	1,169	1,344	1,520	1,696	1,872	2,048	2,223	2,398	2,575
Behchoko	482	676	821	966	1,110	1,256	1,401	1,545	1,691	1,835	1,980	2,126
Colville Lake	717	1,004	1,220	1,435	1,651	1,866	2,081	2,297	2,513	2,728	2,944	3,159
Deline	649	908	1,102	1,297	1,492	1,687	1,882	2,077	2,271	2,466	2,661	2,856
Dettah/N'Dilo	343	480	582	685	788	892	995	1,097	1,200	1,303	1,406	1,509
Enterprise	374	524	636	749	861	974	1,086	1,199	1,311	1,424	1,536	1,649
Fort Good Hope	658	921	1,119	1,317	1,514	1,712	1,909	2,107	2,305	2,502	2,701	2,899
Fort Liard	515	721	876	1,031	1,186	1,340	1,494	1,649	1,804	1,959	2,114	2,268
Fort McPherson	554	775	941	1,108	1,275	1,441	1,607	1,774	1,940	2,107	2,273	2,439
Fort Providence	438	613	744	875	1,006	1,138	1,269	1,401	1,532	1,663	1,795	1,926
Fort Resolution	463	648	787	925	1,065	1,203	1,342	1,482	1,621	1,760	1,899	2,038
Fort Simpson	483	676	821	967	1,111	1,257	1,401	1,547	1,692	1,837	1,982	2,128
Fort Smith	391	548	666	783	901	1,018	1,135	1,253	1,371	1,489	1,606	1,723
Fort Wrigley	543	759	924	1,086	1,250	1,413	1,576	1,739	1,902	2,066	2,229	2,392
Gameti	453	634	770	906	1,042	1,178	1,314	1,450	1,586	1,722	1,858	1,994
Hay River	429	601	729	858	987	1,116	1,244	1,373	1,502	1,631	1,760	1,889
Hay River Reserve	374	524	637	749	861	973	1,086	1,198	1,311	1,423	1,535	1,647
Inuvik	493	690	838	986	1,134	1,282	1,430	1,577	1,726	1,874	2,022	2,170
Jean Marie River	490	686	833	981	1,127	1,274	1,422	1,569	1,717	1,864	2,011	2,158
Kakisa Lake	439	613	745	877	1,009	1,140	1,273	1,404	1,536	1,667	1,799	1,931
Lutsel K'e	613	857	1,041	1,224	1,408	1,593	1,776	1,960	2,143	2,328	2,511	2,695
Nahanni Butte	529	741	900	1,059	1,217	1,376	1,536	1,694	1,854	2,013	2,171	2,331
Norman Wells	639	894	1,086	1,277	1,470	1,662	1,853	2,045	2,237	2,429	2,621	2,813
Paulatuk	695	973	1,181	1,390	1,599	1,807	2,017	2,225	2,435	2,643	2,852	3,060
Sachs Harbour	632	883	1,073	1,262	1,452	1,642	1,831	2,021	2,211	2,401	2,590	2,779
Trout Lake	519	727	883	1,039	1,196	1,351	1,507	1,663	1,820	1,976	2,132	2,288
Tsiigehtchic	602	843	1,024	1,205	1,385	1,566	1,747	1,928	2,109	2,289	2,470	2,651
Tuktoyaktuk	611	854	1,038	1,222	1,406	1,588	1,773	1,956	2,140	2,323	2,507	2,690
Tulita	643	901	1,093	1,286	1,480	1,673	1,866	2,059	2,253	2,445	2,638	2,831
Ulukhaktok	654	916	1,112	1,309	1,506	1,703	1,899	2,096	2,292	2,489	2,686	2,882
Wekweeti	587	821	997	1,174	1,350	1,527	1,703	1,879	2,055	2,231	2,408	2,584
Wha Ti	520	727	884	1,040	1,196	1,352	1,508	1,665	1,820	1,976	2,132	2,288
Yellowknife	343	480	582	685	788	892	995	1,097	1,200	1,303	1,406	1,509

Section 3.2: Room and Board

The Law

4. (1) An allowance for room and board may be provided to or on behalf of persons in need at local rates in accordance with the direction of the Director.

What it Means

Section 4.(1) of Schedule A sets out the rules for a Client and his or her dependants to receive assistance for Room and Board. Room and Board fees include food, accommodations, fuel, and utilities.

Single Client - Revised April 2014

An amount to cover the cost of Room and Board may be provided to, or on behalf of a Client at standard rates, set by the Director of up to a maximum of \$900. In order to qualify for Room and Board, Client's must be on the low cost housing wait list.

Case-by-Case Basis

The Director can decide on a case-by-case basis what assistance, if any, a Client will receive for Room and Board and for how long the assistance will be provided.

Custody of Children

Room and Board may be affected by a Client's arrangement to share custody of a child with another parent. In this case, the Client must provide information from the landlord on any adjustments made to the Room and Board cost while the child or children are not in the Client's custody.

Care Facilities - Revised April 2014

Clients who reside in assisted living accommodations, such as special care homes or long term care facilities are eligible for Room and Board. Clients in these situations are **not** required to be on the wait list for low cost housing. The Department of Health and Social Services set annual rates in April of each year. Contact your Supervisor to confirm amounts.

Respite Care Costs - Revised April 2014

Clients who are temporarily accessing respite care services are eligible for Room and Board. The Department of Health and Social Services set these rates. Contact your Supervisor to confirm amounts.

Section 3.3: Accommodation – Rent or Mortgage

The Law

5. (1) A rental accommodation allowance to a maximum amount equal to the actual cost of rental accommodation may be provided in accordance with the direction of the Director.

(2) If a recipient resides in accommodation for which a subsidy is normally available, the allowance must not exceed the minimum rental rate for the unit.

(3) If a person in need who has one or more dependants owns his or her own home, a monthly allowance may be paid which is sufficient to cover current taxes, fire insurance and other

assessments, but the total allowance must not exceed the rental allowance that would otherwise be provided.

(4) If a person in need is making mortgage payments on his or her own home, a monthly allowance may be paid which is sufficient to cover current taxes, interest on a mortgage, principal, fire insurance and other assessments, but the total allowance for these items must not exceed the rental allowance which would otherwise be provided.

What it Means

Section 5. (1) to 5. (4) of Schedule A explains what a Client and his/her dependants can receive as assistance for accommodation. Accommodation includes rent (building and land), mortgage (building and land), taxes and fire insurance.

Rent Allowance

Revised February 2014

Single Clients, who are on the wait list for low cost housing, may be provided assistance up to a maximum of \$900 per month.

A Client and his/her family who are renting must provide proof that their names are on the wait list for low cost housing. If their names are on the list, market rent can be issued.

Officers must consider the needs of a Client and his/her dependants when considering the size and type of housing needed.

For example, a Client with one dependant living in a four-bedroom house is over-housed. When an Officer encounters this type of situation, he/she should speak with his/her Supervisor and the Director.

Low Cost Housing Waitlist

If a Client's name is not on the list for the following reasons, the Director, through the Supervisor, must be contacted to determine assistance on a case-by-case basis:

1. Residency

Often Local Housing Organizations (LHO) have a residency requirement and Clients and their families who have just moved to the community are on a wait list to apply. These Clients are entitled to full market rent until they are eligible to apply for public housing. The CSO must monitor the application process.

2. Arrears to LHOs

Any outstanding debt or arrears a Client has are not a need under the Income Assistance Program.

In order to be considered for the Public Housing wait list, Clients who have arrears with a LHO must sign and honour a repayment plan for a minimum of six months. In order to consider payment of rental allowance, the Client must enter into a repayment agreement with the LHO and sign the Payment Authorization to a Third Party form, allowing the Officer to make payment from the Client's Income Assistance benefits, directly to the LHO for arrears.

3. Utility Arrears

Any outstanding debt or arrears a Client has are not a need under the Income Assistance Program.

In order to be considered for the Public Housing wait list, Clients cannot have arrears with a utility agency. In order to consider payment of rental allowance, Clients who have arrears with a utility agency must enter into a repayment agreement with the utility agency until the arrears are paid in full. The Client must also sign the Payment Authorization to a Third Party form, allowing the Officer to make payment from the Client's Income Assistance benefits, directly to the utility agency for arrears.

Rent to Parents – Revised December 2014

Rent can be paid to a parent on behalf of an adult child if the dwelling is a separate living quarters. The parents must have a lease signed with the adult child and he/she must be on the wait list for low cost housing.

Rent will not be paid to parents on behalf of an adult child when the parents and child are living within the same living quarters, owned by the parents. However, in these cases the adult child's portion of the utilities can be paid on their behalf and they must be on wait list for low cost housing.

If the parent is in low cost housing or a market rental accommodation the adult child must be added to the lease before utilities and their portion of the rent is paid.

Rent to Children

Rent can be paid to an adult child on behalf of a parent(s) if the dwelling is a separate living quarter. The adult child must have a lease signed with the parent(s) and they must be on the wait list for low cost housing.

Rent will not be paid to the adult child on behalf of a parent(s) when the parent(s) and child are living within the same living quarters, owned by the adult child. However, in these cases parent(s)'s portions of utilities can be paid on their behalf and they must be on the wait list for low cost housing.

If the child is in low cost housing or a market rental accommodation the parent(s) must be added to the lease before utilities and their portion of the rent is paid.

Community Support Clients – Revised April 2014

Rent may be provided to a parent (the landlord) when they have an adult disabled child (the Client) residing with them who requires assistance with daily living activities. The Client must be on the wait list for low cost housing.

Clients may seek an exemption from the Director to the requirement of being on the wait list of low cost housing. The Client must provide written verification from a medical professional stating that they must reside with their parents due to medical reasons and that the only other suitable accommodations for the Client would be a supported living environment, such as a special or long-term care facility.

Market Rent for Families in a Plan of Care – Revised March 2013

In the case of a single parent, market rent will not be immediately reduced when a child(ren) are apprehended if they are involved in a plan of care with the Department of Health and Social Services (H&SS) and that plan includes the child(ren) will be returned to the parent(s).

In cases where the child (ren) will not be returned to the parental home, one full calendar month notice will be given to the client before a reduction in market rent is made.

When the individual resides in public housing, an individual would be placed on a transfer list for an appropriate sized unit. While waiting for a transfer to the smaller sized unit, the individual would continue to be housed and accommodation paid in the larger unit.

When a Plan of Care is in place, the single parent must be in the Productive Choice category 'Wellness' with CMAS notes to document the situation.

Case-by-Case Basis

The Director can decide on a case-by-case basis what assistance, if any, a Client will receive for rent and for how long the assistance will be provided.

Low Cost Housing – Revised February 2014

The NWT HC considers all income in the household of household members 19 and over, including IA, when calculating rent.

The amount of subsidy provided to a Client and the cost of their minimum monthly rent is determined by the LHO based on the individual’s gross monthly income, the community where they reside, and the size of the unit.

Minimum monthly rent that each individual Client pays is based on the following table:

Monthly Income	Monthly Rent		
	Zone A	Zone B	Zone C
< \$1,667	\$80	\$75	\$70
\$1,667 - \$2,499	\$160	\$150	\$140
\$2,500 - \$3,749	\$365	\$345	\$325
\$3,750 - \$4,999	\$610	\$580	\$555
\$5,000 - \$6,674	\$890	\$845	\$790
\$6,675 - \$8,333	\$1,295	\$1,230	\$1,155
\$8,334 or More	\$1,625	\$1,545	\$1,445

Zone A Communities: Yellowknife, Hay River, Fort Smith, Inuvik, Norman Wells, and Fort Simpson.

Zone B Communities: Detah/N'dilo, Hay River Reserve, Enterprise, Behchoko, Fort Liard, Fort Providence, Kakisa, Jean Marie River, Nahanni Butte, Fort Resolution, Gameti, Whati, Trout Lake, Wekweeti, and Wrigley.

Zone C Communities: Fort McPherson, Tsiigehtchic, Tulita, Lutselk'e, Aklavik, Tuktoyaktuk, Deline, Fort Good Hope, Paulatuk, Sachs Harbour, Ulukhaktok, and Colville Lake.

Clients are required to bring their Rent Calculation Sheet to their Officer. In the event that the client does not have the Rent Calculation, the Officer will not hold back issuing IA for other benefits but will not add a rental need until the Rent Calculation Sheet is submitted.

Shared Accommodations:

In cases where clients share public housing units with non-IA clients, IA will pay the applicable minimum rent based on the zone in which the client resides (refer to table above).

For example:

Two roommates reside together in Yellowknife and have a combined household income of \$2,571.61. Therefore rent is \$365.00. The income was declared as follows:

Household member A:	\$1,500	gross earned income
Household member B:	\$ 650.00	IA
	\$ 176.50	NCBS
	\$ 113.03	CTB
	\$ 32.08	NTCB
	<u>\$ 100.00</u>	UCCB
	<u>\$1,071.61</u>	Total income

The Officer will add \$80.00 as the rental need in the IA assessment for Household member B, the IA recipient. Therefore household member A, the non-IA client would be responsible for the remaining balance of \$285.

In the event that there are two or more tenants in the household receiving IA, then rent will be calculated on the total income and the Officer will add the rental need equally on each client file.

For example:

Household member A:	\$ 485.00	CPP
	\$ 238.00	Other Pension
	<u>\$ 565.00</u>	IA
	<u>\$1,218.00</u>	Total Income
Household member B:	\$ 607.00	CPP
	\$ 228.00	Disability Pension
	<u>\$ 320.00</u>	IA
	<u>\$1,155.00</u>	Total Income

As per the table above, this household will be assessed based on total income of \$2,373.00 therefore rent will be \$160.00. The Officer will add \$80.00 as the rental need in the IA assessment of each client.

Low Cost Housing - Voluntarily Vacating/Declining Units – Revised October 2014

Clients who voluntarily vacate or decline a public housing unit anytime within the previous 6 months of the current assessment, are not eligible for rental assistance above the minimum monthly rent they would be charged if they resided in the unit. This is in accordance with Section 1.1.(2)(g) of the Income Assistance Regulations, which states that Clients must utilize all of the financial resources available to them. The subsidized rent available in public housing units is considered a financial resource.

Owns a Home – Revised December 6, 2013

If a person in need owns his/her home without a mortgage, a monthly allowance may be paid to cover current taxes, fire insurance and other assessments. Allowances may also be provided to assist with trailer lot rental fees for a Client or Clients who own a trailer. However, the total monthly allowance shall not exceed the rental allowance the Client may be eligible to receive.

There is no time limit on the number of months assistance can be issued in this category.

If a person in need owns their home and other adults living with them are paying rent, the rent collected would be considered an income.

Proof – Home Ownership and Landlords – Revised July 2014

Clients must provide proof that they own their home. A Certificate of Title is the common document to show proof of ownership.

Clients who rent a home or apartment must provide proof that their landlord is the owner or rental agency of the unit. This can be a copy of the rental or lease agreement the landlord provides to the Client.

Clients who are subletting, as defined in Section 22.(1) of the *Residential Tenancies Act*, must provide proof that they have entered into a subletting agreement with the leasee, along with a copy of the rental or lease agreement the landlord provides to the leasee. The total monthly rental allowance shall not exceed the cost of rent as stated in the rental or lease agreement between the landlord and the leasee.

Mortgage – Revised December 2013

Where a person in need is making mortgage payments on his or her own home, a monthly allowance may be paid which is sufficient to cover current taxes, interest on a mortgage, principle, fire insurance and other assessments, but the total

allowance for these items must not exceed the rental allowance which would otherwise be provided.

Before a person in need receives assistance to pay monthly mortgage payments, he/she must provide proof that he/she has negotiated with the bank to either reduce or suspend mortgage payments.

An Officer may issue mortgage assistance for up to three months in a Client's life time. This practice is linked to the Regulations, Section 20. (4)(m), where a Client is required to realize all assets that can be turned into cash within 90 days. This means the Client must sell their home (the asset) and use the cash received from this sale to meet any of their financial needs.

Payment of Taxes, Insurance and Other Assessments - Revised October 2014

As per Regulation 5.(3) and 5.(4), a **monthly** allowance may be paid for taxes, insurance and other assessments. Clients cannot receive payment for these types of costs on a quarterly or yearly basis, regardless of the service provider's payment schedule. Before a person in need receives assistance to pay current taxes, fire insurance and other assessments, he/she must negotiate a monthly payment plan with the service provider. Documentation outlining the payment plan from the service provider must be on file.

Other Types of Accommodation – Revised February 2014

Only rent, room and board, or mortgage is considered for rental assistance. Transient living accommodations in a hotel, motel, tourist establishment, or hostel are not eligible for rental assistance because these accommodations are not bound by the Residential Tenancies Act and there is not a written tenancy agreement between the Client and a landlord.

Custody of Child

An accommodation allowance is not affected by a Client's arrangement to share custody of a child with another parent.

Section 3.4: Fuel Allowance – Wood, Wood Pellets, Oil, Gas or Propane

The Law

6. An allowance may be provided to a person in need for the actual cost of fuel required for heating and cooking purposes.

What it Means

Section 6 of Schedule A explains how much a Client and his/her dependants can receive to pay for heating or cooking fuel.

Issuing the Fuel Allowance

The Officer pays for the actual cost of a Client and his or her dependants' fuel.

Method of Payment

The Client provides his/her fuel invoice or the fuel agency issues the invoice directly to the Officer, and the Officer issues the payment.

As the Regulations refer to paying for the actual cost of fuel, a payment other than for the actual cost of fuel can only be considered if the Client agrees in writing. Actual cost of fuel does not include arrears and/or interest.

Payment of Fuel/Wood for Shared Accommodations – Revised February 2014

The Officer is to authorize and pay the cost of one (1) full tank of fuel per household, per month regardless of the number of household members. If the Client is receiving wood or wood pellets, the Officer is to authorize and pay the cost of no more than one (1) cord or one (1) skid of pellets, per household, per month regardless of the number of household members.

Clients who require more than one (1) tank of fuel, or one (1) cord of wood, or one (1) skid of pellets per month must submit a request for Director's approval to issue additional fuel, wood or wood pellets.

In situations where there are two or more Head of Household's in the same residence, the Officer is to consult with the Supervisor to determine how to allocate the fuel/wood need in CMAS.

Unreasonable Costs

If unreasonable costs occur periodically, the Officer must investigate. Unreasonable is defined as 25% more than the monthly average in a community,

over a period of three continuous months, or any five-month period within a calendar year.

The Officer may also provide less than the actual heating or cooking fuel costs if the actual cost is higher than the average of a community. Before an Officer assists with less than the actual costs, the Officer must request that a Client have a fuel efficiency study done on the house to determine the cause of high fuel costs. Clients can arrange through Arctic Energy Alliance for a fuel efficiency study to be conducted. The cost to the Client is \$150. For more information, visit: <http://www.oee.nrcan.gc.ca> or <http://aea.nt.ca/>

An Officer must consult with his/her Supervisor and the Director before a Client's fuel allowance is reduced to an average for the community.

Section 3.5: Utilities Allowance – Power, Water and Sewer

The Law

7. An allowance may be provided to a person in need for the actual cost of light, water and sewage services required.

What it Means

Section 7 of Schedule A states that a Client and his/her dependants can receive assistance to pay for power, water and sewage services.

Issuing the Utilities Allowance – Revised February 2014

The Officer pays for the actual cost of a Client and his or her dependants' power, water, and sewage services. The need is based on the due date of the utility invoice.

For example, if the utility invoice has a payment due date of January 3, 2014, it is included as a need in the January 2014 assessment.

Method of Payment

The Client provides his/her utility invoice, or the utility agency issues the invoice directly, to the Officer, and the Officer issues the payment. Payment should be made in the month that the utility bill is due.

As the Regulations refer to paying for the actual cost of utilities (light, water and/or sewage), a payment other than for the actual cost of utilities (light, water and/or sewage) can only be considered if the Client agrees in writing. The actual cost does not include arrears or interest on those arrears.

Unreasonable Costs

If unreasonable costs occur periodically, the Officer must investigate. Unreasonable is defined as 25% more than the monthly average in a community, over a period of three continuous months, or any five-month period within a calendar year.

The Officer may also provide less than the actual costs if the actual cost is higher than the average of a community. Before an Officer assists with less than the actual costs, the Officer must request that a Client have an efficiency study done on the house to determine the cause of costs. Clients can arrange through Arctic Energy Alliance for an efficiency study to be conducted. The cost to the Client is \$150. For more information, visit: <http://www.oeo.nrcan.gc.ca>.

An Officer must consult with his/her Supervisor and the Director before a Client's utility allowance is reduced to an average for the community.

Payment Plan

A payment other than for the actual costs, such as a payment plan, can only be considered if the Client agrees in writing.

Name on Utility Invoice

The name on the utility invoice must be the Client's or his/her spouse in order for the Officer to pay the utility costs.

If the Client is sharing the accommodation, and the name on the invoice is the registered landlord, the Client's portion can be paid.

For example, if there are two people living in the accommodations, the cost of utilities is divided by two, and the Officer pays for the Client's share.

Public Housing and Power Rebates

Tenants of some housing authorities may receive a power rebate, which is credited to their rent account. Therefore, their rent may be less than shown on their rental statement. Officers should contact the local housing authority manager for more information. A power rebate is not considered income.

SECTION 4: SCHEDULE B – ENHANCED BENEFITS

Revised Section Numbering 2013

This section of the Regulations lists the types of enhanced benefits that Clients, and in some cases their dependants, may receive. Enhanced benefits are clothing, incidentals and allowances for the disabled and elderly, primary, secondary and postsecondary educational expenses, furnishings, security and utility deposits, emergency expenses, child care, and record suspension application fees.

Who Participates?

Enhanced benefits are provided to the Client or head of household, who is participating in a productive choice or to a Client who is exempt from participating in a productive choice.

Enhanced benefits are provided to the family if the adults in the household are participating in a productive choice.

If eligible, Clients can receive both basic and enhanced benefits.

The following are some general instructions in administering enhanced benefits.

Where is the Benefit paid to?

The benefit is payable to the Client, or on behalf of the Client, to the person, business, landlord, government or agency of the Client's choice. It is up to the Client to decide to whom the benefit will be paid. A request to pay someone other than the Client must be in writing from the Client.

Bi-monthly Payment of Benefits

The benefits for clothing, disabled, aged and education allowances can be paid on a bi-monthly basis at the Client's request.

The yearly benefit for furniture can be prorated throughout the year at the Client's request.

Clients Temporarily Leave the NWT for Medical Reasons

When Clients with dependants temporarily leave the NWT to receive medical treatment that is not available in the NWT, the Director can grant up to three months of assistance (for shelter, utilities, food and clothing for dependants at home). The Client can receive the aged or disabled allowance with the clothing and incidental amount if entitled to it. Since each case is different, the Officer must send an email to his/her Supervisor to get approval from the Director.

Custody of a Child and Enhanced Benefits

Certain enhanced benefits are affected by a Client's arrangement to share custody of a child with another parent as follows (always round up when dividing):

- Clothing should only be issued in a month the Client has custody of the dependant(s)
- Educational expenses should be shared with the other parent depending on the custody arrangement
- The disabled, aged and emergency allowances are issued only to the Client and are not affected by custody arrangements
- Furnishings allowance is not affected by custody arrangements
- Security deposits are not affected by custody arrangements
- Child Care Benefits should only be issued for the time the Client has custody of the dependant(s)

Note

The Director can make a decision, on a case-by-case basis, on how much assistance or for how long a Client and his/her dependants will receive an enhanced benefit.

Section 4.1: Clothing Allowance

The Law

1. Assistance in the form of a clothing allowance may be provided to a recipient in accordance with the Maximum Monthly Clothing Allowance Table

set out in this Schedule that shows maximum scales in force in the communities of the Northwest Territories.

What it Means

Section 1 of Schedule B sets out the maximum amount a Client can access for clothing depending on the size of the family and the community the Client lives in.

This allowance can be spent on clothing and footwear. The size of the family and the Client's community are taken into account to determine the allowance available, shown in the table on the next page.

The clothing allowance table is as follows:

Community	Total Number in Household											
	1	2	3	4	5	6	7	8	9	10	11	12
Aklavik	109	152	185	218	251	285	318	351	384	417	450	483
Behchoko	82	115	140	164	190	214	239	265	290	314	339	364
Colville Lake	112	158	192	226	260	295	329	364	398	432	466	501
Deline	109	152	185	218	251	285	318	351	384	417	450	483
Dettah/N'Dilo	79	110	134	158	182	206	230	254	278	302	326	350
Enterprise	86	120	146	172	199	225	251	278	303	329	356	382
Fort Good Hope	109	152	185	218	251	285	318	351	384	417	450	483
Fort Liard	89	124	152	178	206	233	260	287	314	341	369	396
Fort McPherson	103	143	175	206	237	268	299	331	362	393	424	455
Fort Providence	89	124	152	178	206	233	260	287	314	341	369	396
Fort Resolution	92	129	157	185	213	242	269	298	326	354	382	410
Fort Simpson	92	129	157	185	213	242	269	298	326	354	382	410
Fort Smith	86	120	146	172	199	225	251	278	303	329	356	382
Gameti	99	139	170	200	230	260	290	320	350	381	411	441
Hay River	86	120	146	172	199	225	251	278	303	329	356	382
Hay River Reserve	86	120	146	172	199	225	251	278	303	329	356	382
Inuvik	99	139	170	200	230	260	290	320	350	381	411	441
Jean Marie River	95	134	163	191	220	250	278	308	337	366	394	424
Kakisa	89	124	152	178	206	233	260	287	314	341	369	396
Lutsel K'e	103	143	175	206	237	268	299	331	362	393	424	455
Nahanni Butte	95	134	163	191	220	250	278	308	337	366	394	424
Norman Wells	103	143	175	206	237	268	299	331	362	393	424	455
Paulatuk	112	158	192	226	260	295	329	364	398	432	466	501
Sachs Harbour	112	158	192	226	260	295	329	364	398	432	466	501
Trout Lake	106	148	180	212	244	277	308	340	373	405	437	470
Tsiigehtchic	103	143	175	206	237	268	299	331	362	393	424	455
Tuktoyaktuk	109	152	185	218	251	285	318	351	384	417	450	483
Tulita	106	148	180	212	244	277	308	340	373	405	437	470
Ulukhaktok	112	158	192	226	260	295	329	364	398	432	466	501
Wekweti	86	120	146	172	199	225	251	278	303	329	356	382
Wha Ti	99	139	170	200	230	260	290	320	350	381	411	441
Wrigley	103	143	175	206	237	268	299	331	362	393	424	455
Yellowknife	79	110	134	158	182	206	230	254	278	302	326	350

Section 4.2: Disabled, Aged and Incidental Allowances

The Law

2. (1) Assistance in the form of either a disabled allowance or an aged allowance may be provided to a recipient, to a maximum of \$300, if,

(a) in the case of the disabled allowance, an occupational therapist, medical practitioner or other person referred to in paragraph 13.1 (5)(a), certifies a period of incapacity of 12 months or longer; or

(b) in the case of an aged allowance, the recipient has attained 60 years of age.

(2) A person who is granted assistance under sub item (1) may be provided with further assistance in the form of an incidental expense allowance in accordance with the Maximum Monthly Incidental Allowance Table set out in this Schedule that shows maximum scales in force in the communities of the Northwest Territories.

What it Means

Section 2.(1) to 2.(2) of Schedule B explains how much allowance a Client with a disability or a Client 60 years of age or older can receive.

Disabled Allowance

For a Client with a disability, the Officer must receive proof of the disability through a letter from a health care professional or through proof that a Client is receiving a federal pension or benefit. If the Client's spouse is disabled, he/she is also eligible for this benefit.

Short-Term Notes and the Disabled Allowance

A Client who has an Income Assistance medical form of less than 12 continuous months is not eligible for the disabled allowance.

Long-Term Notes and the Disabled Allowance

A Client who has an Income Assistance medical form of more than 12 continuous months and meets the definition of a disabled person may be eligible for the disabled allowance.

The first note provided must be more than 12 continuous months.

For example, a Client who provides a note every four months for a year is not eligible for the disabled allowance retroactively or at the 12-month period. A long-term medical condition could be a Client waiting for an organ transplant or receiving cancer treatments. The Officer should discuss the Client's circumstances with his/her Supervisor.

Alcohol and/or Drugs

A Client with an addiction to drugs and/or alcohol must provide a health care professional's note that indicates his/her addiction to drugs or alcohol is considered

chronic. This Client may be considered exempt from a productive choice for the period indicated on the note, but is not eligible to receive the disability allowance.

Productive Choices and Disabilities

A Client with a disability, although exempt from participating in a productive choice, may participate if he/she chooses and can continue to receive the disabled allowance and incidental allowance.

New Content September 2013

Proof of Disability

A disabled Client does not need to provide a note every year if a qualified health care professional has certified his/her condition as permanent or if the Client receives a federal pension or benefit. Each year the Officer only needs to update the “Disability Due Date” on CMAS in order to maintain exemption from productive choice. The Officer must also create a reminder on CMAS that the Client meets the criteria for a Permanent Disability.

Aged Allowance

The aged allowance assists the Client with his/her daily living needs. A dependant may be eligible to receive this allowance if they are 60 years of age or older.

Disabled and Aged Allowance

A Client can only receive either the disabled allowance or the aged allowance from the Income Assistance Program, not both.

Incidental Allowance

Any Client who receives the disabled or aged allowance may also be provided with further assistance in the form of an incidental allowance in accordance with the Maximum Monthly Incidental Allowance Table. The allowance is provided to each person in the household that received the disabled or aged allowance. The allowance is intended to assist with the costs of personal care products and household supplies. The table on the next page shows the maximum incidental allowance rates for various settlements in the NWT.

Revised April 2015

The incidental allowance table is as follows:

Community	1	2
Aklavik	68	95
Behchokö	54	75
Colville Lake	74	104
Déline	71	100
Dettah/N'Dilo	39	55
Enterprise	43	61
Fort Good Hope	73	103
Fort Liard	55	76
Fort McPherson	62	87
Fort Providence	51	71
Fort Resolution	53	74
Fort Simpson	54	76
Fort Smith	46	64
Fort Wrigley	62	87
Gamèti	56	78
Hay River	47	65
Hay River Reserve	44	62
Inuvik	57	79
Jean Marie River	55	76
Kakisa	51	71
Lutselk'e	68	95
Nahanni Butte	62	86
Norman Wells	70	97
Paulatuk	79	111
Sachs Harbour	73	103
Trout Lake	62	86
Tsiigehtchic	65	92
Tuktoyaktuk	72	101
Tulita	71	99
Ulukhaktok	73	103
Wekweètì	65	90
Whatì	59	81
Yellowknife	39	55

Section 4.3: Expenses for Primary, Secondary and Post-Secondary Education and Other Training

The Law

3. An allowance may be provided in accordance with the direction of the Director for the following expenses incidental to the primary or secondary education or other training of a child who is a dependant of a recipient:

- (a) transportation;
- (b) text books and supplies;
- (c) annual school fees;
- (d) tuition.

Tuition and Book Allowances for Post-Secondary Education

4.1. (1) In this item,

"approved institution" means an approved institution as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"full-time student" means a full-time student as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"program of studies" means a program of studies as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"semester" means a semester as defined in subsection 1(1) of the *Student Financial Assistance Regulations*.

"*Student Financial Assistance Regulations*" means the *Student Financial Assistance Regulations* made under the *Student Financial Assistance Act*.

(2) Assistance in the form of a tuition allowance may be provided to a recipient for the payment of tuition for the recipient or his or her dependant to a maximum of \$1925 for a semester if

(a) the recipient or his or her dependant is enrolled as a full-time student at an approved institution in a program of studies approved by the Director;

(b) the person who is enrolled as a full-time student is not eligible for student financial assistance under the *Student Financial Assistance Regulations* and the ineligibility is not the result of the application of section 35.2 of those regulations; and

(c) the person who is enrolled as a full-time student has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.

(3) Assistance in the form of a book allowance may be provided to a recipient for the purchase of books for the recipient or his or her dependant to a maximum of \$400 for a semester if the recipient receives a tuition allowance for the recipient or his or her dependant under subsection (2).

What it Means

Sections 3 to 4.(3) of Schedule B explain what type of assistance a Client and his/her dependants can receive for primary, secondary or training education or for post-secondary expenses.

Children's Primary, Secondary and Training Education Expenses

This section explains what assistance a Client can receive for his/her dependant in kindergarten to grade 12 or other training:

- Transportation (bus passes only)
- Text books
- School supplies (pencils and pens, paper, binders, rulers, markers, erasers, geometry sets, etc.)
- Annual school fees (locker charges, etc.)

- Tuition (Officer should speak with his/her Supervisor)
- Running shoes, required musical instruments or special clothing
- Training (fees associated with special courses or if the dependant is in post-secondary training)

Determination of Education Expenses

The Director has approved the following procedure to determine the amount that will be supplied to Clients for their dependant(s) elementary and secondary school supplies.

An Officer should contact the school(s) at the end of the academic year and obtain a school supply list for each grade. The Officer will price the list at the least expensive store in the community. That list will be used to determine the amount of assistance provided to Clients for their dependant(s)' school supplies. Clients will be provided with a lump sum payment based on the list.

Exempt from Expenses

The Officer does not pay for expenses already paid for by other organizations.

The Officer should ensure that the Client is not exempt from these expenses because of their ethnicity or because they are receiving, or will receive, the assistance from another source.

For example, a First Nations group may provide money for the child(ren)'s bus passes.

Tuition and Book Allowances for Post-Secondary Education

Under this section, an Officer should refer to the Student Financial Assistance Regulations for definitions of the following: approved institution, full-time student, program of studies and semester.

A Client and one of his/her dependants must meet the requirements of all of these definitions.

If the NWT Student Financial Assistance Program is not available to the Client, the Officer can provide an allowance of up to \$1,925 for tuition and up to \$400 for books if the Client or his/her dependant is attending a post-secondary program as defined by the Student Financial Assistance Regulations and receiving a tuition allowance from Income Assistance.

The Director must approve the tuition and book allowances.

Resident of the NWT

A Client who has not been a permanent resident of the NWT for 12 continuous months may be eligible for post-secondary assistance from another province or territory in Canada or from his/her home country. Officers must ask the Client to apply first to his/her province, territory or home country. If the Client is denied, he/she must provide the denial letter to the Officer before the Officer can issue Income Assistance for this benefit. If the Client is eligible for post-secondary assistance from another jurisdiction, that assistance should be taken into consideration when a financial review is completed.

Other Financial Resources

Clients may be eligible for funding through Employment Insurance, non-government organizations or other sources. Aboriginal Clients may also be eligible to receive post-secondary assistance through the Aboriginal Skills and Employment Training Strategy (ASETS).

Clients must first apply to the other agencies responsible for funding and provide the amount of approved funding or a denial letter before Income Assistance can be issued for this benefit. The funding the Client receives from the Agency **must** be taken into consideration, as well as the expense of the program, when a financial review is completed.

How the Expense is Paid

The Officer must obtain an invoice from the school for the tuition and books and issue payment to either the Client or the institution. A book allowance will be provided up to a maximum of \$400 upon receipt of book expenses.

A book allowance up to \$400 is only provided if the Client is receiving a tuition allowance from Income Assistance.

Section 4.4: Furnishings Allowance

The Law

5. Assistance in the form of a furnishings allowance may be provided to a recipient for the purchase of household furnishings in an amount not exceeding the amount the recipient receives for a food allowance for the month in which the furnishings allowance is paid if the recipient

(a) operates a household; and
(b) has received assistance for at least six of the 12 months preceding his or her request for a furnishings allowance.

What it Means

Section 5 explains how much assistance a Client and his/her dependants can receive for furnishings.

A furnishings allowance is for the purchase of all household furniture as required from time to time by the Client.

Assistance Available

A Client and his/her dependants are eligible to receive an **annual** furnishings allowance. This amount is based on the Maximum Furniture Allowance Table shown on next page, if the Client has received Income Assistance for at least six of the last 12 months. The six months does not need to be continuous.

A Client is eligible to receive this benefit in full or at a prorated amount requested by the Client, at the end of a six-month waiting period.

For example, a Yellowknife Client, his spouse and two children received assistance from February to May and then again in July and August, all within the same 12-month period in 2006. The Client has now applied for assistance again in September. The Client would be eligible to receive the furniture allowance on September 1, 2006.

The Client in the example above would be eligible to receive the furnishing allowance again on September 1, 2007, as long as he has received assistance for six of the 12 prior months.

Owes Income Assistance

Clients who have a debt to the Income Assistance program are eligible for the furnishings allowance; however, the full amount must be applied to their overpayment. If the amount of the furnishings allowance exceeds the overpayment amount, the excess can be paid to the Client. Clients may receive the furnishings allowance in the month they become eligible.

Furnishings must be provided to persons in need using the following furnishings allowance table:

Community	Total Number in Household								
	1	2	3	4	5	6	7	8	+
Aklavik	320	591	834	1,038	1,224	1,371	1,508	1,599	93
Behchoko	222	412	581	720	849	951	1,047	1,110	65
Colville Lake	359	666	940	1,109	1,307	1,473	1,620	1,716	101
Deline	303	559	788	981	1,157	1,296	1,426	1,512	88
Dettah/N'Dilo	175	323	456	567	669	749	824	874	51
Enterprise	182	331	467	590	695	778	856	907	54
Fort Good Hope	291	541	763	941	1,110	1,243	1,368	1,450	85
Fort Liard	225	415	586	729	860	963	1,060	1,124	66
Fort McPherson	263	484	683	851	1,003	1,124	1,236	1,311	77
Fort Providence	199	369	521	641	756	846	931	987	58
Fort Resolution	231	429	605	726	856	959	1,055	1,118	66
Fort Simpson	224	414	584	726	856	959	1,055	1,118	65
Fort Smith	192	357	503	612	722	809	890	944	55
Gameti	232	426	601	749	884	990	1,089	1,155	69
Hay River	198	367	518	624	736	824	907	961	56
Hay River Reserve	198	367	518	624	736	824	907	961	56
Inuvik	257	475	670	833	983	1,101	1,211	1,284	75
Jean Marie River	250	462	651	811	956	1,071	1,178	1,249	74
Kakisa	193	355	501	624	736	824	907	961	56
Lutsel K'e	292	542	764	924	1,090	1,221	1,343	1,424	84
Nahanni Butte	284	527	743	879	1,037	1,164	1,280	1,356	81
Norman Wells	280	519	732	907	1,070	1,198	1,319	1,398	82
Paulatuk	338	623	879	1,094	1,291	1,446	1,590	1,686	99
Sachs Harbour	335	621	876	1,066	1,257	1,408	1,549	1,643	96
Trout Lake	301	556	783	975	1,150	1,288	1,417	1,503	88
Tsiigehtchic	265	483	680	856	1,011	1,132	1,246	1,320	80
Tuktoyaktuk	315	585	825	973	1,148	1,293	1,422	1,507	90
Tulita	301	556	783	975	1,150	1,288	1,417	1,503	88
Ulukhaktok	319	588	829	1,032	1,217	1,363	1,500	1,590	93
Wekweti	278	517	729	859	1,013	1,142	1,256	1,331	80
Wha Ti	281	512	721	911	1,074	1,203	1,323	1,403	84
Wrigley	305	562	793	987	1,164	1,303	1,434	1,520	89
Yellowknife	175	323	456	567	669	749	824	874	51

Section 4.5: Security Deposits – Rent or Utilities

The Law

6. (1) Assistance may be provided to a recipient for the payment of a security deposit if one is required for the provision of accommodations or utilities to the recipient.

(2) A recipient must repay the total amount of assistance that he or she receives for the payment of a security deposit

(a) when the landlord or utility provider refunds the security deposit or a part of the security deposit to the recipient; or

(b) when the security deposit is forfeited under the terms of the agreement between the landlord or utility provider and the recipient under which the security deposit was paid.

What it Means

Section 6.(1) and 6.(2) of Schedule B explains how a Client can receive assistance for a security deposit for accommodations or utilities.

Payment of the Security Deposit

- Utilities: Security deposits must be provided to Clients as required by the utility provider.
- Rentals: The Residential Tenancy Act allows the payment of a security deposit to take place over a three-month period as follows:
 - 50% of the deposit is due with the first month's rent
 - The remaining 50% is due by the end of the first three months of the Client's tenancy

Repayment of the Security Deposit

Security deposits are not repayable until the Client has left the residence for which the security deposit was issued.

A Client must repay the total amount of the security deposit to the Government of the NWT. If only a portion of the security deposit is paid when the Client and his/her dependants move, the remainder immediately becomes a Client's debt that is owed to the Income Assistance Program and can be paid back in \$25 monthly payments.

More than One Security Deposit

A second or subsequent security deposit for rent or utilities can be issued as required with approval from the Supervisor.

Where to Send the Returned Security Deposit Cheques

Officers must forward all security deposit returns to the finance personnel within Income Assistance at the regional office. The Officer should include the Client's

name and social insurance number and a description of the uses of the security deposit.

For example, a description could include the landlord's name, utility type and provider, or fuel type and provider.

Officers must get a General Receipt (GR) number from regional finance staff, which is to be referenced when making the note in CMAS about the returned security deposit. The Officer should also make sure that the Client's debt has been entered and reduced in CMAS.

Section 4.6: Emergency Allowance

The Law

7. Emergency assistance may be provided, in accordance with the direction of the Director, to a recipient if he or she is unable to sustain himself or herself and his or her dependants.

What it Means

Section 7 of Schedule B states that a Client and his/her dependants may receive an emergency allowance if the need exists.

This allowance is provided to Clients who are eligible for Income Assistance and participating in a productive choice.

The current rates of the allowance are:

- Single: Up to \$500 or the amount of a Client's monthly food allowance as the need requires, whichever is higher.
- Family: Up to \$1,000 or the amount of a Client's monthly food allowance as the need requires, whichever is higher.
- Case-by-case as approved by the Director.

Director Approval

The Director must be contacted to approve emergency assistance. The types of situations that emergency assistance can be provided for include:

- Loss of a home due to a disaster ; i.e. flood, fire, windstorm, landslide, or earthquake
- Inability to pay one month rent due to illness or loss of a job for reasons other than just cause

Section 4.7 Child Care Allowance

The Law

8. A child care benefit may be provided in accordance with the direction of the Director

What it Means

Section 8 of Schedule B is to provide financial support to Income Assistance recipients to assist them with their child care expenses so that they can participate in the labour force, or pursue educational and training opportunities in the NWT.

Eligibility

In order to be eligible for the child care benefit, applicants must:

- Require care for children under the age of 13 because both parents are participating in the labour force or attending school or training.
- Provide monthly invoices from their child care provider.
- Provide receipts showing child care has been paid, if the provider is not being paid directly, for continued eligibility.

There will be no deduction from the child care payment for non-attendance by the child if the provider charges for the days missed. Similarly, there will be no deduction for non-attendance by parents. However, unsubstantiated absences by parents that are considered to be chronic attendance problems (4 or more days in a calendar month) may be cause for terminating the child care need. The Regional Manager will need to be consulted prior to terminating any child care needs.

Payment of Child Care

- Applicants must sign a Productive Choice agreement and submit documentation confirming their participation in the labour force or enrollment in school.
- Applicants must provide an invoice and/or receipt for child care expenses.
- Applicants are responsible for providing all supporting documentation, paying their child care provider (or opt for direct payments to client or provider) and providing monthly payment receipts.
- Child care providers may be paid in advance, however, receipt of payment must be provided the following month before additional benefits will be issued.

Rates

CHILDCARE	LICENSED	UNLICENSED
Infant (0-1)	\$42.00	\$33.00
Children (2-12)	\$39.00	\$28.00
Part-time (0-5)	\$26.00	\$13.00
Afterschool (6-12)	\$15.00	\$8.00

Note

There are no minimum hours of care required for child care eligibility.

In accordance with Employment Standards, child care providers may be under the age of 16 if the care is provided after school hours, evenings not between the hours of 11pm to 7am, weekends and school holidays. Child care providers under 16 cannot be paid at any other time.

Revised October 2014

The cost of camps during school breaks is an eligible expense for the child care benefit.

Section 4.8 Record Suspension Application Fees

New Content March 1, 2013

The Law

9. (1) In this item, "application for a record suspension" means an application, by an individual convicted of an offence under an Act of Parliament, for a record suspension in respect of that offence, under the *Criminal Records Act* (Canada)

(2) Assistance may be provided for the payment of any fees required for an application for a record suspension.

What it Means

An IA client is eligible to receive assistance with the payment of any fees for application for a Record Suspension. The Record Suspension Application Fees are an enhanced benefit that is provided to the head of household or spouse, who is participating in a Productive Choice or to a Client who is exempt from participating in a Productive Choice.

Assistance to pay the \$25 cost of obtaining a Certified Copy of a Criminal Record from the RCMP, the \$631 processing fee made payable to the Parole Board of Canada and any other associated fees may be provided. Persons with a criminal record may apply to the Parole Board of Canada to obtain a record of suspension (formally known as a Pardon). A record of suspension allows people with a criminal record to have it set aside. This helps them access employment and educational opportunities and to reintegrate into society.

In order to be eligible for a Record Suspension a person must have:

- Completed their sentence (including parole) and have paid any fine or financial penalty
- Completed any probation period
- Have served a required waiting period
- Demonstrated that he or she is a law-abiding citizen

Productive Choices and Record Suspension Fees

A Client must be participating in a Productive Choice to be eligible for the Record Suspension Application fee benefit.

Payment of Record Suspension Fees

The Enhanced Benefit includes:

- \$25.00 cost of obtaining a Certified Copy of a Criminal Record from the RCMP
- \$631.00 Application Processing Fee charged by the Parole Board of Canada
- Applicants requesting reimbursement for additional fees related to their application for record suspension are responsible for providing supporting documentation and paid invoices and /or receipts.

Note

- The \$25.00 fee charged by the RCMP is for fingerprinting purposes. There are currently no additional fees charged for further court or police checks in the NWT.
- As per the *Income Assistance Act*, assistance may be provided for the payment of *any* fees required for an application for a record suspension.
- See Client Service Resource and Procedures Manual for Guidelines.

SECTION 5: SOCIAL ASSISTANCE APPEALS REGULATIONS

Section 5.1 - Interpretation and Application

The Law

1. (1) In these Regulations,
“appeal panel” means a panel of an appeal committee or of the Appeal Board, as the case may be, constituted under the Act to hear an appeal;
“appellant” means the party that files an application to appeal with the Registrar under section 6 ;
“Officer” means a Social Welfare Officer appointed under section 4 of the Act;
“Registrar” means the person designated to act as a registrar under section 3;
“respondent” means the responding party named in an application to appeal.
(2) In these regulations, the parties to an appeal are,

(a) in respect of an appeal to an appeal committee under subsection 6(2),
(i) the applicant for or recipient of assistance entitled to appeal the decision of an Officer or of the Director; and
(ii) the respondent; and
(b) in respect of an appeal to the Appeal Board under subsection 6(3),
(i) the applicant for or recipient of assistance or the Director, as the case may be, entitled to appeal the finding of an appeal committee, and
(ii) the respondent.

What it Means

Section 1 of the Regulations provides the exact meaning of some of the words that are used in the Regulations.

Definitions

For the purpose of this section, the meanings of some additional words are:

Days

Taken from the Interpretation Act, days are defined as calendar days except Sundays, New Year’s Day, Good Friday, Easter Monday, Victoria Day, National Aboriginal Day, Canada Day, the first Monday in August, Labour Day, Remembrance Day, Christmas Day and Boxing Day. Please note, if a holiday falls on a Saturday or Sunday, the following Monday will be considered a holiday.

Appeal Package

Includes a cover letter prepared by the Registrar, an appeal summary, an application to appeal, notice of refusal, all documents that apply to the appeal, the applicable legislation.

Third Party Consent Form

The Third Party Consent for the Release of Information form must be signed by the appellant if they are involving a representative.

Representative

Any person that the appellant has chosen to assist and/or represent them during the appeal process.

Quorum

Three members of an appeal panel constitute a quorum.

Natural Justice

Allowing an applicant the right to a fair and unbiased hearing with reasonable opportunity to present his or her case.

Section 5.2 - The Players in an Appeal

The Law

2. These regulations apply to the proceedings of an appeal panel.

3. (1) The Director shall designate a senior officer of the Department of Education, Culture and serve as

Registrar for the appeal committees and the Appeal Board.

(2) The Registrar shall perform the duties as set out in these regulations.

What it Means

Social Assistance Appeal Committees (SAAC)

The Minister is required to create as many regional SAACs as are necessary to hear appeals. A municipal council, local housing authority and/or other local body or organization can make recommendations as to who should be on the SAAC to the Minister. The Minister may consider these recommendations when making a decision regarding appointments to the SAACs. No official of the Department of Education, Culture and Employment is eligible for appointment to the SAACs.

A SAAC must be composed of not fewer than three and not more than eight members. When hearing an appeal, a quorum of three members must be present. If a quorum is not reached, the hearing is rescheduled.

The Chairperson of the panel only votes when a majority decision cannot be reached by the other members.

SAAC members are appointed for a term, or any length, that is decided upon by the Minister.

Social Assistance Appeal Board (SAAB)

The SAAB is established to hear appeals from decisions made by the SAACs. A municipal council, local housing authority and/or other local body or organization can make recommendations as to who should be on the SAAB to the Minister. The Minister may consider the recommendations when making a decision to appoint a person to the SAAB. No official of the Department of Education, Culture and Employment is eligible for appointment to the SAAB. The SAAB must be composed of a chairperson, a vice-chairperson and not fewer than three other members appointed by the Minister. A SAAB member is appointed for two years.

When hearing an appeal, a quorum of three members must be present. If a quorum is not reached, the hearing is rescheduled.

Registrar

The Director assigns a senior officer within the Department to act as Registrar to the SAACs and the SAAB. The Registrar assists the SAACs and the SAAB in the setting up and operation of appeals and is responsible for a number of other duties as set out in the Regulations, but should not attend the hearings and cannot vote.

The Registrar is also responsible for coordinating the appointment and revocation process for appeal panel members.

Appellant

The person applying for a reversal of a decision.

Respondent

The responding party named in an appeal.

Section 5.3 - Commencing an Appeal

The Law

4. (1) An applicant for or recipient of assistance entitled under subsection 8(1) of the Act to appeal a decision of an Officer or the Director, must,

(a) be notified in writing of the entitlement to appeal; and

(b) on request, be provided with clear instructions respecting appeal procedures.

(2) A person entitled to appeal a decision of an Officer or the Director may appeal the decision within seven days after receiving it to the appeal committee established or continued for the community in which the person resides.

(3) A person entitled under subsection 8(3) of the Act to appeal the finding of an appeal committee may appeal the finding to the Appeal Board within seven days after receiving it.

5. (1) A party to an appeal may be unrepresented or may be represented by legal counsel, an agent, a dependant or any other person.

(2) The representative of a party may act on behalf of the party in exercising any rights and performing any duties provided for in these regulations

6. (1) An appeal shall be commenced by filing with the Registrar an application to appeal, in a form approved by the Director

(2) An application to appeal may be filed by the appellant or the appellant's representative, in person, by mail, by courier or by fax.

(3) An application to appeal filed by a representative must be accompanied by a signed statement of the appellant attesting to the authority of the representative to act on the appellant's behalf.

(4) An application to appeal must include the following information:

(a) the name, address and phone number of the appellant;

(b) if the appellant has a representative, the name, address, and phone number of the representative;

(c) an address for service;

(d) the decision of the Officer or Director or the finding of an appeal committee, as the case may be, that is being appealed;

(e) the grounds for the appeal;

(f) all information necessary for the appeal panel hearing the appeal to understand the issues raised in the appeal.

(5) If an appellant is unable to make the application to appeal in writing, an Officer shall assist the appellant or refer him or her to a person who may assist in the preparation of the application to appeal.

7. (1) The Registrar shall provide the respondent with the application to appeal, and shall indicate the deadline by which the respondent may provide a response to the application to appeal.

(2) A response may be filed by the respondent or the respondent's representative, in person, by mail, by courier or by fax.

(3) A response filed by a representative must be accompanied by a signed statement of the respondent attesting to the authority of the representative to act on the respondent's behalf.

8. (1) For each appeal, the Registrar shall prepare an appeal package including an application to appeal and the response.

(2) The Registrar shall ensure that the appeal package is provided to the parties and to the appeal panel as soon as is practicable.

(3) The appeal panel may, prior to the hearing of an appeal and through the auspices of the Registrar, request additional information from the parties respecting the information contained in the appeal package.

9. An appellant may withdraw an appeal at any time before the hearing of an appeal by notifying the Registrar in writing.

What it Means

Clients are entitled to a fair and reasonable assessment of their needs and appropriate assistance. If a Client does not agree with an Officer's and/or Director's decision, he/she can appeal the decision. It is the Officer's responsibility to notify the applicant, in writing, of their right to appeal.

The applicant must file his or her appeal with the appeal committee established for the community in which the person resides within 7 days of receiving the Officer's decision.

In practice, the Client may submit the appeal to the local ECE Service Centre who will forward the application to the Registrar.

An application to appeal must include the following information:

- Name, address and phone number of the appellant
- If the appellant has a representative, the name, phone number and address of the representative
- The decision of the Officer or Director or the finding of an appeal, whichever is applicable for the appeal
- The grounds for the appeal
- All information necessary for the SAAC hearing the appeal to understand the issues raised

The Client, someone on behalf of the Client, the Officer or someone the Officer has referred the Client to, may appeal on behalf of the Client.

The Officer will prepare an appeal package that will be forwarded to the Registrar. Once the SAAC and client have agreed on a date, a copy of the appeal package will be provided to all attending. This can be done by:

- Hand delivery: have the client sign the Appeal Update Form
- Courier: require signature upon delivery
- Email

If a client chooses to withdraw their appeal, they must do so in writing.

Section 5.4 - Location, Time and Manner of the Appeal

The Law

10. (1) Subject to subsection (3), within 30 days after the filing of an application to appeal a decision of an Officer or the Director, the appeal committee hearing

the appeal shall hold an appeal hearing and issue its written finding with reasons.

(2) Subject to subsection (3), within 45 days after the filing of an application to appeal a finding of an appeal committee, the Appeal Board shall hold an appeal hearing and issue its written finding with reasons.

(3) The time for the hearing and disposition of an appeal may be extended by an appeal panel to the extent required to account for any extensions or adjournments granted under the authority of these regulations, provided that

(a) the party to the appeal who is the applicant for or the recipient of assistance consents to the extension; and

(b) the time for hearing the appeal and issuing a finding or decision does not exceed

(i) in the case of an appeal to an appeal committee, 60 days after the day the application to appeal is filed, or

(ii) in the case of the Appeal Board, 90 days after the day the application to appeal is filed.

11. An appeal conducted under these regulations must be conducted

(a) to the extent possible, in an informal and non-adversarial manner; and

(b) fairly and impartially and in accordance with the rules of natural justice.

12. (1) An appeal may proceed by oral hearing, or by written submission, if so requested by the applicant or recipient of assistance.

(2) An appeal or oral hearing may be conducted in person or by video, electronic or telephone conference.

(3) An appeal panel shall hear an appeal using the most practical, cost-effective and expeditious method available.

13. (1) Subject to subsection (2), the Registrar shall ensure that the parties are notified at least five days before the hearing as to

(a) the method by which the appeal will be heard;

(b) the time, date, and location of the hearing;

(c) deadlines respecting the filing of submissions and evidence; and

(d) any other preliminary information the appeal panel may direct the Registrar to provide.

(2) If the parties and the appeal panel hearing the appeal agree to expedite the hearing of an appeal, the time requirement set out in subsection (1) may be abridged.

What it Means

The SAAC must hold a hearing within 30 days after a notice of appeal is filed. The SAAB must hold a hearing within 45 days after the filing of an application to appeal a finding of the SAAC. This period may only be extended by an appeal panel if the following stipulations are met:

- The party who is the applicant for or recipient of assistance consents; and
- The time for hearing the appeal and issuing a decision does not exceed
 - 60 days in the case of an appeal to the SAAC
 - 90 days in the case of an appeal to the SAAB

Appeals may proceed by either an oral hearing, or by written submission if requested by the appellant. Oral hearings can be conducted in person or by video, electronic or telephone conference.

An appeal must take place by using the most practical, cost-effective method available. For example, if all parties to the appeal are not in the same location, a teleconference would be the most economical method.

The Registrar will ensure that all parties of an appeal are notified at least 5 days before a hearing as to:

- How the appeal will be heard (oral or written)
- The time, date and location of the hearing
- Any other information the SAAC or SAAB have directed the Registrar to provide

Section 5.5 - Procedural Matters

The Law

14. (1) Subject to subsection 10, an appeal panel may, in respect of a particular appeal, issue directions on procedure to the parties to supplement these regulations.

(2) a party may, at any time, apply to the appeal panel for a direction on procedure.

(3) When there is a conflict between these regulations and the direction on a procedure, the regulations prevail.

15. An appeal panel is not bound by the laws of evidence applicable to judicial proceedings and may, at the hearing of an appeal, receive evidence in such manner as it considers appropriate.

16. (1) Subject to section 10, during the course of an appeal, an appeal panel may, in its discretion, adjourn or reschedule the hearing of an appeal.

(2) A party may, at any time, apply to the appeal panel for an adjournment.

17. An appeal panel may issue such interim orders preceding or during the appeal as may be necessary to resolve the appeal.

18. (1) Subject to this section, an oral hearing shall be conducted in private and only the parties and their representatives, if any, may be present.

(2) Subject to the appeal panel's discretion, a party may bring such family members, friends and other persons he or she wishes to a hearing, but these persons may not participate in the hearing.

(3) A party shall identify to the appeal panel any persons accompanying the party before the hearing begins.

(4) A person, including a party, who is disruptive during a hearing may be removed from the hearing room or disconnected from the video, electronic or telephone conference.

(5) A person, including a party, who is abusive to the appeal panel or staff, may have his or her access to the members or staff restricted.

19. (1) Each party shall be given an opportunity to present his or her case at an oral hearing, including the opportunity to

(a) make an opening statement at the beginning of the hearing;

(b) present evidence and examine witnesses relevant to the appeal;

(c) cross-examine witnesses of another party; and

(d) make a closing statement summarizing his or her case.

(2) An appeal panel member may ask questions during the hearing that he or she considers necessary to ensure that the facts, and the case of each party, are fully before the appeal panel.

(3) The appeal panel may, during the hearing, require a party to provide any documents and other information relevant to the appeal.

20. (1) Subject to the appeal panel's discretion, a party is deemed to have waived the right to receive and respond to submissions or evidence presented during an oral hearing if the party receives notice of the hearing and fails to attend.

(2) If a party is absent from a hearing, the appeal panel may

(a) proceed without the party; or

(b) reschedule the hearing.

(3) The appeal panel may take such steps or make such decisions as it considers just and reasonable if a party is absent from a hearing.

(4) The appeal panel may request post-hearing submissions from a party who did not attend the hearing, if the appeal panel requires such submissions to resolve the appeal.

(5) The appeal panel may request a response from any other party to post-hearing submissions referred to in subsection (4).

21. (1) If an appeal is proceeding by written submission, the appellant shall file submissions and evidence with the Registrar before the deadline provided by the Registrar.

(2) The Registrar shall provide the respondent with copies of the appellants' submissions and evidence.

(3) The respondent shall file a response and evidence with the Registrar before the deadline provided by the Registrar.

(4) The Registrar shall provide the appellant with a copy of any filed response and evidence.

22. (1) Subject to the appeal panel's discretion, a party is deemed to have waived the right to participate in a hearing by written submission if the party received notice of the hearing and fails to file submissions and evidence with the Registrar within the deadline provided.

(2) If the party fails to meet the deadline for filing written submissions and evidence, the appeal panel may

(a) proceed without the party's submissions and evidence; or

(b) subject to section 10, allow the party an extension of the filing deadline.

(3) The appeal panel may take such steps as it considers just and reasonable if a party receives notice of a hearing by written submission and notice of deadlines for the filing of submissions and evidence with the Registrar, and fails to file within the deadline provided.

23. The appeal panel may, during a hearing by written submission and through the auspices of the Registrar, require a party to provide any documents and other information relevant to the appeal.

24. (1) The appeal panel may request post-hearing submissions from a party who failed to file submissions under subsection 21(1), if the appeal panel requires such submissions to resolve the appeal.

(2) The appeal panel may request a response from any other party to the post-hearing submissions referred to in subsection (1).

25. (1) Subject to subsection (2), a majority of appeal panel members participating in the hearing of an appeal panel must agree before a finding or decision, as the case may be, is issued.

(2) The chairperson of an appeal panel is only entitled to a vote if majority agreement cannot be reached by the other panel members.

26. (1) The appeal panel shall, after considering the submissions and evidence submitted on an appeal, dismiss the appeal if the appeal panel is satisfied that the finding or decision that is subject of the appeal

(a) had been made in accordance with the Act; or

(b) does not pertain to eligibility for or the amount of assistance under the Act.

(2) The appeal panel shall, after considering the submissions and evidence submitted on an appeal,

vary or reverse the decision that is the subject of the appeal if the appeal panel is not satisfied that the finding or decision had been made in accordance with the Act.

(3) The Registrar shall forward to the parties and the Director, if he or she is not a party, copies of a finding or decision, as the case may be, made by the appeal panel under subsection (1) or (2).

27. (1) Subject to subsection (2), if an appeal committee finds that assistance should be provided to the party who is the applicant for or the recipient of assistance, the Director shall ensure that assistance is provided in accordance with that finding within seven days after the finding, to continue until financial or other circumstances of the party materially change or, if an appeal to the Appeal Board is filed, until the Appeal Board varies the ruling.

(2) The appeal of a finding of an appeal committee to the Appeal Board operates as a stay of finding, and the stay remains in effect until a decision is issued by the Appeal Board.

28. If the Appeal Board decides that assistance should be provided to the party who is the applicant for or the recipient of assistance, the Director shall ensure that assistance is provided in accordance with the decision within seven days after the decision, to continue until the financial or other circumstances of the party materially change.

29. A municipal council, a housing authority or other local body may make recommendations to the Minister respecting appointments to an appeal committee.

30. Three members constitute a quorum of an appeal committee.

31. These regulations come into force July 1, 2012.

What it Means

Appeal Procedures

A party to the appeal may request direction from the appeal panel on procedures, however, if there is a conflict between the direction and the regulations, the regulations will prevail.

Presenting Evidence

The SAACs and SAAB are not bound by the complicated laws of evidence and can receive evidence in whatever way is considered to be fair and appropriate to the SAAC or SAAB.

Adjourning or Rescheduling

The SAACs and the SAAB have discretion to adjourn or reschedule an appeal hearing.

Oral Hearing

- It must be conducted in private with only the parties of the appeal and their representatives present
- A person who is disruptive may be removed from the hearing
- A person who is abusive may have his/her access to the members or staff restricted
- Each party will be given an opportunity to present his/her case
- SAAC or SAAB members may ask questions they feel necessary to the hearing
- The SAAC or SAAB may request documents relevant to the appeal

Revised April 2014

- If a party is absent from the oral hearing, the panel may proceed without the party and the absent party waives the right to receive and respond to evidence presented during the hearing. The SAAC or SAAB decision will be based on the evidence provided at the time of the hearing not on the fact that a party was absent from the hearing
- The appeal panel may request post-hearing submissions, including submissions from absent parties

Written Hearing

- Submission of evidence and responses shall be filed with the Registrar five days prior to the hearing. The Registrar will provide copies of the evidence and responses to the parties of an appeal
- A party who receives notice of the appeal and fails to file submissions with the Registrar is considered to have waived the right to participate in the hearing
- If a party fails to meet a deadline for filing submissions, the appeal panel may proceed without the submission or allow the party an extension
- The appeal panel may request post-hearing submissions, including submissions from absent parties

Issuing a Decision

The SAAC or SAAB can dismiss an appeal if they are satisfied that the decision has been made in accordance with the Act or does not pertain to eligibility for or the amount of assistance under the Act.

After considering all evidence of an appeal, the SAAC or SAAB may vary or reverse the decision that is subject to the appeal.

The Registrar must forward copies of the finding or decision to all parties and to the Director.

Issuing of Assistance

If the SAAC finds that assistance should be provided to the client, the Director shall ensure such assistance is provided within 7 days of the finding or, if an appeal to the SAAB is filed, until the SAAB varies the ruling.

If the SAAB finds that assistance should be provided to the client, the Director shall ensure such assistance is provided within 7 days of the finding.