

DIRECTIVE #2.2: RE-APPLICATIONS AND REINSTATEMENTS

LEGISLATIVE AUTHORITY

Section 14(2) of the Act

Section 37 of Regulation 134/98

AUDIT REQUIREMENTS

Periods of ineligibility due to non-compliance are reviewed before a decision of eligibility is made in situations of re-application.

Documentation is on file to support decisions made.

APPLICATION OF POLICY

Re-Applications

An applicant is considered to be “re-applying” for assistance if there is a break in receiving assistance for more than one complete calendar month (e.g. applicant last received assistance in June, does not receive assistance in July, and re-applies in August).

In situations where it has been more than one year since the applicant has applied for assistance, he/she is not considered to be a re-applicant and must proceed through the entire application process, including completing an application for assistance, verifying information, and signing all forms.

Where an applicant has previously applied for assistance within one year, the Administrator may use the previous application and supporting documentation. In order to determine current eligibility, additional information may be required to make the application complete and up to date.

All re-applications for assistance are reviewed for eligibility based on current eligibility criteria.

As well, circumstances related to any previous receipt of assistance should be reviewed including an assessment of the following:

- reason for cancellation of assistance;
- existing overpayments;

- assignments for any type of income;
- required documents (verification standards);
- participation agreement(s);
- notice of non-compliance;
- eligibility for earnings exemptions; and
- Eligibility Review Officer reports.

Re-applicants who are serving a period of ineligibility for non-compliance with program requirements may not re-apply for assistance until the period of ineligibility (e.g. three months, six months, etc.) expires. If the re-applicant relocates to another Ontario Works site, the period of ineligibility remains applicable.

Where there is an existing overpayment and the person reapplies for assistance in a delivery agent other than the one where assistance was last issued, the overpayment is transferred only if assistance is granted at the location of the re-application. If assistance is not granted at re-application, the responsibility for overpayment collection remains with the delivery agent where assistance was last issued.

Eligible re-applicants are not expected to complete the literacy screening questionnaire if the questionnaire was completed as part of a previous application. However, an Administrator may require a re-applicant to attend an Employment Information Session.

Where all required information and documents are present, a determination of eligibility must be made within four working days (or within a reasonable time period as determined by the Administrator).

If found ineligible, the re-applicant is provided with a notice of decision and advised of his/her right to request an internal review and the right to appeal the decision to the Social Benefits Tribunal (SBT).

ODSP re-applicants that have previously used the one-time ODSP asset limit exemption and are, as a result, determined to be financially ineligible for Ontario Works due to assets in excess should be referred to the local ODSP office (see Directive #2.4: Referrals to the ODSP for more information).

Reinstatements

In some situations, participants may have had their assistance reduced due to non-compliance with participation requirements or other conditions of eligibility. In these cases, assistance may not be reinstated until the period of ineligibility has expired and the recipient or dependent with respect to whom the reduction was made makes a request for reinstatement to the Administrator.