Ontario Disability Support Program – Income Support Directives

6.1 Basic Needs Calculation

Summary of Policy

The amount of income support payable for basic needs is calculated on a monthly basis and determined based on the family size, age of dependants, geographic location, and the individual circumstances of the benefit unit.

Legislative Authority

Section 11 of the ODSP Act
Sections 23, 24, 29, 30, 31(2)5, 33.2, 35, 36 and 40 of the ODSP Regulation

Summary of Directive

- When calculating basic needs, the family size, age of dependants, the geographic location and individual benefit unit circumstances must be considered.
- Effective July 2008, basic needs were removed for dependants under the age of 18.
- A sole-support supplement of $143 for single-parents with dependants under age 18 remain in the basic needs rates.
- Dependants under age 18 continue to be included in the shelter allowance and receive health benefits.
- Where a change in the benefit unit has occurred, the basic needs amount for the benefit unit must be recalculated.
- Sponsorship agreements must be considered when calculating budgetary requirements. The living arrangements and any support from the sponsor are to be considered when determining budgetary requirements.
- Periods of ineligibility can cause a reduction or removal of the non-compliant member from the basic needs calculation depending on the issue of non-compliance.

Intent of Policy

To provide a basic needs amount based on a recipient's family size and circumstances, up to the maximum amounts allowable.

Application of Policy

The total income support that a recipient may receive is comprised of a basic needs amount and a shelter allowance. The basic needs amount assists with the cost of food, clothing, transportation, personal needs and other non-shelter-related items.

In addition to basic needs, the recipient may also receive an amount for a special diet allowance and/or pregnancy/breast-feeding nutritional allowance if he/she or any member of the benefit unit meets eligibility requirements for those allowances. (See Directives 6.4 Special Diet Allowance and 6.5 Pregnancy/Breast-Feeding Nutritional Allowance)

Recipients who live north of the 50th parallel and are without year-round road access may be eligible for a Remote Communities Allowance (see Remote Communities Allowance Table).

A benefit unit is defined in the ODSP Act as "a person and all of his or her dependants on behalf of whom the person receives or applies for income support". This refers to the applicant/recipient, his or her spouse, and any dependent children or dependent adults. In cases where another adult, who has not been declared as spouse, is present, a determination must be made as to whether this person is a spouse or a co-resident. To determine spousal status, the Questionnaire for applicants/recipients who are living with another adult must be completed and reviewed. The Questionnaire is completed if there is any question about whether the relationship is spousal or not. (See Directive 2.3 Who is Eligible: Spouse)

Basic Needs Table for Renters and Home Owners

The maximum amount provided for basic needs is determined by using the Table in section 30(1), paragraph 1 of the ODSP General Regulation, as shown below. The amount provided for basic needs is based on the number of persons in the benefit unit, the age of dependants and the geographic location of the benefit unit.

Basic Needs Table

Number of Dependants other than a Spouse	Dependants 18 Years or Older	Dependants 0-17 Years	Recipient See Note 1 below Amount in dollars	Recipient and Spouse See Note 2 below Amount in dollars	Recipient and Spouse See Note 3 below Amount in dollars
0	0	0	631	917	1,259
1	0	1	774	917	1,259
1	1	0	986	1098	1,440
2	0	2	774	917	1,259

2	1	1	986	1,098	1,440
2	2	0	1,168	1,299	1,641

Note 1. A recipient if there is no spouse included in the benefit unit.
Note 2. A recipient with a spouse included in the benefit unit if Note 3 does not apply.
Note 3. A recipient with a spouse included in the benefit unit if each of the recipient and the spouse is a person with a disability or a person referred to in subparagraph 1 i of subsection 4 (1) or paragraph 6 or 7 of subsection 4 (1).
For each additional dependant, add $202 if the dependant is 18 years of age or older, $0 if the dependant is 0 to 17 years of age.

Note: the calculation of income support for a recipient with a spouse included in the benefit unit, where each is a person with a disability under the ODSP Act, is subject to a maximum of $1,866 per month. Where there are dependants included in the benefit unit, additional allowances and benefits are added to the maximum amount.

Where the recipient lives north of the 50th parallel and is without year-round road access, an additional amount is provided as follows:

Remote Communities Allowance table

Number of Dependants other than a Spouse	Recipient	Recipient and Spouse
0	$213	$343
1	342	415
2	411	485
For each additional dependant, add **$73**		

Double Disabled Rate

The double disabled rate is the maximum amount that applies when an applicant/recipient and his/her spouse both meet one of the following criteria:

- determined to be a person with a disability; or
- was categorized as blind, disabled or permanently unemployable under Family Benefits as of May 31, 1998 and transferred to ODSP on June 1, 1998; or
- is in receipt of disability benefits under the Canada Pension Plan (CPP-D); or
- is in receipt of disability benefits under the Quebec Pension Plan (QPP-D).

For example, the double disabled rate would apply in the following circumstances:

- recipient and spouse are persons with a disability
- recipient and spouse both in receipt of CPP-D
- recipient is a person with a disability and spouse is in receipt of CPP-D

- recipient is a person with a disability and spouse is in receipt of QPP-D
- recipient is a person with a disability and spouse was categorized as blind under FBA and grandparented to ODSP

The double disabled amount does not apply where the recipient and spouse are both over 65 and ineligible for the Old Age Security Program (OAS) or where the spouse of an ODSP recipient becomes a member of a prescribed class and remains part of the recipient's benefit unit.

The double disabled rate is applied because a couple with disabilities living together can share expenses and as a result achieve some economies.

The rate is $1,866 per month for the couple's portion of the budgetary requirements.

An additional $68 per month (up to $1,866) may be added to the shelter allowance for double disabled cases where the actual shelter costs are below the maximum for two people (ODSP Regulations Section 31 (2) 5).
Where the total for the basic needs for the couple, plus the actual shelter costs and the additional double-disabled shelter amount ($68) is below the double-disabled rate, the amount of the couple's income support is calculated according to the basic needs rate table in the regulations. Otherwise, the double disabled rate applies.

Example #1

Basic needs	$1,259
Actual shelter costs	400
Double-disabled shelter amount	68
Total Income Support	$1,727

Example #2

Basic needs	$1,259
Actual shelter costs	700
Double-disabled shelter amount	68
	$ 2,027
Total Income Support	$1,866 (double disabled rate)

Additional Amounts for Benefits and Dependants

Other amounts, such as Special Diets, Remote Communities Allowance, MSN, etc. are added on top of the double disabled rate.

A shelter allowance and additional amounts and benefits for dependent children are added on top of the double disabled rate amount, as well.

Example #1 – Amounts added on top of the double disabled rate:

Double Disabled Rate	$1,866
MSN – Transportation	40
Special Diet	42
Total Income Support	$1,948

Example #2 – The shelter allowance portion and benefits for dependent children are added on top of the double disabled rate:

Double Disabled Rate	$1,866
1 child (0-17)	63*
MSN - diabetic supplies	75
Total Income Support	$2,004

* In this example, where the dependant is aged 0-17 years, the amount to be added for the dependent child equals the difference in the amount of shelter for the family size including the dependant less the amount of shelter for two people (e.g. $816 shelter for three people less $753 shelter for two people = $63).

Example #2b

Double Disabled Rate	$1,866
1 child (18+)	244*
MSN - diabetic supplies	75
Total Income Support	$2,185

* In this example, where the dependant is over 18 years, the amount to be added equals the difference in the amount of basic needs for the family size including the dependant less the basic needs amount for a couple with no dependants (e.g. $1,440 BN for double disabled couple with 1 child (18+) less $1,259 BN for double disabled couple with no dependants = $181) **plus** the difference in the amount of shelter for the family size including the dependant less the amount of shelter for two people (e.g. $816 shelter for three people less $753 shelter for two people = $63).

Example #3 – Where the double disabled rate is not used for the couple, the standard method of calculating the amount of income support is used:

Basic needs (couple with 2 children, under 17)	$1,259
Actual shelter costs	400
Double-disabled shelter amount	68
Total Income Support	$1,727

Adding Dependants to the Benefit Unit

Dependent children, dependent adults or spouses residing with a benefit unit for any period of time within a month, receive full income support for that month (this policy does not apply to special circumstances such as children in shared custody, residential schools or in temporary care with the Children's Aid Society). This means that:

1. A newborn is added to the benefit unit in the month he/she is born. For example, a child born on August 23 is included in the income support calculation for August.

2. A child/dependent adult leaves home for whatever reason on August 8. The dependant is removed from the budget effective September 1.

Dependent Child in Shared Custody

Where an applicant/recipient shares custody of a child on an approximately equal basis, he/she may receive income support for the child only if he/she is eligible to receive the Canada Child Tax Benefit (CCTB) for that child. The applicant/recipient must provide written verification from the Canada Revenue Agency (CRA) that he/she is eligible to receive the CCTB as a shared-custody parent.

Where an applicant/recipient shares custody on an alternating basis with the other parent and CRA has agreed to shared eligibility of the CCTB, income support provided on behalf of the dependent child will consist of 50% of the sole-support supplement and a full shelter amount. In addition, the child is entitled to full drug and dental coverage and other benefits.

A child will not be considered a dependent child under ODSP where the applicant/recipient is ineligible for the CCTB because CRA has determined that shared custody arrangements are not in place.

Where CRA has determined that both parents will share eligibility for the CCTB, the NCBS and OCB will also be shared. Effective July 2011, the Transition Child Benefit (TCB) will be provided on a monthly and prorated basis to eligible parents.

Where an applicant/recipient is ineligible for the CCTB due to immigration status (i.e. refugee claimants who have not met residency requirements), staff will undertake an assessment to determine if shared custody arrangements are in place. (See Directive 2.2 Who is Eligible: Dependent Children)

If an applicant/recipient in a shared custody situation is not eligible for the OCB/NCBS because of their immigration status, he/she will be eligible for 50% of the TCB on a monthly basis. (See Directive 9.20 Transition Child Benefit)

Dependent Children Attending Residential School: If the dependent child attending residential school comes home on weekends or has special needs, or if there are other financial considerations, the budgetary requirements of the benefit unit may include an amount consisting of 50% of the sole-support parent and age-related supplements, where applicable, and a full shelter allowance on behalf of the dependent child. A TCB is provided if eligibility criteria are met. (See Directive 2.2 Who is Eligible: Dependent Children)

Dependent Adults: Adults over the age of 18 who are living at home and determined to be financially dependent are considered members of the benefit unit. Dependent adults are subject to Ontario Works participation requirements. Failure to comply with the participation agreement may result in a reduction to income support. (See **Directive 2.1 Who is Eligible: Dependent Adults**)

Dependent Child of a Dependent Adult or Child: Where the recipient's dependent adult or child has a child of their own, the dependent adult or child continues to be a member of the benefit unit. The dependent child of the dependent adult or child is not a member of the ODSP benefit unit. The dependent adult or child must apply to Ontario Works on behalf of their child for financial assistance. The financial assistance from Ontario Works is not deducted from the income support amount.

Financially Independent Adults: Financially independent adults residing with parents who are in receipt of social assistance can apply for financial assistance from Ontario Works or can apply as a person with a disability through either Ontario Works or ODSP.

Adults who are eligible for ODSP in their own right and who are residing with parents, who are also in receipt of ODSP, will have their budgetary requirements considered separately. The living arrangements will be reviewed to determine if the parents are charging rent, providing board and lodge, or if the recipient is sharing shelter with the parents. Any rental, lease or mortgage agreements in place between the parties must also be considered.

Recalculation of Income Support

Income support should be re-calculated where a member of the benefit unit:

- is found eligible for a special diet allowance;
- leaves home (e.g. dependent child or dependent adult);
- separates/divorces from a spouse;
- has a co-resident who is not a spouse;
- is a dependent adult not in compliance with OW participation requirements;
- is not in compliance with other conditions of eligibility;
- is a sponsored immigrant;
- becomes hospitalized;
- resides in a substance abuse recovery program for more than three months;
- is admitted to an institution with no intention of retaining the community residence; or
- is detained in custody.

In general, if the person to whom the situation applies is a single person, income support should be reviewed to determine if there is continued eligibility. If the recipient has dependants, the person's portion of income support is removed or reduced from the income support calculation depending on the situation and circumstances.

Sponsored Immigrants: If an applicant/recipient is living with a defaulting sponsor (or in a place owned or controlled by the sponsor) and the sponsorship agreement is still in effect, shelter costs can **only** be paid if:

- the sponsor is in receipt of Ontario Works, ODSP, the Guaranteed Income Supplement under the Old Age Security Act or Gains-A;

- there is a breakdown in the sponsorship relationship due to family violence and/or abuse;

    - the sponsored immigrant:
        - has a legal obligation to pay shelter costs (e.g. the sponsored immigrant is a lessee or named as a co-owner on a deed/mortgage), or
        - satisfies the Director that he/she will not be allowed to remain in the current residence unless he or she pays shelter costs.

Any actual support that the sponsored immigrant receives from the sponsor will be treated as income and deducted from the sponsored immigrant's income support.

Sponsored Immigrants living with their sponsors and not eligible for shelter costs

Where the sponsored immigrant is living with his/her sponsor and is not eligible for shelter costs, income support will be reduced.

The income support will be reduced by the greater of:

- the amount the sponsor is paying to the applicant/recipient, and
- the amount of income support that would otherwise be calculated under section 30 of the ODSP Regulation less the applicable basic needs amount.

Example 1

A single recipient who is living with his/her sponsor, not eligible for shelter costs, and not receiving any funds from the sponsor will have their income support calculated in the following manner:

Amount single recipient receives under s. 30	$1110
Less: basic needs amount for single recipient	631
Amount calculated under ODSP Reg. s.40	$ 479

Income support is calculated as follows:

Basic needs	$631
Plus: Shelter	479
Less: Amount calculated under ODSP Reg. s. 40	479
Total Income Support	$631

A single recipient in a board and lodge situation receives income support in the amount of $371 ($850 less the amount calculated under ODSP Reg. s.40 which is $479).

Example 2

Income support for a single recipient who is living rent-free with the sponsor and receiving $100 support is calculated as follows:

Basic needs	$631
Less: Sponsorship support	100
Total Income Support	$531

(See Directive 2.5, Tourists, Immigrants, Refugees and Deportees)

Hyperlinks associated with this Policy Directive

Related Directives:

2.1 Who is Eligible: Dependent Adults
2.2 Who is Eligible: Dependent Children
2.3 Spouse
6.2 Shelter Calculation
6.3 Board and Lodge
6.4 Special Diet Allowance
6.5 Pregnancy/Breast-Feeding Nutritional Allowance
9.3 Heating Costs
9.5 Utilities
9.20 Transition Child Benefit