

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: H. Ontario Works	Effective Date: July 1, 2009
Topic: 9. Monitoring Eligibility	Replaces: November 2004
Subject: 9.5.Recovery of Interim Assistance	
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POLICY

Authority **OW Act: Sec. 30 and 32**
 OW Directives: Dir. 10.3

Ontario Works legislation allows the recovery of any interim assistance ordered by the Social Benefits Tribunal (SBT) if an appellant loses his appeal. The amount to be recovered will be the amount of interim assistance paid which exceeds the amount of assistance the applicant or participant was actually eligible to receive.

PROCEDURE

When an applicant or participant loses an appeal, **withdraws an appeal** or fails to attend a SBT hearing and had been issued Interim Assistance, the payment(s) will be considered an overpayment.

The Case Manager must take into consideration the written details of the decision of the SBT to determine whether the appeal was denied partially or in full and arrive at the recoverable amount.

The recoverable amount cannot be more than the maximum amount of assistance as permitted under the Act. Once this has occurred the following applies:

1. The overpayment must be established in SDMT.
2. The overpayment will be recovered at 5% of the **total assistance** which includes special benefits such as medical T and T, etc.
3. The Case Manager must send the participant an overpayment letter, advising of the amount, reason, and the period the overpayment was incurred.

If the participant is no longer eligible for financial assistance as a result of the appeal, the case must be terminated in SDMT.

Cross Reference: Section 9.2. - Internal Review
Cross Reference: Section 9.4 - Overpayment Recoveries