

## Social Assistance

# When the social assistance office asks for information or an interview



**This pamphlet is for people who are already getting social assistance. It explains what your rights are when Ontario Works (OW) or the Ontario Disability Support Program (ODSP) asks you for information to prove that you still qualify for assistance.**



## **How does the social assistance office check to see if I am still eligible for assistance?**

Ontario Works (OW) and the Ontario Disability Support Program (ODSP) regularly review the files of people who are on assistance. They ask you for information and documents to prove that you are entitled to the assistance you are getting. Sometimes this review is part of what they call a Consolidated Verification Process (CVP).

These file reviews are in addition to the rule that you must report all income and any change in your circumstances every month.

After reviewing your file, OW or the ODSP could decide that you are not eligible for the assistance you are getting, and your assistance could be cut off or reduced. If they decide that you have received assistance you were not entitled to, they could say that you have an overpayment and reduce your assistance.

Pages 8 to 10 of this pamphlet explain what you can do if your assistance is cut off or reduced.

## **When will my file be reviewed?**

If you get OW or ODSP assistance, you can be asked at any time for information to prove that you are still eligible. You can expect to be asked for this information at least once every 12 months. You could be asked much more often, especially if:

- your housing costs are high for your income,
- you are a single parent who gets support payments and you have not provided an address for your child's other parent,
- you are a single parent and you are not getting support payments,
- you might qualify for Canada Pension Plan (CPP) assistance,
- you share housing with someone — for example, a roomer, boarder, or roommate,

- you have added a dependent child to your family,
- you have business income, or
- your Social Insurance Number (SIN) begins with 9, or you do not have a SIN.

## How will I know if my file is being reviewed?

The OW or ODSP office might contact you by letter or phone to set up an interview.

They could ask you to go to their office for the interview. If you do not go, your assistance could be cut off.

Or they could ask to interview you at your home. If you refuse to allow a home visit without a valid reason, your assistance could be cut off.



If the interview is set for a time when you cannot be there, contact the office right away to change the time of the interview.



## What happens at the interview?

An OW or ODSP worker will review your file. You will be asked about any change in your circumstances that might affect your eligibility.

The OW or ODSP office should send you a list of the documents they want you to bring to the interview. You may be asked to bring documents for yourself or other members of your household, including:

- personal identification, such as birth certificates or passports, health cards, and Social Insurance Number (SIN) cards,
- immigration papers,
- separation or divorce papers,
- custody documents,
- proof of school attendance,
- bank statements or banking records,
- proof of income from any source, including employment, Child Tax Benefit, support payments, workers' compensation, and payments from roomers and boarders,

- information about assets, including RRSP statements, car ownership papers, and bonds,
- life insurance policies,
- leases or tenancy agreements, and rent receipts,
- mortgage agreements and statements,
- other bills related to housing costs, such as bills for hydro, water, gas, property tax, and home insurance,
- proof of debts, such as credit card bills, and OSAP or other loans, even if the loan is from a relative or friend, and
- proof of application for Employment Insurance benefits or Canada Pension Plan disability benefits.



Keep copies of any documents that you give the OW or ODSP worker. You can ask the worker to make a copy of any **original** documents that you submit.

If the worker requires more information, they should tell you what else you must provide and how much time you have to do this.



## What are my rights when I am asked to provide information?

The OW or ODSP office should tell you exactly what they want you to provide. If you do not understand what they want, ask the worker to write it down.

The worker should give you a reasonable amount of time to get the documents they are asking for. If you cannot get all that they request before the interview, ask for more time. Your assistance should not be cut off if you are trying to get the documents but are unable to get them by the deadline.

If the OW or ODSP office asks you to provide a document that you cannot get or one that you cannot afford to get, ask them to check the information some other way. Or ask them to pay for the cost of getting the documents.

If you have trouble getting documents, contact a community legal clinic (see [page 11](#)). They may be able to help you.

The OW or ODSP office is likely to expect you to start keeping records they require if you do not have them now. For example, they could ask you to start keeping bank statements. And the next time your file is reviewed, you could be expected to produce these documents.

You should not be asked for information that is not relevant to your eligibility for assistance.

If you think the OW or ODSP office is being unreasonable or asking you for information that has nothing to do with your eligibility, contact a community legal clinic (see [page 11](#)).

## **What if I do not provide the information requested?**

If you do not provide the information that the OW or ODSP office asks for, your assistance could be cut off or reduced until you do.

But if you have made reasonable efforts to get the information or documents, your assistance should not be cut off or reduced.



## What can I do if my assistance is cut off or reduced?

Ask for the reasons in writing immediately.

You can appeal to the Social Benefits Tribunal. **But first you must write to the office that made the decision and request an internal review.**

### Internal review

An “internal review” means that a different person in the OW or ODSP office reviews the decision and decides whether or not to change it. You must ask for an internal review within **10 days** of the date you receive the decision. Your request must be made in writing.



### Note about mail

The OW and ODSP rules assume that if a notice is mailed to you, you receive it **3 days** after it is mailed. The mailing date should be stamped on the envelope by Canada Post. It might not be the same as the date on the letter. Keep the letter and the envelope.

So, if the notice saying that assistance is cut off or reduced, is mailed to you, you have **13 days** (10 days plus 3 days) from the mailing date to request an internal review.

It is important to try to meet the time limit. If you miss it, you should still ask for an internal review. But make sure you ask for an extension of time in your written request for an internal review.

The OW or ODSP office is supposed to make a decision on your internal review within **10 days** from the day they receive your request.

### **Appeal to the Social Benefits Tribunal**

If you get an internal review decision within the 10 days, and it says that OW or ODSP assistance is still cut off or reduced, you have **30 days** from the date of this decision to appeal to the Social Benefits Tribunal (SBT).

The SBT is independent from OW and the ODSP. It has the power to make a different decision.

If you do not get an internal review decision within the 10 days, you can appeal the original decision to the SBT. Your appeal must be filed within **40 days** of your request for an internal review.

If you miss the time limit for appealing, you can ask the SBT for an extension of time to file your appeal. You will have to explain why you missed the time limit.

You may be able to get assistance while you wait for your appeal to be decided. This is known as “interim” assistance. The Application for Interim Assistance is part of the SBT Appeal Form. If the SBT orders it, the OW or ODSP office will have to pay you assistance until the appeal is decided.

If you lose your appeal, or you do not go to your hearing, you will have to pay back the interim assistance.



## Getting legal help

For advice or help dealing with OW or ODSP, an internal review, or an appeal, contact your community legal clinic, the local Legal Aid office, or a lawyer.

You can usually find the community legal clinic nearest you by looking under “Legal Aid” or “Lawyers” in your phone book. You can also check Legal Aid Ontario’s web site at <[www.legalaid.on.ca](http://www.legalaid.on.ca)> or call them:

Outside Toronto ..... **1-800-668-8258**

In Toronto..... **416-979-1446**

TTY outside Toronto..... **1-866-641-8867**

TTY in Toronto ..... **416-598-8867**

The law can change, and policies and practices can also change or vary. This pamphlet contains general information. It is not a substitute for getting legal advice about your particular situation.

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