

WHAT TO DO IF YOUR CLIENT WANTS TO DISPUTE A DECISION ABOUT INCOME ASSISTANCE

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STEP 1: REFER YOUR CLIENT FOR LEGAL ADVICE

1. Legal Aid Ontario Community Legal Clinics
 2. Legal Aid Ontario Specialty Clinics
 3. JusticeNet
 4. Other Legal Service Providers in Ontario
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STEP 2: IF YOUR CLIENT CANNOT RECEIVE LEGAL ADVICE

1. **Help them read and understand the Notice of Decision** (received by mail or through MyBenefits).
 - Highlight the **contact information of the office that made the decision**.
2. **Help your client complete a request for an internal review.**
 - For **OW**: they can use a **form letter**.
 - For **ODSP**: they can use a **Request for Internal Review Form**.

OR

 - They can write their own letter asking for an internal review including: their name, address, date on the Notice of Decision, date they received the Decision, and their 9-digit member ID number (*listed on the Notice*)
 - It can help if they provide **reasons why they disagree**.
 - It can help to include any **new information and documentation** which might be relevant.
3. **Help your client make copies of their request.**
 - They should keep copies of their **Notice of Decision, their request for internal review, and any additional documentation** they might have included.
4. **Make sure your client submits their request within 30 days of receiving the Notice of Decision.**
 - By **fax, by mail, or in-person** (if available), at the office referenced in the Notice of Decision.
 - Meeting the **deadline is more important** than providing detailed reasons.
 - If your client **missed the deadline**, they should still send in their request ASAP.

5. If your client receives a decision about their internal review and still disagrees, they might be able to appeal the decision to the Social Benefits Tribunal.

Not all decisions can be appealed. Some which can be appealed include:

- Denied applications for assistance
- Cancellations, reductions, or suspensions of assistance
- ODSP doesn't think your client qualifies as a person with a disability

If your client is not sure if they can appeal, **help them start the process**, just in case.

6. If your client wants to start an appeal and still cannot receive legal advice, help them complete a request for appeal.

- Make sure they use the **required form**.
 - They can **request any accommodation or access** to an interpreter, if they need it, under **Part 3** of the form.
 - Help them **apply for interim assistance** under **Part 4** of the form.
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7. Make sure your client submits their appeal request before the deadline.

- Most requests must be submitted to the **Social Benefits Tribunal** within **30 days** of receiving the internal review decision.
- If they did not receive a reply about their internal review, make sure they submit a their request to the Tribunal within **60 days** of when they requested the internal review

8. Help your client gather any additional information or documentation that might be helpful.

- E.g., medical records or reports, bank statements, custody agreements, rental agreements, pay stubs, etc.
 - Make sure they submit it to the **Social Benefits Tribunal** ASAP.
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9. Attend with your client on the day of their hearing at the Social Benefits Tribunal.

- Help them **make a plan** for the day of the hearing (e.g. transportation, child care, work arrangements, etc.)
- Remind them they can have a **support person** with them at the hearing and you can attend with them.
- Tell them they will have an opportunity to tell their side of the story and should be prepared to do so. You can help them **organize their documentation** but do not tell your client what to say.
- **Warn** your client that they might be asked questions about their appeal during their hearing.

