



**Social
Benefits
Tribunal**

APPELLANT
Appellant's Representative

Sean House von Dehn
Self-Represented

RESPONDENT
Respondent's Representative

Administrator, Ontario Works
Caroline Forget

PRESIDING MEMBER

Elizabeth Kirby

Hearing Date
SBT File No.

June 4, 2026
2512-08602

INTERIM RULING

Case Management Ruling

ISSUE:

[1] The Appellant disagrees with a decision made by the Administrator to pay rental subsidies for utilities and rental insurance directly to his landlord, who the Appellant claims does not pay utility expenses.

PRELIMINARY ISSUES:

Recording of proceedings

[2] As part of its usual course, the Tribunal informed the parties that it would be recording the hearing and that no one else was permitted to record it. In doing so, the Tribunal informed the parties of section 66 of *Ontario Works Act*, which provides that all hearings of the Tribunal shall be heard in private. Rule 7 of the Tribunal's *Rules of Procedure* also provide for the confidential nature of hearings, noting as follows:

7.1 SBT hearings are conducted in private and are not open to the public.

7.2 No person shall make an electronic recording of a proceeding unless authorized by the SBT in advance of the hearing or by the Member at the beginning of the hearing.

7.3 Parties and their representatives may not use documents or recordings obtained under these Rules for any purpose other than the proceeding before the SBT.

[3] Despite being informed of the private nature of Tribunal hearings as provided for under the *Act*, the Appellant communicated to the Tribunal that he would be taking a recording of his own of the proceeding. Accordingly, the Tribunal had concerns that an oral hearing format in such circumstances was contrary to the legislation and the Tribunal's *Rules of Procedure*, such that the matter was ultimately converted to a paper hearing.

Jurisdiction of the Tribunal

[4] In his Form 1 Appeal, the Appellant submits that subsidies were paid by Ontario Works directly to his landlord, but that his landlord was not responsible for paying the expenses these subsidies were intended to cover.

[5] In a Form 3 Response to Appeal, the Administrator concedes that the Appellant's landlord had been overpaid between November 2023 and June 2025. The Administrator then provides that they refunded the overpaid amount of \$1,018.00 to the Appellant in accordance with a rental calculation ledger. An attachment entitled "Transactions" shows that a payment of \$1,018.00 was provided to the Appellant on July 22, 2025, in the form of a reloadable payment card. Because the Appellant was reimbursed this amount, the Administrator submits that the issue under appeal is resolved.

[6] If the Appellant has been made whole as a result of the abovementioned reimbursement, there may not be a decision made by the Administrator affecting eligibility, a required prerequisite for appeal. This is because subsection 26(1) provides that decisions which may be appealed are decisions of the Administrator affecting eligibility for or the amount of basic financial assistance.

[7] Given the Administrator's submissions that the overpaid amount was refunded to the Appellant, the Tribunal must determine the prerequisite question of whether it has jurisdiction to consider the issue under appeal in these circumstances.

[8] The respective parties are directed to provide written submissions on this issue alone within two weeks of the date of this Order.

ORDER

[9] Within 14 days of this Order, either party may provide written submissions on the issue of jurisdiction. If no such submissions are received, the Tribunal will make this determination based upon the evidence available on record.

[10] After 14 days have passed, the issue of jurisdiction will be considered as part of an administrative hearing in the context of the written submissions received and any documentation already available on the record.



Signed by Elizabeth Kirby

**Date issued
June 10, 2026**