



**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.

BACKGROUND:

[2] A hearing was scheduled for June 4, 2026 to discuss the issue of jurisdiction, given the Administrator's position that the amount overpaid to the landlord was refunded to the Appellant in the amount of \$1,018.00 on July 22, 2025. Due to this reimbursement, the Administrator submits that the issue under appeal has been resolved. A case management hearing was held on June 4, 2026, to discuss this issue, but for reasons aforementioned in the case management ruling of that date, the hearing was ultimately converted to a paper hearing, with parties to provide respective submissions for the Tribunal's consideration on the issue of jurisdiction.

[3] The Tribunal considered the supplemental submissions of the Administrator and a series of submissions made by the Appellant post-hearing. Based on these submissions, the Tribunal is reserving on the issue of jurisdiction and has provided further case management directions, noted below.

[4] In the Administrator's submissions, the Respondent reiterates that there is no outstanding issue to be resolved on appeal because the Appellant was reimbursed the funds that were initially overpaid by a pay-direct to his landlord. In addition, the Administrator submits that no internal review has been requested, creating an additional barrier to the Tribunal's jurisdiction in this appeal.

[5] In addition, the Tribunal considered the submissions provided by the Appellant. In these submissions, the Appellant submits that while the Administrator has provided a ledger regarding the amount overpaid to the landlord, which was reimbursed, it failed to account for a previous 4 years during which the Appellant submits that the landlord was unlawfully paid such subsidies from his income support.

[6] The ledger provided from Ontario Works shows an underpayment to the Appellant and an overpayment to the landlord that occurred and was calculated over the period of August 1, 2023 to February 1, 2025. However, in the Appellant's appeal form 1 filed December 1, 2025, he alleges that that this underpayment occurred over a six-year period. Based on the evidence available, this remains to be seen, given that the ledger provided only speaks to the time period of August 1, 2023 to February 1, 2025.

[7] The legislation requires that there be an appealable decision before the Tribunal for its consideration. In this regard, subsection 21(1) of the *Ontario Disability Support Program Act, 1997* provides that decisions may be appealed regarding eligibility for, or the amount of income support. Accordingly, a matter may be considered moot or outside of jurisdiction if an Appellant is reimbursed or made whole because it means there is no appealable decision affecting eligibility that can be considered. In this case, however, the Tribunal requires more information to be satisfied of this, particularly with respect to the entirety of the six-year period the underpayment is alleged to have occurred in the Appellant's Form 1 Appeal.

[8] With respect to the issue of an internal review, the Tribunal is not satisfied that this poses a barrier to jurisdiction because there appears to be an internal review request before the Tribunal dated October 9, 2025, addressed to a caseworker.

[9] However, the issue of mootness remains to be seen regarding whether the Appellant was indeed made whole for the entirety of the 6 six period he allegedly claims he was underpaid. Accordingly, the Tribunal is reserving on this issue of jurisdiction and makes the case management directions noted below.

ORDER

[10] Within 30 days of this Order, the Respondent is directed to provide written submissions and/or documentary evidence speaking to whether the Appellant was made whole for the entire six-year period that he alleges he was underpaid income support. Documentary or written submissions on this issue are not to exceed 15 pages.

[11] Within 30 days of this Order, the Appellant is directed to provide written submissions and/or documentary evidence to demonstrate his position that this underpayment occurred over the six-year time period alleged. Documentary or written submissions on this issue are not to exceed 15 pages.

[12] After 30 days have passed, the issue of jurisdiction/mootness will be reconsidered as part of an administrative hearing in the context of the written submissions received and any documentation already available on the record.

[13] The administrative hearing shall be scheduled before this Tribunal Member.

A handwritten signature in blue ink, appearing to be 'E. Kirby', is positioned above a horizontal line.

Signed by Elizabeth Kirby

**Date issued
July 20, 2026**