The
Rental Housing
Supplement
Regulations

being
Chapter S-8 Reg 7 (effective April 6, 2005) as amended by
34/2011.

NOTE:
This consolidation is not official. Amendments have been
incorporated for convenience of reference and the original statutes
and regulations should be consulted for all purposes of interpretation
and application of the law. In order to preserve the integrity of the
original statutes and regulations, errors that may have appeared are
reproduced in this consolidation.
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CHAPTER S-8 REG 7
The Saskatchewan Assistance Act

PART I
Preliminary Matters

Title
1 These regulations may be cited as The Rental Housing Supplement Regulations.

Interpretation
2(1) In these regulations:
(a) “Act” means The Saskatchewan Assistance Act;
(b) “applicant” means an individual who applies for the RHS benefit pursuant to section 12;
(c) “benefit month” means the calendar month for which the RHS benefit is being calculated;
(d) “category A client” means a client who resides in the Town of Allan, the Town of Asquith, the Town of Balgonie, the Village of Belle Plaine, the Village of Bradwell, the Village of Buena Vista, the Village of Clavet, the Town of Colonsay, the Town of Dalmeny, the Town of Delisle, the Village of Disley, the Town of Dundurn, the Village of Edenwold, the Village of Elstow, the City of Estevan, the Village of Grand Coulee, the Town of Langham, the City of Lloydminster, the Town of Lumsden, the Resort Village of Lumsden Beach, the Town of Martensville, the Village of Meacham, the Town of Osler, the Village of Pense, the Town of Pilot Butte, the City of Regina, the Town of Regina Beach, the City of Saskatoon, the Resort Village of Shields, the Resort Village of Thode, the Village of Vanscoy, the Town of Warman or the Town of White City;
(e) “category B client” means a client who resides in the Northern Town of Creighton, the Town of Kindersley, the Northern Village of La Loche, the Northern Town of La Ronge, the Town of Macklin, the City of Melville, the City of Prince Albert, the Town of Rosetown, the City of Weyburn or the City of Yorkton;
(f) “category C client” means a client who resides in the Town of Battleford, the Town of Fort Qu’Appelle, the City of Humboldt, the Town of Meadow Lake, the City of Melfort, the City of Moose Jaw, the Town of Nipawin, the City of North Battleford, the City of Swift Current or the Town of Watrous;
(g) “category D client” means a client who resides anywhere in Saskatchewan other than in a place mentioned in clause (d), (e) or (f);
(h) “child” means an individual who is less than 18 years of age;

(i) “client” means an individual whose application for the RHS benefit has been accepted;

(j) “eligible family unit” means a family unit that meets the requirements of section 6;

(k) “eligible income” means eligible income calculated in accordance with section 10;

(l) “eligible individual” means an individual who is determined to be an eligible individual pursuant to section 7;

(m) “eligible rented accommodation” means accommodation that meets the requirements of section 8;

(n) “family income” is the total of all amounts, other than the universal child care benefit, that would be taxable as income pursuant to the *Income Tax Act* (Canada) and that, subject to sections 32 to 34, are received by the applicant or client and the spouse, if any, of the applicant or client in a month;

(o) “family unit” means a family unit within the meaning of section 5;

(p) “health services number” means a unique number assigned to an individual who is or was registered as a beneficiary to receive insured services within the meaning of *The Saskatchewan Medical Care Insurance Act*;

(q) “income turning point” means the maximum monthly amount of eligible income that a client’s family unit may receive without causing a reduction in the amount of the client’s RHS benefit pursuant to subsection 11(3);

(r) “insured services” means insured services as defined in *The Saskatchewan Medical Care Insurance Act*;

(s) “level of rent” means level of rent determined in accordance with section 9;

(t) “maintenance income” means any gross amount that is paid pursuant to:

(i) a maintenance order, whether received directly from the respondent, collected by the Maintenance Enforcement Office and subsequently remitted to the applicant or client or spouse of the applicant or client or collected by the Maintenance Enforcement Office and subsequently deposited to the general revenue fund; or

(ii) a maintenance agreement in writing that is not included within the definition of “maintenance order”;

(u) “maintenance order” means a maintenance order as defined in *The Enforcement of Maintenance Orders Act, 1997*;
(v) “preceding taxation year” means:

(i) with respect to an applicant or the spouse of an applicant, the taxation year ended immediately preceding the beginning of the program year in which the applicant applies for the RHS benefit; and

(ii) with respect to a client or the spouse of a client, the taxation year ended immediately preceding the beginning of the program year in which the income of the client or spouse is being calculated;

(w) “program” means the Rental Housing Supplement Program established pursuant to section 3;

(x) “program year” means a period commencing on July 1 in one year and ending on June 30 in the following year;

(y) “rent-to-income ratio” means the ratio of the monthly amount of rent paid by an applicant or client to the eligible income of the applicant or client for the month, expressed as a percentage;

(z) “reserve” means a reserve within the meaning of the Indian Act (Canada);

(aa) “respondent” means a respondent as defined in The Enforcement of Maintenance Orders Act, 1997;

(bb) “RHS benefit” means the benefit calculated in accordance with section 11;

(cc) “SAP” means assistance granted pursuant to The Saskatchewan Assistance Regulations, being Saskatchewan Regulations 78/66;

(dd) “Saskatchewan Health Services card” means a card issued pursuant to section 6.5 of The Department of Health Act;

(ee) “taxation year” means taxation year as defined in the Income Tax Act (Canada);

(ff) “TEA” means a transitional employment allowance granted pursuant to The Transitional Employment Allowance Regulations;

(gg) “universal child care benefit” means the amount determined by the Canada Revenue Agency as the amount to which an individual would be entitled pursuant to the Universal Child Care Benefit Act as being enacted by Part 6 of the Budget Implementation Act, 2006 (Canada), introduced as Bill C 13 of the first session of the thirty-ninth Parliament, if Part 6 of that Bill is enacted.

(2) Repealed. 10 June 2011 SR 34/2011 s3.

(3) For the purposes of these regulations, a person is deemed to be under 18 years of age during the entire month in which the person attains the age of 18 years.
(4) For the purposes of these regulations:
   (a) a reference to an amount of income is deemed to be a reference to an amount in whole dollars that is obtained by subtracting the number of cents less than one dollar in the actual amount of income from the actual amount; and
   (b) all calculations involving amounts of income are to be carried out using the amounts in whole dollars determined in accordance with clause (a).


PART II
Rental Housing Supplement Program

Program established and designated
3(1) The Rental Housing Supplement Program is established.

(2) The program is designated as an income-tested program for the purposes of clause 2(c.01) of the Act.

15 Apr 2005 cS-8 Reg 7 s3.

Eligibility
4(1) The RHS benefit is payable to clients:
   (a) with respect to family units that are determined to be eligible family units in accordance with section 6; and
   (b) only with respect to individuals who are determined to be eligible individuals in accordance with section 7.

(2) The RHS benefit continues to be payable to a client until the client’s entitlement to receive payments is terminated pursuant to section 28.

15 Apr 2005 cS-8 Reg 7 s4.

Composition of family units
5 A family unit consists of:
   (a) an individual who is an applicant or client and who has been assigned a health services number by the Department of Health;
   (b) the spouse, if any, of the applicant or client; and
   (c) the children of the applicant or client or of the spouse of the applicant or client, including any children to whom the applicant or client or the spouse of the applicant or client stands in loco parentis.

15 Apr 2005 cS-8 Reg 7 s5.
Eligible family units

6(1) An eligible family unit includes only those members of a family unit who are eligible individuals.

(2) Unless otherwise provided, the fact that one member of a family unit is not an eligible individual does not prevent the other members of the family unit from being considered an eligible family unit.

(3) In order for the family unit of an applicant to be an eligible family unit:
   (a) the applicant and the spouse, if any, of the applicant must have a valid social insurance number assigned pursuant to the authority of any Act of the Parliament of Canada;
   (b) the family unit must include children who are eligible individuals;
   (c) the family unit must be residing in eligible rented accommodation, and the eligible rented accommodation must be the primary residence of the family unit;
   (d) the monthly rent being paid for the eligible rented accommodation must be not less than the minimum qualifying rent determined by the minister on the basis of:
      (i) the composition of the family unit;
      (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant is accepted as a client; and
      (iii) whether or not the rent being paid includes heating costs;
   (e) the eligible income of the family unit in a month, determined in accordance with section 10, must not exceed the maximum eligible income for the family unit determined by the minister on the basis of:
      (i) the composition of the family unit; and
      (ii) the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the family unit as its primary residence, if the applicant were accepted as a client; and
   (f) in the case of an applicant who is not receiving SAP or TEA, the rent-to-income ratio of the family unit must exceed:
      (i) 35% if the rent paid includes heating costs; or
      (ii) 30% if the rent paid does not include heating costs.

Eligible individuals

7(1) Subject to this section, an individual is an eligible individual if the individual is eligible to receive insured services as a resident or beneficiary pursuant to The Saskatchewan Medical Care Insurance Act and The Medical Care Insurance Beneficiary and Administration Regulations.

(2) Where an individual who enters Saskatchewan and establishes residence in Saskatchewan applies for a Saskatchewan Health Services Card, the individual becomes an eligible individual when a health services number is assigned, even if the individual is not entitled to receive insured services for a period after entering Saskatchewan.

(3) An individual who leaves Saskatchewan to establish residence outside of Saskatchewan ceases to be an eligible individual when the individual leaves Saskatchewan, even if the individual is entitled to receive insured services for a period after leaving Saskatchewan.

(4) The following are not eligible individuals, whether or not they are eligible to receive insured services:

(a) an individual who is sentenced to a term of imprisonment of more than 30 days in:
   (i) a correctional facility as defined in The Correctional Services Act; or
   (ii) a custody facility as defined in The Youth Justice Administration Act;

(b) an inmate as defined in the Corrections and Conditional Release Act (Canada) or a prisoner as defined in the Prisons and Reformatories Act (Canada);

(c) a child in the care of the minister within the meaning of The Child and Family Services Act;

(d) a child in the care of an agency that has entered into an agreement pursuant to section 61 of The Child and Family Services Act;

(e) a non-immigrant as defined in The Medical Care Insurance Beneficiary and Administration Regulations to whom subsection 6(3) of those regulations applies;

(f) an individual whose application for landing was sponsored pursuant to subsection 13(1) or (2) of the Immigration and Refugee Protection Act (Canada), during the period of sponsorship;

(g) an individual who ordinarily resides on a reserve, if the Government of Canada has agreed to fund a similar or comparable program;

(h) subject to clause (5)(c), an individual who has been outside of Saskatchewan, whether temporarily or on a permanent basis, for a period greater than 90 consecutive days.
(5) The following are eligible individuals, whether or not they are entitled to receive insured services:

   (a) a member of the Royal Canadian Mounted Police who establishes residence in Saskatchewan;
   
        (b) a member of the Canadian Forces who establishes residence in Saskatchewan;

   (c) an individual described in clause (4)(h) where, in the opinion of a program manager, exceptional circumstances exist.

  15 Apr 2005 cS-8 Reg 7 s7.

Eligible rented accommodation

8(1) In order for rented accommodation to be eligible rented accommodation, a program manager must be of the opinion that the condition of the premises does not present a serious hazard to the health or safety of persons residing in the accommodation.

(2) For the purposes of these regulations, the following types of accommodation are not eligible rented accommodation:

   (a) accommodation in:

        (i) an approved home as defined in The Mental Health Services Act;

        (ii) a facility as defined in The Regional Health Services Act that is operated by a regional health authority or an affiliate as defined in that Act;

        (iii) a personal care home as defined in The Personal Care Homes Act;

        (iv) a private-service home or a residential service facility as defined in The Residential Services Act; or

        (v) any other home or facility that provides both accommodation and some degree of supervision, personal care or individual programming for persons in need of those additional services;

   (b) accommodation the payment for which includes the provision of meals;

   (c) accommodation in a communal living arrangement.

  15 Apr 2005 cS-8 Reg 7 s8.

Levels of rent

9(1) For the purposes of the program, the following levels of rent are established:

   (a) level 1 (warm);

   (b) level 2 (cold).

(2) For the purposes of determining the minimum qualifying rent that an applicant or client is to be considered as paying, the applicant’s or client’s rent is to be determined based on the following variables:

   (a) the composition of the applicant’s or client’s family unit;
(b) in the case of an applicant, the category of client into which the applicant would be placed, in relation to the location of the rented accommodation occupied by the applicant’s family unit as its primary residence, if the applicant were accepted as a client; and

(c) in the case of a client, the category into which the client has been placed in relation to the location of the rented accommodation occupied by the client’s family unit as its primary residence.

(3) An applicant or client whose rent includes heating costs is paying a level 1 (warm) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent determined by the minister pursuant to clause 6(3)(d) based on the variables applicable to the applicant or client.

(4) An applicant or client whose rent does not include heating costs is paying a level 2 (cold) rent if the monthly amount of the rent being paid is equal to or greater than the minimum qualifying rent determined by the minister pursuant to clause 6(3)(d) based on for the variables applicable to the applicant or client.

Eligible income

The eligible income of a family unit in a month is the amount \( E \), calculated in accordance with the following formula:

\[
E = F + EI + CPP + WC + OAS + SIP + M
\]

where:

- \( F \) is the family income of the family unit for the previous month;
- \( EI \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to Parts I and II of the Employment Insurance Act (Canada), but not including allowances pursuant to Part II of that Act;
- \( CPP \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits, other than orphan’s benefits, pursuant to the Canada Pension Plan or the Quebec Pension Plan;
- \( WC \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to The Workers’ Compensation Act, 1979 or similar legislation of another jurisdiction;
- \( OAS \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month pursuant to the Old Age Security Act (Canada), whether as a pension, supplement or allowance;
- \( SIP \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as benefits pursuant to The Saskatchewan Income Plan Act; and
- \( M \) is the total of all amounts received by the applicant or client and the spouse, if any, of the applicant or client in the previous month as maintenance income.
Amount of RHS benefit

11(1) The amount of the maximum RHS benefit for a month to which a client may be entitled is the amount determined by the minister on the basis of:

(a) the composition of the client’s eligible family unit; and

(b) the category of the client.

(2) The actual amount of the RHS benefit to which an eligible family unit is entitled for a benefit month is the amount RHS calculated in accordance with the following formula:

\[ \text{RHS} = \text{RHS}_{\text{Max}} - (R + A) \]

where:

\( \text{RHS}_{\text{Max}} \) is the amount of the maximum RHS benefit to which the eligible family unit would be entitled for the benefit month without reduction or adjustment, determined in accordance with subsection (1);

\( R \) is the amount, if any, by which the eligible family unit’s maximum RHS benefit is to be reduced for the benefit month, determined in accordance with subsection (3); and

\( A \) is the amount, if any, by which the eligible family unit’s maximum RHS benefit is to be adjusted for the benefit month, determined in accordance with subsection (4), if a member of the eligible family unit is receiving SAP or TEA.

(3) The amount, if any, by which an eligible family unit’s maximum RHS benefit is to be reduced for a benefit month is the amount \( R \), if it is positive, calculated in accordance with the following formula:

\[ R = \text{RR}\% \times (E - \text{ITP}) \]

where:

\( \text{RR} \) is the reduction rate determined by the minister on the basis of the composition of the family unit;

\( E \) is the eligible income of the eligible family unit for the benefit month; and

\( \text{ITP} \) is the income turning point determined by the minister for the composition of the family unit.

(4) If a client is receiving SAP or TEA, the amount of the client’s maximum RHS benefit is to be reduced by the amount of the SAP/TEA adjustment determined by the minister on the basis of:

(a) the composition of the client’s eligible family unit; and

(b) the category of the client.
Transitional – amounts of RHS benefits

11.1(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit before the coming into force of The Rental Housing Supplement Amendment Regulations, 2007; and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2007 would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit in the amount the client was entitled to before the coming into force of The Rental Housing Supplement Amendment Regulations, 2007, until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.


Transitional (2008) – amounts of RHS benefits

11.2(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit before the coming into force of The Rental Housing Supplement Amendment Regulations, 2008; and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2008 would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit in the amount the client was entitled to before the coming into force of The Rental Housing Supplement Amendment Regulations, 2008, until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.


Transitional (2009) – eligibility for RHS benefits

11.3(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit before the coming into force of The Rental Housing Supplement Amendment Regulations, 2009; and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2009 would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.
(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.


Transitional (2009)(No.2) – eligibility for RHS benefits

11.4(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit before the coming into force of The Rental Housing Supplement Amendment Regulations, 2009 (No. 2); and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2009 (No. 2) would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.


Transitional (2010) – eligibility for RHS benefits

11.5(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2010; and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2010 would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

Transitional (2010) – amount of RHS benefit
11.6(1) In this section, “qualifying client” means a client:

(a) who was receiving the RHS benefit on the day before the coming into
    force of The Rental Housing Supplement Amendment Regulations, 2010;

(b) who was a member of an eligible family unit receiving SAP or TEA on the
    day before the coming into force of The Rental Housing Supplement
    Amendment Regulations, 2010; and

(c) whose RHS benefit would be reduced, as a result of the coming into force
    of The Rental Housing Supplement Amendment Regulations, 2010, by the
    amount of the SAP/TEA adjustment set out in Table 6, determined on the
    basis of the variables mentioned in subsection 11(4), as that table existed on
    the day before the coming into force of The Rental Housing Supplement
    Amendment Regulations, 2010.

(2) Notwithstanding any other provision of these regulations, a qualifying client’s
    RHS benefit continues to be reduced by the SAP/TEA adjustment set out in Table 6,
    determined on the basis of the variables mentioned in subsection 11(4), as that
    table existed on the day before the coming into force of The Rental Housing
    Supplement Amendment Regulations, 2010, until the client’s entitlement to receive
    the RHS benefit is terminated pursuant to section 28.

26 Mar 2010 SR 16/2010 s3; 10 Jne 2011 SR 34/
2011 s12.

Transitional (2010) (No.2) – eligibility for RHS benefits
11.7(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit before the coming into force of The Rental
    Housing Supplement Amendment Regulations, 2010 (No. 2); and

(b) as a result of the coming into force of The Rental Housing Supplement
    Amendment Regulations, 2010 (No. 2) would no longer be eligible to receive
    the RHS benefit because the client’s monthly rent is less than the minimum
    qualifying rent determined by the minister on the basis of the variables
    mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client
    continues to be eligible to receive the RHS benefit until the client’s entitlement to
    receive the RHS benefit is terminated pursuant to section 28 on a ground other
    than that the client’s monthly rent is less than the minimum qualifying rent
    determined by the minister on the basis of the variables mentioned in subsection 9(3)
    or (4), as the case may be.

1 Oct 2010 SR 101/2010 s3; 10 Jne 2011 SR 34/
2011 s13.
Transitional (2011) – eligibility for RHS benefits

11.8(1) In this section, “qualifying client” means a client who:

(a) was receiving the RHS benefit on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2011; and

(b) as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2011 would no longer be eligible to receive the RHS benefit because the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.

(2) Notwithstanding any other provision of these regulations, a qualifying client continues to be eligible to receive the RHS benefit until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28 on a ground other than that the client’s monthly rent is less than the minimum qualifying rent determined by the minister on the basis of the variables mentioned in subsection 9(3) or (4), as the case may be.


Transitional (2011) – amount of RHS benefit

11.9(1) In this section, “qualifying client” means a category B client or category C client:

(a) who was receiving the RHS benefit on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2011;

(b) who was a member of an eligible family unit receiving SAP or TEA on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2011; and

(c) whose RHS benefit would be reduced, as a result of the coming into force of The Rental Housing Supplement Amendment Regulations, 2011, by the amount of the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2011.

(2) Notwithstanding any other provision of these regulations, a qualifying client’s RHS benefit continues to be reduced by the SAP/TEA adjustment set out in Table 6, determined on the basis of the variables mentioned in subsection 11(4), as that table existed on the day before the coming into force of The Rental Housing Supplement Amendment Regulations, 2011, until the client’s entitlement to receive the RHS benefit is terminated pursuant to section 28.

12(1) One member of a family unit may apply for the RHS benefit on behalf of the family unit.

(2) An applicant must:

(a) apply to the department by telephone and provide the information requested that is necessary to establish the eligibility of the applicant’s family unit to receive the RHS benefit, including, without limiting the generality of the foregoing:

(i) the composition of the applicant’s family unit; and

(ii) with respect to the accommodation occupied by the applicant’s family unit as its primary residence:

(A) the type and condition of the accommodation;

(B) the location of the accommodation;

(C) the amount per month being paid as rent for the accommodation; and

(D) whether the amount being paid as rent includes payment for the provision of heating;

(b) orally give consent to the inspection of the accommodation by a representative of the department to verify that the accommodation is eligible rented accommodation;

(c) orally declare whether or not any member of the applicant’s family unit is receiving SAP or TEA; and

(d) orally provide the health services numbers of the applicant and the applicant’s spouse, if any, and give consent to their use for the purposes of nominating the applicant and members of the applicant’s family unit pursuant to section 42 to receive supplementary health benefits.

(3) If, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

(a) a person other than a member of the family unit to apply for the RHS benefit on behalf of a family unit; or

(b) an applicant to make an application in writing.

15 Apr 2005 cS-8 Reg 7 s12.

13 An applicant who wishes to proceed with an application, and the applicant’s spouse, if any, must provide:

(a) confirmation of the application in accordance with section 14; and

(b) information respecting their incomes in accordance with section 15.

15 Apr 2005 cS-8 Reg 7 s13.
Confirmation of application

14(1) The confirmation of an application must:

(a) be made in writing on a form supplied by the department and must be signed by the applicant and the applicant’s spouse, if any; and

(b) be returned to the department before the end of the month that follows the month in which the application is made.

(2) Where an applicant fails to return the completed confirmation form to the department within the period mentioned in clause (1)(b), the application is discontinued and will not be processed.

(3) The confirmation form will include:

(a) a declaration that the applicant and the applicant’s spouse, if any, have reviewed the information set out on the form and the information provided pursuant to section 12 and confirm that it is correct;

(b) the consent of the applicant and the applicant’s spouse, if any, to the disclosure to the department of personal information with respect to the family unit in the records of government departments and agencies and other bodies for the purpose of determining the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled;

(c) the consent of the applicant and the applicant’s spouse, if any, to the use of the social insurance numbers and health services numbers of the applicant and the applicant’s spouse for the purpose of determining the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled;

(d) the consent of the applicant and the applicant’s spouse, if any, to an inspection by a representative of the department of the accommodation described in the application as the primary residence of the applicant’s family unit or any other accommodation subsequently reported to the department as the primary residence of the family unit to verify any information respecting the accommodation that is necessary to determine the eligibility of the family unit to receive the RHS benefit or to continue receiving the RHS benefit and the amount of the RHS benefit to which the family unit may be entitled; and

(e) the information to be provided by the applicant or the applicant’s financial institution to make possible the direct deposit of the applicant’s RHS benefit in an account of the applicant with that financial institution.

15 Apr 2005 cS-8 Reg 7 s14.
Income information

15(1) Before the end of the month that follows the month in which an application is made, the applicant must:

(a) by telephone, provide complete information with respect to the gross amounts of the income, other than income from farming or self-employment of the applicant and the applicant’s spouse, if any, for the previous month; and

(b) if the applicant or the applicant’s spouse has any income from farming or self-employment:

   (i) provide by telephone the gross amount of income from farming and self-employment reported in the return of income filed pursuant to the Income Tax Act (Canada) for the preceding taxation year; or

   (ii) in the case of income from a farm or business in its first calendar year of operation, provide by telephone complete information with respect to the gross income from the farm or business for the previous month.

(2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

(a) a person other than the applicant to provide the income information required by subsection (1) on behalf of the applicant; or

(b) an applicant to provide the income information required by subsection (1) in writing.

(3) An application is discontinued and will not be processed if:

(a) the applicant fails to provide the income information required by subsection (1) to the department within the period mentioned in subsection (1); or

(b) the applicant or the applicant’s spouse has income from a farm or business that has been in operation for more than one calendar year and has not filed a return of income pursuant to the Income Tax Act (Canada) with respect to that income.

15 Apr 2005 cS-8 Reg 7 s15.

Determination of eligibility

16(1) The information provided pursuant to sections 12 and 15 will be assessed to determine whether the family unit of an applicant is an eligible family unit.

(2) After an initial determination of eligibility, the eligibility of a family unit to receive the RHS benefit will be reassessed each month to take into account any changes in income, composition of the family unit, type or location of accommodation, amount of rent or any other factor that affects eligibility.

15 Apr 2005 cS-8 Reg 7 s16.
Discrepancies in information

17(1) In this section, “information holder” means:

(a) the Department of Health;

(b) the Maintenance Enforcement Office continued by *The Enforcement of Maintenance Orders Act, 1997*;

(c) the Workers’ Compensation Board continued by *The Workers’ Compensation Act, 1979* or a similar body established by another jurisdiction;

(d) any department or agency of the Government of Canada that keeps records pursuant to the *Canada Pension Plan*, the *Old Age Security Act* (Canada) or the *Income Tax Act* (Canada), any department or agency of the Government of Quebec that keeps records pursuant to the *Quebec Pension Plan* or any department or agency of the government of any province or territory that keeps records pursuant to income tax legislation;

(e) the Canada Employment Insurance Commission; or

(f) an employer of an applicant, a client or a spouse of an applicant or client.

(2) If there are discrepancies between the information provided by an applicant or client and the information in the records of an information holder:

(a) the eligibility of the applicant and the amount of the RHS benefit, if any, to which the applicant is entitled will be determined on the basis of the information in the records of the information holder; and

(b) the eligibility of the client to continue receiving the RHS benefit and the amount of the client’s RHS benefit will be determined on the basis of the information in the records of the information holder until the information holder has corrected that information at the request of the client.

15 Apr 2005 cS-8 Reg 7 s17.

Personal identification number and account number

18 When an application is approved, the client will be assigned a personal identification number and an account number.

15 Apr 2005 cS-8 Reg 7 s18.

Telephone inquiries and reporting

19(1) Subject to subsection (2), a client requesting information about his or her file, reporting monthly income pursuant to section 20, reporting changes pursuant to subsection 21(1) or (2) or making a quarterly report pursuant to section 22 must do so by telephone.

(2) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may accept a written report.

15 Apr 2005 cS-8 Reg 7 s19.
Reporting monthly income, filing tax return

20 If a client or a client’s spouse has income from farming or self-employment that is being calculated pursuant to subsection 34(3), the client must:

(a) report at the beginning of each month the gross amount of all income from farming and self-employment for the previous month, until July of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained; and

(b) file a return of income pursuant to the *Income Tax Act* (Canada) before the end of June of the calendar year that follows the first calendar year of operation of the farm or business from which the income is obtained.

15 Apr 2005 cS-8 Reg 7 s20.

Reporting changes

21(1) A client must report to the department any change in monthly income not later than the last day of the month following the month in which the change occurs.

(2) A client must report, not later than the last day of the month in which the change occurs:

(a) to the department:

(i) any change in the following:

(A) in monthly rent;

(B) in the type or location of accommodation; or

(C) in the condition of the premises if the change in condition presents a serious hazard to the health or safety of persons residing in the accommodation; and

(ii) if the type or location of accommodation has changed, the condition of the new accommodation; and

(b) to the Department of Health, any changes in the composition of the family unit or the address of the family unit.

(3) Where a client reports a change in the composition of the family unit that involves the addition of a spouse or a change of spouse, the client must provide confirmation of information respecting the spouse and the spouse’s consent in accordance with section 14.

15 Apr 2005 cS-8 Reg 7 s21.

Quarterly report

22(1) In addition to the requirements of section 21, a client must report on a quarterly basis in accordance with this section, unless the program manager waives the requirement in accordance with subsections (4) and (5).

(2) A form setting out the information that is currently in the client’s file will be mailed to the client before the quarterly report is required.
(3) A client must review the information set out in the form and, in the manner described in section 19, make a quarterly report confirming that the information is correct or notifying the department of any changes in the information.

(4) Subject to subsection (5), a program manager may, in a particular case, waive the requirement for a client to submit a quarterly report if, in the opinion of the program manager, exceptional circumstances exist.

(5) In a particular case, a program manager shall not waive the requirement for a quarterly report with respect to consecutive reporting periods.

Late report  
23(1) Subject to subsection (2), if a client fails to complete the requirements of section 20, 21 or 22 in the month in which the report is required, the payment of the RHS benefit will be suspended.

(2) If a client meets the requirements of section 20, 21 or 22 in the month that follows the month in which compliance was required and otherwise remains eligible for the RHS benefit, the client’s entitlement to receive the RHS benefit for the month mentioned in subsection (1) will be reinstated.

(3) If a client fails to meet the requirements of section 20, 21 or 22 by the end of the month that follows the month in which compliance was required, the client’s entitlement to receive payments of the RHS benefit terminates in accordance with clause 28(c).

Audit  
24(1) For the purpose of monitoring compliance with these regulations, a program manager may at any time, by written notice, require a client, within 21 days after the date of the written notice, to do any or all of the following:

(a) provide or confirm any information that is necessary to determine the eligibility of the client’s family unit or the amount of the RHS benefit payable with respect to the family unit;

(b) permit a representative of the department to inspect the accommodation reported as the primary residence of the client’s family unit to confirm any information respecting the accommodation that is necessary to determine the eligibility of the client’s family unit or the amount of the RHS benefit payable with respect to the family unit.

(2) If the information provided by the client is complete:

(a) the eligibility of the client’s family unit will be reassessed pursuant to subsection 16(2); and

(b) the amount of the RHS benefit will be recalculated pursuant to subsections 25(2) to (4).
(3) If the information provided by the client is incomplete, the program manager shall send a further written notice to the client requiring the client, within 15 days after the date of the further written notice, to provide the information that is missing.

15 Apr 2005 cS-8 Reg 7 s24.

Calculation of RHS benefit
25(1) The amount of the RHS benefit for a month is calculated in accordance with section 11 based on the income of the family unit in the month preceding the month in which the payment is to be made.

(2) After the initial calculation of the amount of the RHS benefit, the amount is recalculated each month, taking into account any changes in circumstances that affect the amount of the benefit, other than a change in the rent-to-income ratio.

(3) For the purposes of recalculating the amount of the RHS benefit, changes in circumstances are taken into account from the date on which they are reported to the department or received by the department from the Department of Health, as the case may be.

(4) Where a recalculation results in a determination of an underpayment, no payment will be made with respect to the underpayment with respect to the period before the recalculation unless:

(a) the underpayment is the result of an error made by the department; or

(b) the program manager is satisfied that the underpayment is the result of an error made by an applicant or client as a result of difficulty in providing information and, in the opinion of the program manager, it would be inappropriate not to make a payment with respect to the underpayment.

15 Apr 2005 cS-8 Reg 7 s25.

Minimum benefit
26 Where the amount of the RHS benefit of an applicant or client calculated pursuant to section 11 is greater than zero but less than $10 per month, the amount of the RHS benefit is deemed to be $10 per month.

15 Apr 2005 cS-8 Reg 7 s26.

Payment of RHS benefit
27(1) The RHS benefit will be paid to a client with respect to the month in which an application is made, as calculated pursuant to subsection 25(1), and thereafter on a monthly basis, as recalculated pursuant to subsection 25(2), while the client remains eligible.

(2) Subject to subsection (3), the RHS benefit will be paid to a client only by direct deposit to an account of the client with a financial institution.
(3) A program manager may approve payment directly by cheque to a client:

(a) where the client is unable to obtain an account with a chartered bank, trust company or credit union; or

(b) in other exceptional circumstances where the program manager considers it appropriate to do so.

(4) A written statement of benefits will be provided to a client on request.

Termination of entitlement

28 A client’s entitlement to receive payments of the RHS benefit terminates where:

(a) as a result of a change in income, composition of the family unit, type or location of accommodation, condition of accommodation, amount of rent or any other factor that affects eligibility, the client is determined to be no longer eligible for the RHS benefit;

(b) in the opinion of a program manager, the condition of the client’s accommodation presents a serious hazard to the health or safety of the client’s family unit; or

(c) the client fails:

(i) to meet the requirements of section 21 within the period mentioned in subsection 23(3);

(ii) to complete a quarterly report pursuant to section 22 within the period mentioned in subsection 23(3);

(iii) in the case of a client who is required to report income from farming or self-employment pursuant to section 20:

(A) to complete a monthly income report required by clause 20(a) within the period mentioned in subsection 23(3); or

(B) to file a return of income pursuant to the *Income Tax Act* (Canada) within the period described in clause 20(b);

(iv) to comply with a notice requiring information in accordance with clause 24(1)(a) or subsection 24(3); or

(v) to comply with a notice requiring the client to permit a representative of the department to inspect the client’s accommodation in accordance with clause 24(1)(b).

15 Apr 2005 cS-8 Reg 7 s27.
Notice of termination

29 Where a client’s entitlement to receive payments of the RHS benefit is terminated for a reason described in section 28, written notice will be given to the client that the client’s entitlement to payments of the RHS benefit is terminated.

15 Apr 2005 cS-8 Reg 7 s29.

Effects of termination

30 (1) Subject to subsection (2), where a client’s entitlement to receive payments of the RHS benefit is terminated, no further payments of the RHS benefit will be made to the client unless:

(a) on an appeal pursuant to section 38 or 40, it is determined that the client is eligible to receive the RHS benefit; or

(b) the client re-establishes his or her entitlement to receive the RHS benefit pursuant to section 31.

(2) In the case of a client whose entitlement to receive payments of the RHS benefit is terminated pursuant to clause 28(b), a program manager may authorize the payment of two additional monthly payments of the RHS benefit to the client if, in the opinion of the program manager, it is warranted in the circumstances.

15 Apr 2005 cS-8 Reg 7 s30; 13 Apr 2006 SR 30/2006 s5.

Reinstatement

31 (1) A client whose RHS benefit is terminated pursuant to section 28 or who withdraws from the program must request reinstatement if he or she wishes to re-establish his or her entitlement to receive the RHS benefit.

(2) Subject to subsection (3), a request for reinstatement is to be made by telephone, and the information necessary for determining the eligibility of the client for reinstatement is to be confirmed by telephone.

(3) Where, in the opinion of a program manager, exceptional circumstances exist, the program manager may permit:

(a) a person other than the client to request reinstatement on behalf of a family unit; or

(b) a client to request reinstatement in writing.

(4) Where a client’s request for reinstatement is granted:

(a) the consents given by the client and the client’s spouse, if any, pursuant to subsection 14(3) are deemed to be valid; and

(b) the client must provide income information pursuant to section 15 before payment of the RHS benefit will resume.

15 Apr 2005 cS-8 Reg 7 s31.
PART III

Rules Relating to Calculation of Income

Employment income

32(1) Where an individual receives employment income on a day other than the regular pay date, the employment income is deemed to be employment income received in the month in which the regular pay date would have occurred.

(2) Actual gratuities received by an individual for labour or personal services are to be included as employment income, to a maximum of 20% of wages received by the individual.

15 Apr 2005 cS-8 Reg 7 s32.

Income received as lump sum

33(1) Subject to subsection (2) and section 34, income in the form of a lump sum payment is apportioned, commencing with the month in which the payment is received, over a number of months equal to the length of the period to which the payment relates, to a maximum of 12 months.

(2) Income in the form of a lump sum payment with respect to an obligation in arrears is included in the calculation of income in the month in which it is received.

15 Apr 2005 cS-8 Reg 7 s33.

Calculation of farming and self-employment income

34(1) In the case of an individual who has filed a return of income pursuant to the Income Tax Act (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is the amount FSE, calculated in accordance with the following formula:

\[
P \times \frac{G}{N}
\]

where:

- P is either 0.40 or 0.25, whichever results in the determination of the greater combined benefit calculated in accordance with subsection (2);
- G is the total of all amounts of gross income from farming and self-employment reported in the return of income for the preceding taxation year; and
- N is the number of months in the preceding taxation year in which the individual was engaged in farming or self-employment.
(2) The combined benefit of an individual is the amount CB calculated in accordance with the following formula:

\[ CB = RHS + DHS + SES \]

where:

- RHS is the amount of the RHS benefit to which the individual would be entitled pursuant to section 11 if the individual is eligible to receive that benefit;
- DHS is the amount of the DHS benefit to which the individual would be entitled pursuant to *The Disability Housing Supplement Regulations*, if the individual is eligible to receive that benefit; and
- SES is the amount of the SES benefit to which the individual would be entitled pursuant to *The Employment Supplement Regulations* if the individual is eligible to receive that benefit.

(3) In the case of an individual who has not filed a return of income pursuant to the *Income Tax Act* (Canada) for the preceding taxation year, the farming and self-employment income of the individual for a month is an amount FSE calculated in accordance with the following formula:

\[ FSE = P \times G \]

where:

- P is either 0.40 or 0.25, whichever results in the calculation of the greater combined benefit for the month calculated in accordance with subsection (2); and
- G is the individual’s gross income from farming and self-employment in the previous month.

(4) Where a farm or business operated by an individual is incorporated, the individual’s farming and self-employment income will be determined as a share of the gross amount of income of the corporation that is proportionate to the number of shares in the corporation owned by the individual.

15 Apr 2005 cS-8 Reg 7 s34.

PART IV

Appeals

**Interpretation of Part**

35  In this Part:

(a) “adjudicator” means the adjudicator appointed pursuant to section 39;

(b) “appellant” means a person who:

(i) appeals a decision to a program manager or designate pursuant to section 38; or

(ii) appeals a decision of a program manager or designate to an adjudicator pursuant to section 40.

15 Apr 2005 cS-8 Reg 7 s35.
Advice re right to appeal
36(1) A program manager shall advise clients in writing of their right to appeal decisions described in subsection 37(1).

(2) A program manager shall advise applicants orally, or by supplying them with a brochure, of their right to appeal a decision with respect to an assessment of their eligibility.

15 Apr 2005 cS-8 Reg 7 s36.

Grounds for appeal
37(1) Appeals may be made only with respect to oral or written decisions relating to the following matters:
(a) assessment of eligibility;
(b) calculation of the RHS benefit;
(c) suspension of payment of the RHS benefit;
(d) termination of entitlement to receive the RHS benefit;
(e) overpayments.

(2) For the purposes of clause (1)(b) and subsection 38(1), payment of the RHS benefit is deemed to be a decision with respect to the calculation of the RHS benefit, and the date of payment is deemed to be the date of the decision.

(3) Subject to subsection (4), an appeal may be commenced only by a client or by a person with authority pursuant to an Act or a court order to act on behalf of a client.

(4) An appeal may be commenced with respect to the assessment of eligibility by an applicant or by a person with authority pursuant to an Act or a court order to act on behalf of an applicant.

15 Apr 2005 cS-8 Reg 7 s37.

Appeal to program manager
38(1) An appellant may appeal a decision mentioned in subsection 37(1) to a program manager or a program manager’s designate by submitting to the program manager a written notice of appeal within 30 days after the date of the decision.

(2) An appellant must provide any written documentation in support of the appeal when submitting the notice of appeal.

(3) Within 20 days after receiving a notice of appeal, a program manager or designate shall:
(a) consider the appeal and make a decision; and
(b) mail to the appellant a copy of the decision together with written reasons for the decision.

15 Apr 2005 cS-8 Reg 7 s38.
Adjudicator

39(1) The minister shall appoint an adjudicator for the purpose of considering and determining appeals pursuant to section 40.

(2) The department shall provide the adjudicator with any clerical and other support that is needed for carrying out the duties of the adjudicator pursuant to these regulations.

15 Apr 2005 cS-8 Reg 7 s39.

Appeal to adjudicator

40(1) An appellant may appeal a decision of a program manager or designate pursuant to clause 38(3)(a) to the adjudicator by filing a notice of appeal, together with any written submissions and materials in support of the appeal, with the department within 30 days after the date of the decision.

(2) The department shall promptly transmit to the adjudicator any notice of appeal filed pursuant to subsection (1), together with any written submissions and materials filed in support of the appeal.

(3) As soon as is practicable after a notice of appeal filed pursuant to subsection (1) is transmitted to the adjudicator, the adjudicator shall provide the program manager or designate with a copy of the notice of appeal and any written submissions and materials filed by the appellant.

(4) The program manager or designate shall:

(a) file any written submissions and materials in support of the decision that is the subject of the appeal within seven days after receiving a copy of the notice of appeal; and

(b) as soon as is practicable, provide the appellant with a copy of the submissions and materials mentioned in clause (a).

(5) An appeal pursuant to this section is to be based on the written submissions of the appellant and the program manager or designate.

(6) The adjudicator shall review the decision and the submissions of the parties and may require the parties to provide further information.

(7) The adjudicator shall make a decision within 20 days after the day on which the notice of appeal is transmitted to the adjudicator and provide the parties with a copy of the decision, together with written reasons for the decision.

(8) The decision of an adjudicator is final and there is no further right of appeal.

15 Apr 2005 cS-8 Reg 7 s40.

Benefits to successful appellant

41(1) Where an appellant who was receiving the RHS benefit before the commencement of an appeal pursuant to section 38 is successful on the appeal or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit in an amount greater than the amount actually received, the appellant is entitled to receive a payment in an amount equal to the difference between the total of the amounts actually received and the total of the amounts to which the appellant is determined to be entitled.
(2) Where an appellant whose application for the RHS benefit was refused is successful on an appeal pursuant to section 38 or on a further appeal pursuant to section 40, and it is determined that the appellant is entitled to receive the RHS benefit, the appellant is entitled to receive a payment in an amount equal to the total of the amounts of the RHS benefit that the appellant would have received if the appellant’s application for the RHS benefit had been approved.

15 Apr 2005 cS-8 Reg 7 s41.

PART V
General

Supplementary health benefits

42 Supplementary health benefits specified in the Saskatchewan Assistance Plan Supplementary Health Benefits Regulations, being Saskatchewan Regulations 65/66, may be provided to a client and members of a client’s eligible family unit.

15 Apr 2005 cS-8 Reg 7 s42.

Overpayments

43(1) Overpayments will be deducted from the next regular payment.

(2) Subject to subsection (3), if the amount of an overpayment exceeds the amount of the RHS benefit payable in the next regular payment, the remainder of the overpayment will be recovered by deduction from succeeding regular payments until the entire amount of the overpayment is recovered.

(3) Where, in the opinion of the program manager, exceptional circumstances exist, the program manager may reduce the rate at which overpayments are recovered from a client.

15 Apr 2005 cS-8 Reg 7 s43.

Coming into force

44(1) Subject to subsection (2), these regulations come into force on April 1, 2005.

(2) If these regulations are filed with the Registrar of Regulations after April 1, 2005, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

15 Apr 2005 cS-8 Reg 7 s44.

Appendix

Repealed. 10 Jne 2011 SR 34/2011 s16.