

Family Unit

General Principle

Applicants are required to submit an application for income assistance on behalf of all members of the *family unit*. For the purpose of determining eligibility, the Administering Authority must assess whether an applicant and other persons residing with the applicant fit within the INAC BC Region definition of *family unit*.

Definitions

See Definitions section, under INAC's *Social Development Policy and Procedures Manual, Vol 1, BC Region*, for income assistance, disability assistance, hardship assistance or a supplement.

Policy

Eligibility for Family Unit

When two persons live together and there is no acknowledgement that a dependency, spousal, or marriage-like relationship exists, the Band Social Development Worker (BSDW) must assess the nature of the relationship to determine if a spousal/dependency relationship exists and have case notes on file.

All income and assets, including income and assets of an applicant who does not meet residency requirements, are to be included in the application as jointly available income and assets held in common by both persons in a dependency or marriage-like relationship.

Any persons who live with another person as a member of a family unit on weekends only, or on similar regular intervals due to work on a fish boat, in a lumber or mining camp (or in any similar employment that requires them to be away from the family residence), is considered to be a part of the family unit. All family income and assets are considered in determining eligibility for social assistance.

Eligibility of Dependents with Shared Custody

If applicant/recipient doesn't have a court custody order, or shared parenting agreement, and the other parent cannot be located, the applicant/recipient with whom the child(ren) resides has defacto custody of the child(ren); the child(ren) will be his/her dependent child(ren).

If applicant/recipient has a shared custody court order or a shared parenting agreement filed in court, which specifies a 50/50 custody agreement, for assistance purposes the parent must designate in writing that the child(ren) is a dependent child(ren) of one parent.

For the purpose of designating the child(ren) as a dependent child(ren) of one parent, any written confirmation that states the parents' agreement and is signed by both, is acceptable.

If parents do not have a court order or agreement concerning custody or have a shared custody court order but do not agree on amount of time that they each have the child(ren), the onus is on them to file a shared parenting agreement in court.

While the parents are resolving the amount of time they each have the child(ren):

- a) If only one parent is on assistance, (and other parent is not requesting assistance on behalf of the same child(ren)), the Band Social Development Worker has the discretion to determine that the child(ren) is a dependent child(ren) of the applicant/recipient.
- b) If both parents are on assistance, neither may claim the child(ren) as a dependent child(ren) but both may be eligible to receive SPA (see SPA, Chapter 5).

Parental Maintenance for Son or Daughter, and Grandchildren

The parent or parents of an unmarried person under 19 years of age who has one or more children are responsible for the maintenance of the son or daughter, and the grandchildren.

If the parent or parents make application for assistance, all such children and grandchildren residing with the applicants will be included as dependents of the applicants.

Dependent Child Turns Nineteen While Still in School

If a high school student is a member of a family unit receiving social assistance, and turns 19 during the school year, the student may be maintained as a dependent of the family unit until the end of the school year.

Separated Persons

Time-limited social assistance should be granted, if other eligibility conditions are met, pending a decision of the court.

The matter of maintenance payments should be carefully explored with an applicant who is separated, divorced, or deserted, particularly if there are children involved. If no maintenance payments are being received, and if it should appear that there may be liability on the part of a former or present spouse, consideration must be given to referral to the Family Court.

Procedures

Requirement	Documentation and Forms
Eligibility & Application	<ul style="list-style-type: none"> • <i>Application for Social Assistance</i> (901-27) • Identification for each family member • All shelter documentation, rental agreement, utilities, etc. • <i>Budget and Decision Form</i> (901-25) • <i>Social Assistance Monthly Renewal Declaration</i> (901-28) • <i>Social Development Financial and Statistical Report</i> (DCI#455895) • All other required income assistance documents

Assessing Family Unit

Apply the following guidelines in determining whether a dependency relationship exists:

1. The persons share the same shelter accommodation and all household facilities on a consistent basis.
2. One person supports the other, or they share their income.
3. The persons share household responsibilities on a consistent basis: such responsibilities may include child care, meal preparation, laundry, shopping, housecleaning, etc.
4. The persons use their time together as though married.

When any one of the above conditions is present, the administering authority shall consider that a family unit exists for income assistance purposes.

Budget and Decision Form (901-25)

The *Budget and Decision Form* (901-25) is to document the head of household, classification of need, amount of basic support, amount of documented shelter costs, supplements, special needs, and all other income assistance expenditures for a family unit as follows:

1. Family Composition section – indicate all members of the family unit including status and non-status,
2. Comment section – write notes based on eligibility or ineligibility and case notes (Example, rental agreement required before shelter payment allowed),
3. Under Monthly Requirements, for Current Month – write amount of basic support, documented shelter costs and deduct any income or pro-rate appropriate benefit amounts for the family unit,

4. Under Monthly Requirements, for Continuing Allowance – write amount of recipients full entitlement for regular income assistance for basic and shelter for all future months (if necessary deduct income received),
5. Under Temporary Allowance Issued by Administering Authority section, write the month in which the expenditure is paid, expiry date, and *signatures* of both the recipient and Administering Authority,
6. Prepare new *Budget and Decision Form* when a significant change occurs and adjust current and continuing allowance sections.

All required documentation (i.e., identification, rental agreement, utilities, etc. and appropriate case notes) are to be attached to the form.

Social Development Financial and Statistical Report (DCI#455895)

The administering authority is to document the basic, shelter, special needs, and all other expenditures for the family unit under the applicable categories:

1. Choose applicable category under the client caseload (e.g., Employable Single) then enter number of Heads of Households (Applicants) and number of Dependants of Heads of Households (Spouses and/or Children only),
2. Enter amount of expenditures for each applicable category (include entire caseload even if the basic amount is zero but issuing shelter payments),
3. Total for Income Assistance Expenditures for part (A),
4. Enter number of Work Opportunity Projects (WOP),
5. Choose the applicable category of head of household/clients: either "Regular Clients" or "WOP / ASARET Clients." For each category, there are three lines which indicate the type of housing available for head of household/clients. Enter the number of households that require shelter payments under the three categories: 1) Rent CMHC, 2) Rent non-CMHC; and, 3) Rent Privately Owned. Next to each category, enter the total expenditures for shelter payments for these types of households. If two or more families share a home, record the home once (1) **not** twice (2).
6. On the fourth line, please enter the number of households which have fuel/utilities/other expenditures. Next to this number, please record the total dollar value of expenditures for fuel/utilities/other for these households. The total number of households must be equal or fewer than the number of head of household/clients recorded.
7. Total for Shelter Expenditures for part (B),
8. Enter number of Health Benefits, Burials and Assessment Fees and amount expenditure amount for each,

9. Total for Shelter Expenditures for part (C),
10. Enter number of COPH/GFA children and total expenditures for part (E),
11. Enter total expenditures for Special Needs for part (F).