

**Social Benefits
Tribunal**

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**Tribunal
de l'aide sociale**

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Toronto ON M5S 2B1
Télec. : (416) 326-5135



November 10, 2008

Mr. Robert Chisholm

[REDACTED]
Ottawa, ON
[REDACTED]

Dear Mr. Chisholm:

**Re: Application for Reconsideration of Decision
File No. 0605-04207R**

I acknowledge receipt of your application for reconsideration with regard to the decision delivered by the Tribunal on February 23, 2007 with respect to the hearing held on January 17, 2007.

I am in receipt of your letter dated October 11, 2008 which I received on October 16, 2008. The Social Benefits Tribunal first received your appeal in this case on May 18, 2006. Your hearing was held on January 17, 2007. The substantive issue concerned whether the Administrator had been correct to assess and recover an overpayment as a result of income/assets over the allowable limits.

Following the hearing of this matter, the Tribunal member found that the Administrator's decision had been correct. The decision indicated that you and the Administrator could enter into negotiations about how much needed to be repaid each month.

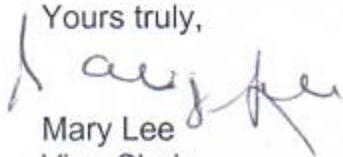
You requested a reconsideration of the decision. Your request for reconsideration was denied in a letter to you from Roslynne Mains dated June 15, 2007. Once the Tribunal had denied your request for reconsideration, your file was closed. The Tribunal upheld the Administrator's decision and there is no further role for the Tribunal to play. If you wish to negotiate with the City of Ottawa about the repayment of the overpayment, you must do this directly with the City. I agree with Ms Mains that there should not be a new hearing in this matter.

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If you are unable to negotiate a satisfactory monthly repayment schedule, this may be appealed to the Tribunal. However, the overpayment itself is not appealable because the Tribunal has already upheld the Administrator's decision to assess and collect the overpayment. If you wish to appeal that monthly amount collectible under the overpayment, please file a notice of appeal with the Tribunal. This file, however, will remain closed.

This letter will serve to confirm the decision of the Tribunal in this appeal.

Yours truly,

A handwritten signature in cursive script, appearing to read "Mary Lee".

Mary Lee
Vice-Chair

cc: Administrator, Social Services
City of Ottawa