



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *LC v Minister of Employment and Social Development*, 2020 SST 1244

Tribunal File Number: GP-20-791

BETWEEN:

L. C.

Appellant

and

Minister of Employment and Social Development

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
General Division – Income Security Section

DECISION BY: Raymond Raphael

DATE OF DECISION: November 2, 2020

DECISION

[1] The appeal is summarily dismissed.

OVERVIEW

[2] The Claimant was 76 years old when the Minister received her application for the *Canada Pension Plan* (CPP) retirement pension in May 2019.¹ The Minister approved the application with an effective payment date of June 2018. The Claimant is requesting that the effective payment date be July 2012, when she turned 70.

[3] This appeal involves a determination of the effective payment date for the Claimant's CPP retirement pension.

ANALYSIS

[4] I must summarily dismiss an appeal if satisfied that it has no reasonable chance of success.²

[5] On September 19, 2020, I notified the Claimant that I was considering summarily dismissing the appeal and gave her a reasonable time to make submissions. The Claimant filed responding submissions on October 26, 2020

[6] The Claimant turned 70 years old in June 2012, but did not apply for the CPP retirement pension until May 2019. The Minister approved her application with an effective payment date of June 2018. This is the earliest date permitted by the CPP.³

[7] The Claimant's position is that payment should start as of July 2012, which is the month after she turned 70. The Claimant stated that she did not understand that she needed to apply in order to receive the benefit. Her husband was in poor health and struggling because of his cognitive decline. As a result, she had to take over the household finances, which was something

¹ GD2-4

² Subsection 53(1) of the *Department of Employment and Social Development Act*; *Miter v. Canada (A.G.)*, 2017 FC 262

³ Paragraph 67(2)(e) of the CPP provides that when an applicant has reached 70 years of age, payment commences on the twelfth month preceding the month following the month in which the applicant applied. This means that payment commences 11 months before the application.

her husband had always done. They have limited financial resources and the additional retroactive payments would be a necessary and welcome addition to their tight budget.⁴

[8] I am sympathetic to the Claimant's situation. However, I have no authority to make exceptions to the provisions of the CPP nor can I render decisions based on fairness, compassion, or extenuating circumstances.

[9] Accordingly, I find that the appeal has no reasonable chance of success.

CONCLUSION

[10] The appeal is summarily dismissed.

Raymond Raphael
Member, General Division - Income Security

⁴ GD05