



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *MK v Minister of Employment and Social Development*, 2021 SST 229

Tribunal File Number: GP-20-1192

BETWEEN:

M. K.

Appellant (Claimant)

and

Minister of Employment and Social Development

Minister

SOCIAL SECURITY TRIBUNAL DECISION
General Division – Income Security Section

DECISION BY: Raymond Raphael

DATE OF DECISION: March 17, 2021

DECISION

[1] The appeal is summarily dismissed.

OVERVIEW

[2] The Claimant was 66 years old when the Minister received her application for the *Canada Pension Plan* (CPP) retirement pension in December 2019.¹ The Minister approved the application with an effective payment start date of January 2019.² The Claimant is requesting that the effective payment start date be August 2018.

[3] This appeal involves a determination of the effective payment start 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.³

[5] On February 18, 2021, 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 March 8, 2021.

[6] The Claimant turned 65 years old in July 2018, but did not apply for the CPP retirement pension until December 2019. The Minister approved her application with an effective payment start date of January 2019. This is the earliest date permitted by the CPP.⁴

[7] The Claimant's position is that she made a mistake by not applying for the CPP retirement pension when she turned 65. She now realizes that she could plan better for her retirement if she receives the payments as of August 2018, the month after she turned 65. This is because she intends to continue working until she turns 70. She could use the CPP retirement

¹ GD2-17

² GD2-16

³ Subsection 53(1) of the *Department of Employment and Social Development Act*; *Miter v. Canada (A.G.)*, 2017 FC 262

⁴ Paragraph 67(3)(e)(a) of the CPP provides that when an applicant has reached 65 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.

payments to contribute to her RRSP. She stated that she has contributed to the CPP her entire working life, and that we are now in “extremely difficult, stressful, and unprecedented times.”⁵

[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

⁵ GD2-13, GD5