



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *B. D. v. Minister of Employment and Social Development*, 2016 SSTADIS 237

Tribunal File Number: AD-16-173

BETWEEN:

B. D.

Appellant

and

**Minister of Employment and Social Development
(formerly Minister of Human Resources and Skills Development)**

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division

DECISION BY: Hazelyn Ross

DATE OF DECISION: June 28, 2016

REASONS AND DECISION

[1] The Applicant applied for a *Canada Pension Plan* disability pension the Respondent denied her application and maintained the denial upon reconsideration. She appealed the reconsideration decision to the General Division of the Social Security Tribunal. The General Division issued a decision on October 20, 2015 refusing her appeal.

[2] The Applicant sought leave to appeal from the decision of the General Division. The Appeal Division granted leave to appeal on a finding that it was not clear how the General Division came to certain of its conclusions or whether the proper legal tests had been applied to the Appellant's case.

[3] After leave to appeal was granted, the parties reached a Settlement Agreement on the 22nd day of June 2016. Consequently, the Respondent sent a request to the Appeal Division asking that it render a decision in the matter, pursuant to s. 18 of the *Social Security Tribunal Regulations, SOR/2013-60*.

[4] The Agreement reads as follows: -

The parties hereby agree to the Appeal Division of the Social Security Tribunal ordering that:

(a) the Appellant became disabled within the meaning of the *Canada Pension Plan* in August 2012;

(b) the Appellant is entitled to a disability pension under the *Canada Pension Plan* commencing December 2012.

[5] The Appeal is allowed in accordance with the provisions of the Settlement Agreement of June 22, 2016.

Hazelyn Ross
Member, Appeal Division