



Citation: *RS v Minister of Employment and Social Development*, 2022 SST 11

## **Social Security Tribunal of Canada General Division – Income Security Section**

# **Decision**

**Appellant:** R. S.

**Respondent:** Minister of Employment and Social Development  
**Representative:** Jared Porter

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**Decision under appeal:** Minister of Employment and Social Development  
reconsideration decision dated January 11, 2021 (issued  
by Service Canada)

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**Tribunal member:** George Tsakalis

**Decision date:** January 5, 2022  
**File number:** GP-21-2335

## Decision

[1] The parties to this appeal have requested that the Tribunal member make a decision pursuant to Section 18 of the *Social Security Tribunal Regulations* based on an agreement reached at a Settlement Conference on January 5, 2022.

[2] The agreement reads as follows:

- a) R. S. became disabled within the meaning of the Canada Pension Plan (CPP) in December 2015.
- b) R. S. is entitled to a disability benefit under the CPP starting August 2018.
- c) This settlement must comply with the CPP.

[3] The Tribunal member is satisfied that this settlement agreement complies with the CPP. For payment purposes, a person cannot be deemed disabled more than fifteen months before the Respondent received the application for a disability pension under paragraph 42(2)(b) of the CPP. The application was received in July 2019; therefore the Appellant can be deemed disabled in April 2018. According to section 69 of the CPP, payments start four months after the deemed date of disability. The agreement appropriately states that the Appellant is entitled to a disability benefit under the CPP starting in August 2018.

[4] The appeal is allowed in accordance with the agreement.

George Tsakalis  
Member, General Division – Income Security Section