

B AFFLEGAB

Semi-annual newsletter of the Community Advocacy & Legal Centre (CALC)

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Spring 2014

Housing First!



Hastings and Prince Edward/Lennox & Addington Counties have published their 10 year Housing and

Homelessness Plans. You can view these reports on our website at:

www.communitylegalcentre.ca/news/housing_news.htm.

Both reports recommend that our communities embrace a "Housing First" approach to the homeless and affordable housing issues that have been widely studied in our local communities.

"Housing First" embraces the concept that everyone needs a safe, secure, affordable place to

call home. Once this fundamental need is met, the household can begin to resolve other issues they may be facing. Lack of a safe, secure place to call home is a barrier to many things, including finding or maintaining employment, family unification, food security and addressing physical and mental health problems.

The Hastings County 10 Year Housing and Homelessness Plan, entitled "Opening the Right Door" identifies the following desired outcomes:

- Moving the precariously housed and homeless into permanent housing;
- Providing client-centered support services;

- Preventing homelessness by providing universal and central access to emergency assistance programs; and
- Encouraging governments to address the housing needs of the disadvantaged.

In addition to moving forward on these long term goals, Hasting County is already working on an Eviction Prevention Protocol, with input from local service providers, including CALC and private interested parties including landlords.

In Prince Edward/Lennox & Addington Counties, the Housing Advisory Committee continues to provide input to county staff.

(Continued on page 2)

The **Community Advocacy & Legal Centre** is a non-profit community legal clinic and registered charity.

We provide free legal services to low-income residents of Hastings, Prince Edward and Lennox & Addington Counties.

Visit our website to learn more about us!

www.communitylegalcentre.ca

Working to end poverty

Are you interested in working with other community members to develop local solutions to end poverty? Join us at the next Poverty Roundtable meeting on June 18, 2014, from 2-4 p.m. at the Quinte Community Resource Centre (the old Queen Mary School) at 41 Octavia Street in Belleville. Our vision is a community where everyone experiences a standard of living which is sufficient for their physical, emotional, social and spiritual needs without compromising dignity or self-respect. The Roundtable is committed to working collaboratively with our neighbouring communities and existing networks for the elimination of poverty.

Find more information at <http://povertyroundtablehpe.ca>.

LEGAL RIGHTS

Housing First! (Continued from page 1)

Members of the Housing Advisory Committee include local politicians, interested citizens and members of Housing Advisory Lennox & Addington (HALA) and the Prince Edward County Affordable Housing Working Group (PECAHWG). We participate in all of these committees.

To help inform our community of the housing related issues our clients experience, the Executive

Summary of our 2013 report "Spinning in the Cycle of Homelessness", has been circulated to local politicians, building officials and fire departments. This report can be viewed on our website at: www.communitylegalcentre.ca/legal_information/HSG/docs/Spinning-in-the-Cycle-of-Homelessness.pdf.

All of these reports reinforce the need for people to be housed to

ensure a healthy community. There is a role for anyone interested in the affordable housing issue.

If you are interested in housing issues, the local Poverty Roundtable would welcome your participation on a subcommittee focusing on housing issues or as a general member.

Gina Cockburn, Clinic Lawyer

Electricity rate affordability program

The Energy Minister announced in April 2014 that he has sent a directive to the Ontario Energy Board to develop an electricity rate affordability program for low-income consumers – the Ontario Electricity Support Program (OESP) – to be in place by January 1, 2016.

You can read the directive here: www.ontarioenergyboard.ca/oeb/Documents/Documents/letter_low-income_affordability_20140423.pdf

Hydro bills way too high?

Hydro One switched to a new billing system in May 2013. As a result, "customers have experienced prolonged estimated bills, delayed bills, multiple bills or no bills at all," according to the Hydro One website. General questions and answers about Hydro One billing issues can be found at: www.hydroone.com/WorkingtoGetBetter/Pages/FAQs.aspx.

In February 2014, the Ombudsman of Ontario began investigating Hydro One's billing



and customer service complaints. Over 2,000 complaints have been made to the Ombudsman since it began its investigation. You can find out more about the Ombudsman's investigation at www.hydroone.com/Ombudsman/Pages/home.aspx.

If you think that your bill is wrong or if you did not get a bill, you should call Hydro One to complain at 1-888-664-9376. If Hydro One fails to fix the

problem, you can contact the Ontario Energy Board Consumer Relations Centre toll-free at 1-877-632-2727. Additional contact information for the Ontario Energy Board can be found online at: www.ontarioenergyboard.ca/OEB/Consumers/Contact+Consumer+Relations.

You can also file a complaint with the Ombudsman of Ontario online or by calling them toll-free at 1-800-263-1830.

Melissa MacRae, Clinic Lawyer

Help for low-income energy consumers

The Ontario Energy Board introduced the Low-income Energy Assistance Program (LEAP) to help low-income customers with high gas or electricity bills. There are 2 ways LEAP can help: emergency financial assistance and flexible customer service rules.

1. Emergency financial assistance

If you are behind on your gas or electricity bill, you can get up to \$500 in emergency financial assistance. You can only access emergency assistance once per year. You cannot get more money than you owe. If you have a disconnection notice, applying for LEAP stops the disconnection for 21 days to give you time to get emergency financial assistance or develop a payment plan.



2. Flexible customer service rules

If you are a low-income customer, gas and electricity companies will waive security deposits, service charges and late payment fees. If you already paid a security deposit, you can ask for it to be credited to your account. You can arrange for equalized billing, which spreads payments evenly over 12 months. If you owe money, you can get extra time on repayment plans.

How to Apply

- **Veridian Connections customers:** contact the County of Hastings at 613-966-8032.

- **Hydro One customers:** contact the United Way of Simcoe County, toll-free, at 1-855-487-5327
- **Union Gas customers:** contact Hastings County Social Services, toll-free, at 1-866-414-0300

You may be asked for some paperwork including: your current gas and electricity bills, a disconnection notice (if you have one), a copy of your lease or mortgage documents, proof of household income, and a copy of your most recent bank statement.

If you are eligible, the money is paid directly to the utility company on your behalf. To arrange for equalized billing or repayment plans, call the utility company **AFTER** you call the number listed above.

Lisa Turik, Articling Student

UbiDuo™ equipment now available for Deaf clients

The word "Ubi" stands for 'ubiquitous' – meaning everywhere + "Duo" – for 2 people or 2 things.

The UbiDuo™ is a communication device that enables Deaf, hard of hearing, and hearing people to communicate with each other face-to-face. It is a means of communicating if an interpreter is not present.

Our lawyers will still use interpreters when meeting with Deaf clients. The UbiDuo™ will be used for short urgent communication such as booking an appointment with an intake worker to see a lawyer.

(You can read more about the device at <https://www.scomm.com/products/ubiduo>.)

We thank the Canadian Hearing Society for their generous donation of the UbiDuo™.



LEGAL RIGHTS

Sign this or move out?

Your lease is ending and your landlord comes knocking on your door with a new lease to sign. Good news – you have a choice! You don't have to sign the lease and can continue living there as a month-to-month tenant.

Sometimes a new lease will state that you are choosing to move out if you do not sign the lease. This is not true. Your tenancy continues whether you sign a new lease or not.

The *Residential Tenancies Act* (RTA) is the law that sets out the rules for landlords and tenants. The RTA says that when your lease ends you automatically become a month-to-month tenant. Whether or not you sign a new lease, your rent may go up if your landlord has given you a notice of increase. Rent can be increased once in every 12 month period.

Even with a lease, a landlord may terminate your tenancy if there is a reason that fits within the RTA. However, your refusal to sign a new lease after your fixed term lease has expired is not one of those reasons.

Not sure if you should sign a new lease? Turn your mind to your personal situation and what might work best for you. If you have a lease, it protects you from termination of your tenancy in some circumstances. However, having a lease also means you are responsible for the rent until the lease ends. If you decide you want to leave before the end of the lease, this "lease breaking" might be difficult and expensive for you.



If you become a month-to-month tenant (you choose not to sign a new lease) then in the future you can give the landlord notice that you are leaving, and will not have to deal with lease breaking complications and costs.

As a tenant you must give 60 days written notice to end your tenancy. This applies to a month-to-month tenancy, and also if you decide to leave at the end of the lease.

If you are faced with the decision to sign another lease and need more information, call us or visit our website. There are also useful resources on the Landlord and Tenant Board website at www.LTB.gov.on.ca.

Gina Cockburn, Clinic Lawyer

WSIB proposed policy changes — Bad for workers

The Workplace Safety and Insurance Board (WSIB) is trying to put in place new policies that will have negative impacts on workers injured at work.

If these policies are put in place, injured workers will have a harder time getting a claim for WSIB benefits approved. As a result, injured workers may have to apply for other forms of social



assistance, such as Ontario Disability Support Program (ODSP) or Ontario Works (OW).

This would lead to an increase in poverty for injured workers. Injured workers deserve WSIB benefits.

In order to fight back against these policies, the Ontario Network of Injured Workers Groups has put together a petition to the Ontario Premier asking her to stop these policies.

The petition can be found at: www.change.org/en-CA/petitions/premier-kathleen-wynne-scrap-the-new-wsib-policies-that-will-increase-injured-worker-poverty#.

Please sign the petition to ensure that injured workers continue to be compensated by the system set up to support them.

Trisha Simpson, Clinic Lawyer

Lost your job? Entitled to pay or notice?

In the last few months hundreds of people locally have lost their jobs. Sears cut over 500 jobs in Belleville. Future Shop, Best Buy and Bionice have also laid off employees. These employees didn't lose their jobs because they did anything wrong. Instead, they were fired based on their employers' financial decisions.

Employees who lose their jobs, but haven't done anything wrong, have a legal right to get notice they are going to lose their jobs. If their employers don't give them that notice, their employers have to pay them the money they would have earned during the notice period. For example, if an employee had a right to 1 week's notice but didn't get it, the employer has to give the employee 1 week's pay.

The *Employment Standards Act* (ESA) says that employees have a right to notice that they are going to lose their job if:

- They are not losing their jobs for doing something they knew was wrong; and
- They have worked for the employer for 3 months or more.

The ESA only states the **minimum** notice an employee should receive when he or she is going to lose a job. Usually employees have a right to more notice than the amount listed in the ESA. The only way to figure out the full amount of notice an employee has a legal right to receive is to look at past court decisions.

If employers don't pay employees the full amount of notice they should receive, the employers have to give the employee money called "common law pay in lieu of notice."

Employees who have worked for the same employer for 5 years or more also have a right under the ESA to severance pay if:

- The employees are part of a group of 50 or more employees losing their jobs within 6 months; or
- The employees work for a large employer that pays more than \$2.5 million in wages in Ontario in a year.

Figuring out how much pay or notice you should receive if you are losing your job can be complicated.

If you are losing your job, remember:

- You don't have to sign anything to receive the termination pay or severance pay the ESA says you should receive.
- You can find out the minimum notice or termination pay you should receive by calling the Ministry of Labour toll-free at 1-800-531-5551.

The Ministry of Labour can also tell you if you have a right to severance pay.

- You usually have a right to be paid more than the ESA says you should receive.
- You should be given time to talk to a lawyer before signing an agreement or a "release" for a payment. If your employer doesn't offer you time to talk to a lawyer, ask for it.

Call us to talk to a lawyer to find out the full amount you should be paid when losing your job.

Chris Davidson, Clinic Lawyer

"Overcoming poverty is not a task of charity, it is an act of justice. Like Slavery and Apartheid, poverty is not natural. It is man-made and it can be overcome and eradicated by the actions of human beings."

- Nelson Mandela



CALC's Advice Clinic at the Courthouse

For the next 6 months, CALC will be piloting a monthly advice clinic at the Quinte Consolidated Courthouse (5th floor), from 1:30-3:30 p.m. We will be there on May 27, June 24, July 15, August 12, September 30 and October 28.

WHAT'S NEW AT THE CLINIC

Child support rule must change

CALC signed an open letter to the provincial government, endorsed by 40 community organizations and Campaign 2000, calling on the government to immediately implement recommendations made by the Commission for the Review of Social Assistance to help families make ends meet. The recommendations were:



- 1) End dollar-for-dollar deductions of child support payments from single parents' income benefits and instead treat those payments in the same way as income earned from employment; and

- 2) Give single parents receiving social assistance the right to choose whether to pursue child support.

Under the current system, child support provides no benefits to children of single parents who receive social assistance because that child support is deducted dollar-for-dollar and, therefore, cannot improve the child's standard of living.

Children on social assistance are denied access to monetary support solely because their parents' source of income is social assistance. We are calling on the government to do the right thing by recognizing the best interests of Ontario's

children and contributing to their improved health and wellbeing. We urge the government to immediately implement the Commission's recommendations. Access to child support is the right of all children and reducing the poverty of children in Ontario must be a government priority. Children and families receiving social assistance should no longer be subject to counterproductive and punitive rules.

To view the entire letter please visit our website at: www.communitylegalcentre.ca/news/SA_news.htm.

Deirdre McDade, Acting Executive Director and Clinic Lawyer

Community Development Council moving in May

The new location of CDC Quinte (home of the Good Food and Good Baby Boxes) is 65 Station Street, Belleville. Programs, hours and telephone number will stay the same:

Program Hours: 9:30-4:00 Tuesday, Wednesday, Thursday
Office Hours: 9:00-5:00 Monday-Thursday, 9:00-1:00 Friday
Office Phone #: 613-968-2466 **Fax #:** 613-968-2251

Congratulations to CDC Quinte on their 25th Anniversary! CDC has been promoting and participating in grass-roots community development and social planning since 1989.

Our Trenton Office has moved!

Our Trenton satellite office has moved back to the Quinte West Library at 7 Creswell Drive.

We will be there most Fridays, from 9:30-4:00. Please call our main Belleville office for an appointment.

The year in review: Highlights of our work in 2013

If you are interested in reading more about our work last year, we've prepared a full report available at www.communitylegalcentre.ca/about/Board/Annual_Reports.htm or by mail. Just call us for your copy of our **2013 Annual Report**. The report details some of the issues and projects we have been working on, the kind of results we've been able to achieve for our clients, a client's story, and our future directions.

WHAT'S NEW AT THE CLINIC

Are you interested in supporting the work of your legal clinic?

Please join our Board of Directors!

We are looking for community members with:

- a strong background in human resources, accounting/financial planning, law

or

- experience with social justice or poverty reduction

The Board meets the third Wednesday of every month at 4:30 p.m.

Becoming a Board member of a legal clinic is a great opportunity to:

- get to know more about the functioning of the clinic system in Ontario;
- meet people who have strong interests in human rights and a will to take part in efforts to ensure the protection and well-being of the most vulnerable individuals;
- use your skills creatively to help the clinic in its law reform endeavours.

If you would like to know more about the duties or responsibilities of a Board member, please call Lynda Morgan at **613-966-8686 or 1-877-966-8686, ext. 25**

Congratulations on receiving the Ontario Volunteer Services Award!

We congratulate Matt Gemmell, Board Chairperson, and Rick Helman, Treasurer, who both received the Ontario Volunteer Services Award for 5 years of volunteer service.

On the road again!

On March 10 and 11, 2014, our articling students, Liz and Lisa, embarked on an ambitious legal outreach project in our rural catchment areas. Their goal was to increase awareness of our services and the numerous ways we can support people living in rural communities.

Their journey took them to Madoc, Marmora, Tweed, L'Amable, Bancroft and Maynooth. Liz and Lisa

distributed over 70 posters, 175 pamphlets, numerous coasters, business cards and our Family Law guide. Thanks to their efforts, we are now more visible in over 80 places, including community and social service organizations, courthouses, municipal offices, police services, local businesses, libraries, medical centers, postal outlets, grocery stores, food banks, bowling alleys and laundromats!

Throughout their journey, Liz and Lisa had the pleasure of connecting with many community and social service organizations that we refer our clients to. Over and over again people kept expressing their gratitude for the work we do in their communities.

If you would like to receive our pamphlets or would like a presentation about our services, please call us.

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Donations are greatly appreciated!

Do you prefer to receive **newsletters by email**? Email us at calc@lao.on.ca.

If you would like to support the clinic by **becoming a member**, please contact Lynda, ext. 25, or visit our website at www.communitylegalcentre.ca/about/Membership.htm to learn more.

Where can I get emergency financial help?

In 2013, the Community Start Up and Maintenance Benefit (CSUMB) was cut. CSUMB was a mandatory benefit that people receiving social assistance could use to help stay in their homes, to find new permanent housing or to cover other emergency housing expenses.

Although the CSUMB has been cut, there are still some programs available to help low-income people keep their housing. These programs are run by municipal governments.

Hastings County has a Housing and Homelessness Fund (HHF) and Prince Edward and Lennox & Addington Counties have a Community Homelessness Prevention Initiative (CHPI). These programs can provide emergency assistance to help

low-income people pay emergency housing expenses, such as rent and heating bills.

To apply to the HHF in Hastings County, call 1-866-414-0300. If you receive social assistance, you can contact your Ontario Works (OW) or Ontario Disability (ODSP) caseworker.

To apply for CHPI in Prince Edward or Lennox & Addington Counties, call 1-866-716-7991. When you apply for benefits, ask for a decision letter. Call us if you are denied.

If you are denied emergency housing assistance, you can also call your local MPP to protest the provincial government cuts to homelessness prevention benefits.

We provide legal services in the following areas of law:

- Tenant Rights
- Ontario Works
- Special Education
- Consumer Law
- Criminal Injuries Compensation
- Employment Law and Human Rights
- Canada Pension Plan — Disability
- Ontario Disability Support Program
- Workplace Safety & Insurance Board

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The information in this newsletter is not legal advice. If you have a legal problem in any of the areas of law mentioned in this newsletter, please call us.