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## Fully consumed: Helping you deal with consumer & debt problems

Did you know that consumer & debt problems have been identified as the #1 legal issue facing Canadians?

These problems include a wide range of issues that you or someone you know may have faced: predatory door-to-door sales companies, persistent collection agencies, payday loans, unknowingly purchasing a faulty vehicle, and much more. Would you know where to turn if you experienced one of these problems? Are you ready to deal with the problem and find the resources you need to cancel a contract, get a collection agency to stop calling, or get your money back for a vehicle that doesn't work properly? **We can help you!**

We want to share what we have learned with you. We now provide more legal advice and help thanks to a special grant from Legal Aid Ontario. We have developed helpful resources, identified best practices, and found reliable internet sites. One key site for consumer help is Steps to Justice at <http://stepstojustice.ca/>.



Research from the Canadian Forum on Civil Justice shows that when Canadians first deal with their consumer & debt issue, 23.5% turn to a friend or family for help, 21% search the internet, and **only 4.7% get legal advice** (Ab Currie (2016), "Nudging the Paradigm Shift, Everyday Legal Problems in Canada").

It is important to address consumer & debt problems early because they could trigger other legal problems if

problems that could threaten your health and well-being. For example, imagine that you sign a door-to-door sales contract but are told that it will not cost you anything because it is a special promotion deal. Suddenly you get unexpected bills from the sales company. If you pay the bills you will not be able to afford to pay your monthly rent. This means you could face an eviction. Or you decide not to pay the bills and your debt with the company is sent to a collection agency. You then may have to deal with harassment from the agency, and they ultimately may try to sue you for unpaid bills. In this scenario, one consumer transaction gone wrong has resulted in various legal headaches! We want to ensure you are equipped to deal with the initial problem so it does not spiral out of control.

Please join us on November 23 at our special workshop. Become an informed consumer and learn how you might be able to resolve consumer & debt problems. This **free** workshop will also be of special interest to people who help others with their problems. It is open to everyone!

### SPECIAL WORKSHOP November 23:

#### Fully Consumed

You are invited to our special workshop on how to deal with consumer & debt problems. This highly interactive workshop is designed with everyone in mind: people with problems, students, librarians and community agency staff.

See page 4 for details!

they are not dealt with. Here's an example of how one small problem can create a whole host of new

**POSITIVE  
SPACE**



CALC is a place where human rights are respected, where lesbian, gay, bisexual, trans, two spirit, queer people, and their friends and allies, are welcomed and supported.

## Human rights challenge launched over unfair limits on disability benefit

CALC has filed a human rights challenge regarding the amount of Ontario Disability (ODSP) benefits our client receives because he is residing in an assisted living facility. Our client receives a reduced amount of benefits because he is considered a “boarder.”

We are arguing that he is being economically disadvantaged by getting less money than he would get if his disabilities allowed him to live independently. We believe that when a person’s disabilities require them to live in a

retirement home so that they can receive meals and supportive living services, it is discriminatory for the government to reduce the amount of benefits they receive.

We believe it is unfair for the Ministry of Community and Social Services to reduce the benefits of people with significant disabilities that prevent them from living on their own. People who live on their own can receive up to \$1,128 per month from ODSP. However, disabled people who reside in a retirement home or

assisted living facility only receive the boarder rate of \$863 per month.

The Income Security Advocacy Centre is assisting us with this case. We expect this case to be heard in April 2018. If you live in an assisted living facility and are receiving the reduced boarder rate from ODSP, and are interested in challenging this, please call us.

*Deirdre McDade, Co-Director Legal Services*

## Significant increases to asset limits and gift exemptions for people who need provincial income support

On September 1, 2017, there were significant increases to Ontario Works (OW) and Ontario Disability Support Program (ODSP) limits for assets and the income rules for gifts and compensation payments.

Assets are things that you own. OW and ODSP have rules about how much you can own and still get social assistance.

**The OW asset limit for one person is now \$10,000.** This is four times as high as the previous limit of \$2,500. This means a single person can have up to \$10,000 in their bank account and still get OW. **The limit for a couple is now \$15,000.**

**The ODSP asset limit for one person is now \$40,000.** This is eight times as high as the previous limit. **The limit for a couple is now \$50,000.**

The amount that people can receive as a gift in any 12-month period, without reducing their benefits as income, went up as well, from \$6,000 to \$10,000.



Gifts to purchase an exempt motor vehicle, a home, or to pay the first and last month’s rent to secure housing will not reduce your benefits.

Some kinds of compensation (such as pain and suffering awards) up to a certain amount are also allowed. For people receiving OW the cap is now \$50,000 – double the previous amount. For people on ODSP the previous cap of \$100,000 has been removed entirely. This means if you get money for pain and suffering from the Criminal Injuries Compensation Board or because

of a motor vehicle accident, it is less likely to affect your social assistance income.

We have asked for the changes for a long time and these changes will increase income security for people receiving social assistance.

People will no longer be forced to get rid of all their assets so they qualify for social assistance. These changes for gifts will make it easier for people to help family members who receive social assistance.

If you need advice about how the OW or ODSP rules work, please contact us.

*Nick Hill, Articling Student*

## Improving employment rights: Bill 148 creates positive change

You have likely heard that the Ontario government has announced an increase to the minimum wage – rising to \$11.60 in October 2017, \$14 per hour in January 2018 and \$15 per hour in January 2019. These increases may be the highlight of the changes proposed to the *Employment Standards Act*, however there is even more positive change in store for vulnerable workers.

The government of Ontario appointed special advisors to review the labour and employment laws. The *Changing Workplaces Review Final Report* issued in May 2017 can be found at: <https://www.ontario.ca/document/changing-workplaces-review-final-report>. The report states:

**Our recommendations are aimed at creating better workplaces in Ontario, where there are decent working conditions and widespread compliance with the law.**

The government has taken action on many of the report’s recommendations, with the increase to minimum wage being a key element. Proposed changes have been discussed across the province.

In July, CALC staff made a submission in Kingston to the Standing Committee on Finance and Economic Affairs about Bill 148, called the *Fair Workplaces Better Jobs Act 2017*.

We supported the recommendations for:

- Fairer wages
- Paying for shifts cancelled within 48 hours of start time
- Extending personal emergency leave to 10 days for all employees, including two days paid leave
- Medical notes cannot be required for personal emergency leave
- Workers doing substantially the same work should have the same rate of pay as full time workers, regardless of whether they are part-time, seasonal, temporary, or casual
- Improving protection for temporary help agency workers

We also thought that the law could be improved by:

- Requiring employers to give employees at least two weeks advance notice of work schedules
- Increasing paid personal emergency leave days to seven
- Capping the percentage of the employer’s workforce that can be temporary agency workers

Proposed changes to the *Labour Relations Act* may make it easier for some workers to unionize.

We credit the Worker’s Action Centre for their tireless work to get these changes made. They lobbied for years for “\$15 and Fairness.” You can read more about their work and get further information about the changes at:



[www.workersactioncentre.org/](http://www.workersactioncentre.org/) and on their Facebook page at <https://www.facebook.com/workersactioncentre/>.

The nature of work has changed for many workers, with more workers holding temporary, contract or part-time positions. These changes are needed to keep up with the changing face of work, workers and workplaces.

Let the government and your local Member of Provincial Parliament know you support positive change to workplace laws by calling, emailing or writing a letter. Support Bill 148!

*Gina Cockburn, Co-Director Legal Services*

### CALC now offering notarial and commissioning service

CALC is pleased to offer notarizing and commissioning of documents to the general public. Anyone needing an affidavit sworn or a document notarized can have it done by clinic staff for a suggested donation of \$50 for notarizing and \$30 for commissioning. Please note, if you qualify financially for clinic services, your documents will be commissioned or notarized for free.



SPECIAL  
EVENT

## Please Join Us!

Thursday, November 23, 2017  
11:00 am - 1:00 pm

### “Fully Consumed” Workshop: Learn about your Consumer Rights!

Collection agencies calling?  
Signed a contract at your door without understanding it?

Learn about buyer's rights, common debt issues and how you can tackle these problems at our fall workshop, “Fully Consumed.”

We welcome all individuals, service providers, organization members, and anyone interested in the #1 legal problem faced by Canadians: consumer & debt.

**Participate in our interesting and interactive activities for a chance to WIN a tablet!**

**BYOD - BRING YOUR OWN DEVICE (smartphone, tablet or laptop)** - or borrow one of ours - and join us in navigating through common consumer complaints and problems.

A light lunch will be provided.

The forum will be from 11:00 am – 1:00 pm

The Clinic's Annual General Meeting (see page 7) will follow the forum at 1:15 pm

***This event is FREE of charge.***



Please RSVP at <https://fully-consumed.eventbrite.ca> or call Lynda at 613-966-8686, x 25 or toll-free 1-877-966-8686, ext 25, or TTY 1-877-966-8714 or email [morganl@lao.on.ca](mailto:morganl@lao.on.ca).

**Please advise by November 16 if you require ASL interpretation or FM devices.**

**Location: Travelodge (2nd Floor, Ballroom), 11 Bay Bridge Road, Belleville**

## Is your landlord moving in? Changes to landlord’s own use evictions

Your landlord can ask you to move out if s/he intends to move in, or have their spouse, child, parent, or a caregiver move into your unit.

As of September 1, 2017, the Residential Tenancies Act (RTA) improved to protect you when a landlord serves you with a notice to end the tenancy for the landlord’s own use.

The new rules now require your landlord to pay you compensation equivalent to one month’s rent prior to moving out, or offer you another acceptable place to live. The family member moving in must stay in the unit for at least 12 months.

It is now clear that landlords who are corporations rather than “real” people cannot evict you for the landlord’s own use.

Your landlord still needs to provide you with at least 60 days notice to move out on the *Notice to End your Tenancy Because the Landlord, a Purchaser, or a Family Member Requires the Rental Unit* form (N12). If you have a lease, the landlord cannot ask you to move before the lease is up.

You do not have to move out, but the landlord can apply to the Landlord & Tenant Board (LTB) for an Order to evict you. You have a right to attend the hearing and argue against the eviction or ask for additional time to move.

If you receive an N12 you can move out on as little as 10 days written notice. If your landlord, or the stated family member, does

not move in, you can bring an application against your landlord for giving a notice in bad faith. You may be able to claim damages for the difference between rents if the new rent is higher, as well as storage, and moving-related expenses.

CALC offers information, advice, and represents tenants living on a low income in Hastings, Prince Edward & Lennox & Addington counties. Tenants can get help from Tenant Duty Counsel at all hearings held by the Landlord & Tenant Board in Belleville. Contact us early at the clinic for help.

*Samantha Hayward, Clinic Lawyer*



## CALC is getting a new, improved website: Launch early 2018!

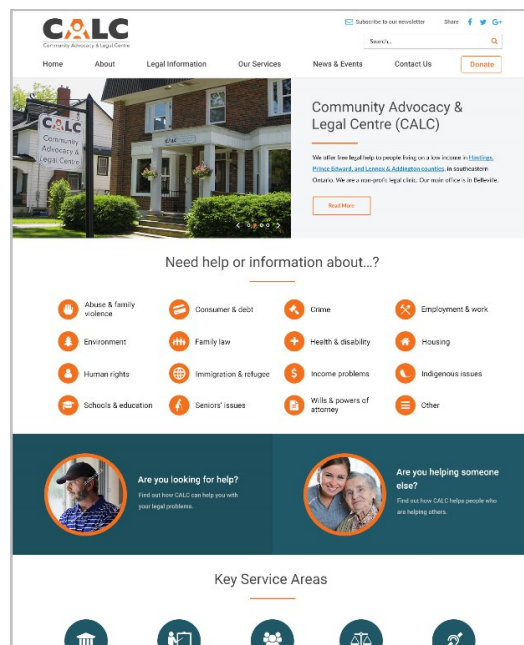
For many months, CALC staff have been hard at work completely redesigning the clinic’s website and updating content.

Our new site has many special features. It will be launched early in 2018. We hope that it will become your “go-to place” for “**legal health**” awareness. We want you to quickly find reliable legal information to help avoid common problems for you or the people you help.

We are co-designing it with our sister legal clinic Community Legal Education Ontario (CLEO). CLEO specializes in creating legal information resources that are in plain language and easy to use.

Would you like to volunteer to preview CALC’s new website? We are looking for volunteers to give feedback before the website goes live. Contact [calc@lao.on.ca](mailto:calc@lao.on.ca) to volunteer.

*Michele Leering, Executive Director/Lawyer*



## Spotlight on improving services to First Nations, Métis and Inuit peoples

June was National Aboriginal Awareness Month. To celebrate, we want to highlight that we are proud to serve the Mohawk Nation on the Tyendinaga Mohawk Territory, the Kijicho Manito Madaouskarini Algonquin Nation, and the off-reserve First Nations, Métis and Inuit residents of Hastings, Prince Edward and Lennox & Addington Counties.

We want to take this opportunity to recognise that we live and work on traditional Mohawk and Chippewa territory. We recognize the continuing presence of Indigenous Peoples on this land.

In the work that we do, we are guided by the words of Senator Murray Sinclair, who said that reconciliation is “not an Aboriginal problem, it is a Canadian problem. It involves all of us.” We are committed to implementing the Truth and Reconciliation Commissions’ 94 Calls to Action, as well as adopting the United Nations Declaration on the Rights

of Indigenous Peoples as our legal framework for reconciliation. This means, for us, that we will continue to work to expand our services in a culturally competent way. We will commit to learn

Peoples, based on an ethic of transparency and consultation.

This summer we were fortunate to receive a grant from Kagita Mikam and St. Lawrence College which

allowed us to hire a summer student to help with outreach to the First Nations, Métis and Inuit communities in our area. This outreach included closing our office on June 21, 2017, to honour the First Peoples of Canada, with our staff participating in cultural events. We also attended the Mohawk Powwow and Fair and held meetings with community service providers.

Niawen’kó:wa to the Mohawk Nation for

helping us to learn about the land that we live on and our shared history, and to Amber Brant, our summer student, for helping us out this summer!

*Brianna Robinson, Community Developer/Clinic Lawyer*



CALC staff on National Aboriginal Day  
Photo by Michael Wihse Green of Green Touch Photography

about the injustice of land theft and cultural genocide. We will remember the history and ongoing legacy of residential schools and systemic racism, and the impacts that they have on our clients. We will continue to work on developing deeper meaningful relationships with Indigenous

### CALC now holding advice clinics on Tyendinaga Mohawk Territory

We are now holding advice clinics on the Tyendinaga Mohawk Territory, hosted by the Tontakaiêrine Tyendinaga Justice Circle and FNTI. Come out between 1:00 pm and 5:00 pm on **Wednesday October 25, 2017**, at FNTI (3 Old York Road, Tyendinaga) for free legal advice in our practice areas. Please contact us if you want to know about our future advice clinic dates.

## Tell the Prime Minister to make affordable housing a human right

Advocacy Centre for Tenants Ontario (ACTO) has launched its new website at [www.acto.ca/](http://www.acto.ca/) and with it their campaign to make housing a human right in law.

Will you take a moment to check out the campaign and take action? Follow this link: <https://www.acto.ca/campaign/right-to-housing/>.



<http://stepstojustice.ca/>

Steps to Justice feeds will also be embedded into our new website!

## In memory of...

Sadly, we say goodbye to past board member, Marguerite Constable, who passed away on August 29, 2017.

Marguerite served on the Board for four years and shared CALC's vision. Marguerite was a great asset in ensuring the Deaf community was aware of our services and keeping us apprised of various community concerns around services for the Deaf.

She will be missed by many.

### Interested in learning about how law is used to protect our environment?

Our sister clinic, the Canadian Environmental Law Association, publishes a periodic e-bulletin. If you would like to receive it, sign up at [www.cela.ca/signup](http://www.cela.ca/signup). A highlight of the most recent newsletter is the article about the Green Budget Coalitions's release of their Budget 2018 recommendations which outlines recommendations related to climate change and energy sustainability, among others.

## Our Annual General Meeting



All are welcome to attend the clinic's Annual General Meeting on Thursday, November 23.

It is being held in the Ballroom on the 2<sup>nd</sup> Floor at the Travelodge, 11 Bay Bridge Road in Belleville (from 1:15 – 2:00 pm), after our special

workshop, "Fully Consumed." (see page 4).

If you think you might be interested in becoming a Board member and want more information, please go to [www.communitylegalcentre.ca/about/Board.htm](http://www.communitylegalcentre.ca/about/Board.htm), or call Lynda Morgan at ext. 25. If you are Deaf, you can contact us by TTY (1-877-

966-8714) or email Lynda at [morganl@lao.on.ca](mailto:morganl@lao.on.ca). We will need your membership and nomination form by November 1.

If you need an ASL interpreter or FM device, please contact Lynda Morgan at et. 25 (or via TTY/email as noted above) by November 16.

### New location for our Napanee office



We are happy to announce that we are now meeting clients in Lennox & Addington at a new location in Napanee. We will be sharing space at the Community Health Centre (located at 26 Dundas Street West) most Fridays.

For a map and directions, see our website's "[Contact Us](#)" tab. Please call our main office in Belleville to book an appointment.

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[www.communitylegalcentre.ca](http://www.communitylegalcentre.ca)

 <http://twitter.com/calctweets>

 <http://www.facebook.com/CommunityLegalCentre>

 Do you prefer to receive our newsletters by email?  
Email us at [calc@lao.on.ca](mailto:calc@lao.on.ca).



### Public Legal Education Sessions Available

If you would like a presentation to your group or organization on a specific legal topic, please call us!

**CALC**  
Community Advocacy & Legal Centre

## Your community legal clinic

The Community Advocacy & Legal Centre is a non-profit community legal clinic, funded by Legal Aid Ontario, and a registered charity. We provide free legal services to low-income residents of Hastings, Prince Edward and southern Lennox & Addington counties and Tyendinaga Mohawk Territory.

### We provide legal services in the areas of:

Housing	Income Security
Rights at Work	Consumer Problems
Human Rights, Education	Compensation for Crime Victims

**Are you a Service Provider?** If your client has a problem, call us any time regarding the above issues. In most cases you will be able to speak to one of our legal workers right away to answer your questions.

## Show your support for our work and become a clinic member!



If you would like to support us by becoming a member, please contact Lynda, ext. 25, or visit our website at [www.communitylegalcentre.ca/about/Membership.htm](http://www.communitylegalcentre.ca/about/Membership.htm) to learn more and download a membership form. Memberships are free if you are living on a low income.

## Legal Health Check—Call us for help!

### Consumer & Debt

I defaulted on my student loan

The bank froze my account

Collections agencies keep calling me

I can't afford my car payments



The bank won't cash my government cheque

I signed something with a salesman at my door

[www.communitylegalcentre.ca/legal\\_information/Legal-Health-Checklist.htm](http://www.communitylegalcentre.ca/legal_information/Legal-Health-Checklist.htm)



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Donations are greatly appreciated!

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 contact the community legal clinic in your area. Go to [www.legalaid.on.ca](http://www.legalaid.on.ca) to find a clinic serving you.