



# DCLC NEWSLETTER

Durham Community Legal Clinic  
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## DCLC

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### **Affidavits**

The Durham Community Legal Clinic has two Commissioner for Taking Oaths on staff. Commissioning is done on a walk-in basis on Monday, Wednesday and Fridays between 8:30 am and 12:00 noon and Tuesdays and Thursdays between 1:00 and 4:00pm

Call our office if you have a document that needs to be sworn in front of a commissioner. Such documents include: Adult Name Change, Affidavits for OSAP, Statutory Declarations for Lost Passports, Affidavits for Service, Statutory Declarations for travel, etc.

Notarizing is also available by appointment only.

### **Our Move**

The Durham Community Legal Clinic is excited to announce that we have moved to our new location!

Our new office is located at 111 Simcoe Street North on the Main Floor through the back entrance. Legal Aid Ontario has relocated to the same building on the second floor.

### **Changes to Social Assistance**

The Ontario Government has announced some positive changes to certain aspects of Social Assistance. These changes took place as of September and October 2013.

Effective October 2013, maximum monthly Ontario Works rates increased by 1%. This included the following:

- \* adult basic needs allowance for renters and owners
- \* maximum shelter allowance for renters and owners
- \* board and lodging rates
- \* Northern Allowance for recipients living north of the 50th parallel without year round road access
- \* Amounts for persons in nursing homes and interval and transition homes for abused women
- \* Temporary care assistance
- \* Guide Dog benefit

(Note: Single persons with no children did not see an increase in their maximum shelter allowance.)

Another positive change which became effective September 1, 2013 was that Ontario Works asset levels changed.

A single person can now have up to \$2500 in personal assets (ie. Bank savings) and couples can have up to \$5000.

Furthermore, a primary motor vehicle is now fully exempt and will not effect your benefits.



The Durham Community Legal Clinic will be holding a Housing Forum on September 19. More details will follow as they are available.

**Disclaimer:** This newsletter provides general legal information for the benefit of our readers. Although we strive to ensure the accuracy of the information as of the date of printing, laws may change, and/or the application of these laws may vary in individual circumstances. For assurance that our information, and your interpretation of it, is appropriate to your particular situation, please obtain legal advice.



### Services Offered at the Clinic

Legal advice is provided to low income Durham Region residents in the following areas:

**Disability Issues (ODSP, CPP-D)  
Income Maintenance (OW)  
Workplace Safety and Insurance Board  
Tenant Issues  
Wills and Powers of Attorney  
Criminal Injuries Compensation  
Ontario Human Rights  
Employment Insurance Appeals  
Employment Standards  
Debtor/Creditor Issues  
Immigration**

OTHER SERVICES INCLUDE:

**Commissioning and Notarizing of Documents  
Seminars  
Pamphlets  
Self-Help Kits  
Referrals**

Contact the Durham Community Legal Clinic if you have any questions or require advice in any of the above areas.

### Did you know?

- \* The Durham Community Legal Clinic provides the community with the preparation of **Wills and Powers of Attorney** as long as they financially qualify for our services.
- \* The Durham Community Legal Clinic gives summary advice on **Immigration** matters by appointment only on Monday mornings.
- \* The Durham Community Legal Clinic has commenced assistance with Small Claims Court matters by giving summary advice and assistance with the completion of forms.

If you require assistance with one of the above matters, please call the Durham Community Legal Clinic at 905-728-7321.

### When Can A Landlord Enter

The *Residential Tenancies Act, 2007* sets out rules for entry into your unit that a landlord must follow. A landlord is required to provide a tenant with 24 hour written notice of entry. The notice must include the date they intend to enter, the reason for entry, and a time of entry between 8am and 8pm. The notice should provide as many details as possible about the reason for entry, and the landlord should give a reasonable window for entry.

There are certain circumstances where a landlord is not required to provide the tenant with notice. If there is an emergency, such as a flood or a fire, the landlord is not obligated to provide notice. If either party has given the other party notice to terminate the tenancy, the landlord is allowed to show prospective tenants the unit without giving 24 hour written notice. In this circumstance the landlord must make reasonable efforts to inform the tenant of their intention to enter.

If a tenant is served with a Notice of entry by the landlord that complies with the Act and they do not allow the landlord to enter, the landlord can serve them with an eviction notice for interfering with their lawful interest, right or privilege. If you have questions about entry notices, call the clinic at 905-728-7321.

Section 26&27 of the RTA, and Guideline 19 provide detailed information about entry with and without notice and also information about the contents of the notice.

### The New Social Security Tribunal

On April 1, 2013, the new Social Security Tribunal (SST) began to hear appeals about denial of benefits from Canada Pension Plan (CPP), Employment Insurance (EI), and Old Age Security (OAS). If you have been denied CPP or EI, the Durham Community Legal Clinic may be able to help you at the new Tribunal if you financially qualify for our services.



## **Are you a Construction Worker or Thinking About Hiring a Construction Worker?**

Bill 119 came into effect January 1, 2013 mandating that almost all construction workers must have Workplace Safety and Insurance Board (WSIB) Coverage. ***This law began being enforced January 1, 2014***

### **CONSTRUCTION WORKERS**

You are required to register with WSIB then make all required payments to receive a Clearance Number. You must continue to make necessary payments in order for your Clearance Number to remain valid.

#### **Q. What is a Clearance Number?**

A. A Clearance number is proof that the construction worker/ company has WSIB coverage and that their account is in good standing.

#### **Q. What happens if I don't have a valid Clearance Number?**

A. If you work without a valid Clearance Number, you could be fined up to \$100,000.00 upon conviction.

### **THOSE HIRING CONSTRUCTION WORKERS**

You need to ask for their Clearance Number.

#### **Q. How do I know if a Clearance Number is valid?**

A. You can search the Clearance Number on the WSIB site listed below.

#### **Q. What happens if the person I want to hire does not have a valid Clearance Number?**

A. If you hire someone without a valid Clearance Number, you also face fines and penalties.

### **ARE THERE ANY EXEMPTIONS?**

If you are hired or hire someone to do work on a private residence or a private cottage, the work is exempt: **however**, you need to be very **careful** as certain factors may **disqualify** the work from being exempted.

#### **Q. I run a business out of my home and want to hire someone to renovate my home office and kitchen at the same time. Do I need a Clearance Number?**

A. Yes! A Clearance Number is needed because of the work you are doing on your home office.

#### **Q. I am planning on selling my home and want to renovate it before it goes on the market. Do I need a Clearance number?**

A. It depends:

- if you are living in the house, then the work is exempt
- if you are renting the house, then A CLEARANCE NUMBER IS NEEDED!
- if the house is vacant, THEN A CLEARANCE NUMBER IS NEEDED!

**If you have any questions about your particular situation, please contact the Durham Community Legal Clinic at 905-728-7321 or 1-888-297-2202.**

Full details can also be found at [www.wsib.on.ca](http://www.wsib.on.ca).



## Legal Presentations and Educational forums

Staff of the Durham Community Legal Clinic are available to provide free legal presentations and educational talks to agencies or forums presented by agencies of Durham Region in the areas of law we practice.

Please contact the Clinic at 905-728-7321 for any requests you have for a speaker at your agency and/or forum.

### OUR STAFF

**Deborah Hastings**, *Executive Director*

**Jeannine Spurrell**, *Office Manager*

**Cathy Duignan**, *Community Legal Worker*

**Stefanie Famme**, *Community Legal Worker*

**Emily Robb**, *Tenant Legal Advisor*

**Belinda Nguyen**, *Paralegal*

**Lisa Petit**, *Support Staff*

**Colleen Twyman**, *Support Staff*

**Nicholas Whelan**, *Articling Student*

## Human Rights

The Human Rights Tribunal of Ontario recently made a ground-breaking decision involving an intellectually disabled woman who was paid a mere \$1.25/hour as a labourer at a packaging company for almost 10 years. The tribunal awarded Ms. Terri-Lynn Garrie \$142,124 in lost wages, \$19,613 in lost income for discriminatory termination, and \$25,000 in compensation for injury to her dignity, feelings and self-respect.

In light of this ruling, the Durham Community Legal Clinic is calling on Durham residents who have knowledge of discriminatory practices within the workplace to come forward and speak out against Human Rights Code violations. Our team of legal workers would be pleased to assist individuals who feel they have been discriminated against in filing an application with the Human Rights Tribunal of Ontario.

## Board of Directors

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*Durham College*

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**Eleanor Hastie**

*Traditions of Durham Retirement Residence*

**Dalton Burger**

*Durham College*

**Elizabeth Persaud**

*Brain injury Association of Durham*

## WSIB—Intent to Object

Did you receive a WSIB decision that you disagree with? We can help! No appointment is necessary. Just walk-in between 8:30 am – 11:30 am or 1:00 pm – 4:00 pm and bring the decision letter that you disagree with and photo ID. We will file an “**Intent to Object**” on your behalf. You *do not* have to income qualify and you *can* be a member of a union. If you have any questions before coming in, please call us at 905-728-7321 or 1-888-297-2202.

## Free Brochures and Self Help Kits Available

We offer a wide selection of helpful brochures that cover many areas of law. All brochures are free to the public. Our brochures range in topics including Social Assistance, Landlord and Tenant, Family Law, Employment Law, Youth Justice and many more!

We also have several self-help kits and forms for several areas of law and free seminars to agencies on different topics to help educate individuals about various areas of law.

The Clinic staff is available to provide free presentations and legal talks on the types of law and services offered at the Clinic.

Contact the Legal Clinic for more information at 905-728-7321 or come in and see us at 111 Simcoe Street North, Oshawa, Ontario, L1G 4S4.