



The **Durham Community Legal Clinic** provides legal services to residents of Durham Region.

Areas of law include:

- Landlord and Tenant (Tenants only)
- Social Assistance
- Provincial Offences
- Immigration
- Power of Attorney
- Human Rights

We provide telephone, walk-in, and appointment advice Mondays to Thursday. We offer pamphlets in other languages, including Turkish, Farsi, Urdu, and French.

Special projects are ongoing, including YWF (Your Way Forward) and SHIW (Sexual Harassment in Workplace).

We are located at:

Midtown Centre
200 John Street West
Unit B1
Oshawa, Ontario L1J 2B4
905-728-7321

durhamcommunitylegalclinic.ca

DCLC is Turning 40!



A Retrospective from a 35 Year Employee

The Durham Community Legal Clinic started in 1985 with a tenant's hotline run by volunteers and members of the Social Development Council of Durham (which is now called Community Development Council of Durham (CDCD)). We were located in downtown Oshawa, on the 2nd floor of the current PHI Centre Building (across from the Ministry of Finance). A successful Application for Funding was made to Ontario Legal Aid Plan (now called Legal Aid Ontario) and DCLC was born.

I began my career as front desk support staff. At the time of my introduction to the Clinic, there were approximately 48 legal clinics in Ontario. Everything was done on paper. The Clinic serviced those who qualified financially in three areas of law: tenant rights, social assistance and workers' compensation. We had 5 employees - one Executive Director, one Staff Lawyer, two Community Legal Workers and one Secretary. A board member volunteered to do our accounting.

Over time, demand for our services grew. We expanded into new areas of law, and moved into a larger office. The Clinic introduced satellite locations and increased our staffing compliment. We also became an active part of a larger community of social service partnerships; working closely with other service providers to enhance client experiences in meeting their economic, social, health and legal needs.

I've been part of the Durham Community Legal Clinic family since 1990 and have experienced many changes and much growth. It has been a gratifying, fulfilling, educational and extremely rewarding journey. I have assisted many people over the years, through phone calls, walk-ins and legal representation. In all my interactions with my colleagues, our clients and community partners, I have found that caring and compassion are common among us all.

DCLC Q2 STATS (2025)

- TOTAL SERVICE REQUESTS = 3,818
- HOUSING = 54%
- SOCIAL BENEFITS = 15%
- REFERRALS = 21%
- OTHER = 10%

DCLC Offers Provincial Offences Services

Durham Community Legal Clinic (DCLC) is excited to announce it will now be providing legal services in the area of Provincial Offences.

This area of law includes a wide range of matters, particularly offences under the Highway Traffic Act and the Compulsory Automobile Insurance Act. Common tickets and charges under these Acts may include:

- Driving while suspended
- Careless driving
- Speeding
- Driving without insurance
- Failing to obey signs
- Failing to remain at the scene
- Failing to stop
- Driving while using a hand-held device

These offences can carry serious penalties, including significant fines, demerit points, and even licence suspension. At DCLC, our goal is to educate individuals about their legal options and to assist in reducing or dismissing charges where possible.

Who We Help

DCLC offers services to individuals charged under Part I or Part III of the Provincial Offences Act, which covers most common traffic and insurance-related offences.

Our legal support may include:

- Summary legal advice
- Requesting and reviewing disclosure
- Booking Crown Pre-Trials

For those who meet our financial eligibility criteria, we also offer free legal representation in Provincial Offences Court.

New Pilot Project with Durham Region

We are pleased to share that, as of August 12, 2025, DCLC has collaborated with Durham Region to launch a pilot project offering free summary legal advice in Provincial Offences Court.

- Every Tuesday, from August 2025 to July 2026
- At the Regional Head Quarters Provincial Offences Court – available to both in-person and Zoom appearances

Through this initiative, DCLC is proud to be one of only two legal clinics in Ontario currently providing services in this area.

Immigration Services are Back

DCLC is proud to be offering again immigration services to our community. One area that seems to cause confusion involves the difference between Visas and Permits. Although “Visa” and “Permit” are used interchangeably, they are distinct government documents that perform their own unique function. Some temporary residents do not need a Visa (ex. if they are from a Visa-exempt country) while others do.

What is a Visa?

A “Visa” acts as a ticket by allowing you entry into Canada. If you are from a Visa-exempt country then you do not need this ticket.

However, a Visa does not determine how long you are allowed to stay in Canada. Even if a Visa has a time-limit associated with it (ex. “5-year Visa”), that time limit only refers to the amount of time you have to make your entry into Canada.

There is only one type of Visa available in Canada – the **Temporary Resident Visa**. It applies to all types of temporary residents including visitors, workers, and students.

What is a Permit?

A “Permit” acts as a pass by allowing you to perform certain activities while you are in Canada that would otherwise be prohibited to you, such as studying or working. A Permit also determines how long you are allowed to stay in Canada.

However, a Permit does not allow entry into Canada, only a Visa can do that (unless you are from a Visa-exempt country).

There are three types of official Permits available in Canada:

- Study Permit
- Work Permit
- Temporary Resident Permit

A fourth (unofficial) type of Permit is a “visitor record,” which is the type of Permit you will need if you enter as a visitor.

Common Misconceptions

“My study Permit is valid so I can leave Canada to visit my home country for the holidays.”

Your valid study Permit only gives you permission to continue studying and living in Canada. To re-enter Canada your Visa needs to be valid as well. Even if your study Permit is valid, if your Visa is expired you will be denied entry.

“I have a 10-year Visa so I can live in Canada for 10 years.”

Your 10-year Visa gives you a window of 10 years to enter Canada whenever you want, but it does not mean you can stay for 10 years continuously. Your length of stay will be pre-determined on your Permit, or if you are a visitor then the border agent will stamp an exit date on your passport for you.

Social Assistance Updates

As of July 2025, people receiving ODSP received an inflation-based increase of 2.8% to the following:

- Basic needs and shelter
- Board and lodging
- The amount provided to a couple who are both disabled

What this means is that if you were a single person receiving ODSP, your maximum payment could increase to \$1,408.00 per month from \$1,368.00 for basic needs and shelter.



Landlord/Tenant Issues: AGI Tips & Tricks

Above Guideline Increases (AGI) can be very confusing not only to tenants, but also the legal professionals trying to assist them. AGI only cover units that were first rented out, or converted to a rental unit BEFORE November 15, 2018. Any unit not covered could have their rent raised any amount once per calendar year. The upcoming guideline amount for 2026 is 2.1%; meaning, any landlord wishing to raise it over that amount would need to apply to the LTB with an L5 Application for an AGI.

Taking a closer look, there are three different reasons a Landlord can apply for an AGI.

- Capital Expenditures
- Extraordinary raise in municipal taxes
- Operating costs for security services

The Advocacy Centre for Tenants Ontario (ACTO) has a tip sheet regarding AGIs. <https://www.acto.ca/production/wp-content/uploads/2023/09/Above-Guideline-Increase-Information-Sheet-for-Ontario-September-2023.pdf>.

When attempting to interpret the Order after the case management hearing, it is important to remember that the rent can be raised the approved amount for the “useful life” of the capital expenditures. There is a 4 part test and a schedule of “useful life” found in O.Reg 605/16. For example, if the capital expenditure was replacing the insulation, Table 6 states that the useful life of insulation is 20 years. Therefore, the Landlord would be allowed to raise the rent the approved amount once per year for the next 20 years.

If there was an issue with the landlord, the tenant will be able to file with the LTB, but only if the landlord is not:

- Complying with an AGI
- Completing the proposed repairs
- Providing equipment or a new service

In those situations, the tenant files a T4: Tenant Application-Landlord did not Comply with an Agreement to Increase the Rent Above the Guideline.

The tenant has 2 years from the rent increase to file this application, and can request all or part of the increase to be returned to them citing why.

Canada Disability Benefit

Canada Disability Benefit is a new benefit for those that qualify in the amount of \$200.00 per month. These funds are NOT included as income for ODSP purposes.

The Federal government's Canada Disability Benefit began in June 2025 with payments starting in July 2025. There are many eligibility conditions, including:

- Must have been approved for Disability Tax Credit
- Must have filed income tax return for 2024
- Must be Canadian resident for income tax filing purposes (and other residency requirements)

Go to the Government of Canada website for more information and to see if you qualify for this benefit.