

the Community Legal Fax

Facts & F.A.Q.s

an information newsletter published by Hamilton's Community Legal Clinics

find us online at www.hamiltonlegalclinics.ca

DUNDURN

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Afraid to answer the phone?

Harassment of low income families by Collection Agencies is becoming more common as well as more aggressive.

The phone rings. Anna will not answer it. It may be her ailing mother calling for assistance, it may be her son's school teacher wanting to talk about improved grades, it may be the place where she works part-time asking her to come in for an extra shift. But she doesn't answer, and the phone continues to ring.

This scene is becoming increasingly familiar for many low income individuals and families in Ontario. If you owe money, or even if you don't owe money, but a Collection Agency thinks that you do, you will be in for a very uncomfortable experience. Collection agencies are hired by companies or organizations to which money is owed. It is their job to try to get back the money that is owed – but they must follow certain rules. Collection Agencies must be licensed; they must always tell you who they are and who has hired them. Collection Agencies can phone you and they are allowed to phone people you know in order get your phone number or address,

but they cannot harass you or your friends . They cannot demand that you pay more money than you owe, they cannot charge you for their services and they cannot take you to court unless the person to whom you owe money to has asked for this to be done. Sometimes Collection Agencies will try to step over the line and will become very aggressive – because they don't get their money unless their client is paid. If you have a complaint about a Collection Agency's tactics, you can call the Ministry of Consumer and Business Services at 1-800-268-1142. If you owe money, it is sometimes a good idea to get budget counselling from a local agency. In Hamilton, Family Services can be reached at (905)523-5640 or Catholic Family Services may be able to help by calling (905)527-3823. If you think that a Collection Agency is breaking the law or if they insist that you owe money that you do not, call your local Community Legal Clinic for assistance.



Hamilton's Community Legal Clinics' Annual Meeting

A PREMIERE SHOWING OF TWO EXCELLENT NEW PUBLIC EDUCATION VIDEOS:

Hamilton's Community Legal Clinics along with their partners at the Housing Help Centre and Settlement and Integration Services Organization are excited to announce the completion of an important video project that will help inform and educate tenants in Hamilton and across the province. As part of the Hamilton Tenant Education Project, we developed two videos entitled 'The Search for Housing' and 'Your Rights and Responsibilities as a Tenant'. The videos were produced by MJM Productions of Hamilton and funded by Ontario Trillium Foundation. We'll be showing these two videos for the first time ever at Hamilton's Community Legal Clinics' Annual Meeting. We hope you will be able to join us for this Premiere Event.

You Are Invited...

Thursday, September 26th, at 4:00 p.m.

at the Royal Connaught
Howard Johnson Plaza Hotel
112 King Street East

LA LOI DE 1986 SUR LES SERVICES EN FRANÇAIS

et les projets d'expansion des services d'aide juridique en français



La Loi de 1986 sur les Services en Français garantit au public le droit de recevoir des services en français par le gouvernement provincial et ce, dans 23 régions désignées. Hamilton est l'une de ses 23 régions désignées ou le gouvernement provincial doit offrir des services par ses ministères et organismes gouvernementaux tel

que : l'obtention d'un certificat d'aide juridique, d'un permis de conduire, logement à but non-lucratif etc. La population francophone de Hamilton se chiffre à près de 10,000 résident(e)s.

Cependant, la Loi ne s'applique pas nécessairement aux organismes bénéficiaires de subvention. On pense ici à certains hôpitaux, sociétés d'aide à l'enfance et cliniques juridiques communautaires. Ces organismes peuvent néanmoins demander d'être désignés comme fournisseurs officiels de services en français.

Les gouvernements municipaux tel que Ontario Travail ne sont pas obligés d'offrir des services en français, même dans les régions désignées.

Le Français est reconnu comme l'une des langues officielles du système judiciaire de l'Ontario. Le *code criminel* garantit un procès criminel en français à tout accusé n'importe où en Ontario.

Dans les cours civiles, toute partie peut demander un procès bilingue et la plupart des tribunaux administratifs offrent une audience en français. Un memorandum d'entente sur les services en français prévoit que les municipalités devront offrir des procès en français pour toutes poursuites judiciaires en vertu de la *loi sur les infractions provinciales*.

Aide Juridique Ontario consacrera un million de dollars par année à l'amélioration des prestations de services juridiques en français au sein des bureaux d'aide juridique communautaires. Aide Juridique Ontario prévoit offrir une nouvelle clinique juridique française à Toronto et créer 6 postes juridiques bilingues additionnels à travers la province. De leurs parts, les cliniques juridiques communautaires de Hamilton ont traduit deux brochures en français qui s'institue "*où obtenir de l'aide en matière juridique*" et "*le guide d'aide aux locataires pour trouver un logement à Hamilton*". Les vidéos "*trouver un logement*" et "*vos droits à titre de locataire*" seront disponibles sous peu.

DON'T FORGET TO READ THE FINE PRINT!

Moving into a new rental unit? Make sure you read and understand your Tenancy Agreement (or Lease) before you sign!



Hamilton's community legal clinics are coming across examples of landlords or property management companies attempting to insert unusual clauses into tenancy agreements (commonly known as leases). When you rent a place to live, you make a legal agreement with the landlord. Before you sign the lease though, make sure you understand everything it says. While landlords cannot compel tenants to give up the rights that are outlined in the Tenant Protection Act, sometimes side-agreements or added clauses can restrict tenants in certain situations.

The lease should state that you have agreed to rent a particular place for a period of time at a certain rate. Generally, leases last for a period of one year; after the lease period is up, tenants will become month-to-month tenants if the tenancy agreement is not renewed or terminated. At this point tenants are required to give 60 days notice to the landlord before they vacate the unit. Some landlords have begun inserting clauses for yearly periodic tenancies - saying that the tenancy will automatically renew for another one-year period after the first year is up; instead of becoming month to month. This is allowable under the law, but it could severely limit a tenant's options about when they can give notice to terminate the tenancy. If you have any questions about a tenancy agreement, call your local community legal clinic before you sign.

NOW AVAILABLE! A FREE INFORMATION BROCHURE

A Guide to Help You Find Rental Housing in Hamilton



- ➔ 30 pages of information on how to find affordable rental housing
- ➔ Resource Guide
- ➔ Getting Financial Assistance
- ➔ Determining Housing Needs / including a Search Checklist
- ➔ How to talk to Landlords
- ➔ Your Rights & Responsibilities

Currently available in English, French and Spanish. And coming soon in other languages. To get copies for your organization, visit the Housing Help Centre at 210 Napier Street or call (905)521-2600.