

I owe money...

I am having trouble paying my bills.

Owing money is called being in debt and it can be stressful. This guide gives a general overview of options if you are having trouble keeping up with your bills and payments.

This guide is general legal information for people in Ontario but it is not legal advice. Legal advice is about you and your situation. The way that the law applies to situations where you owe money can be complicated. Once you have read this guide, you should still get legal advice because each situation is different and the law can change. **Getting Legal Help** on page 19 gives information about how to get legal advice.

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Creditors and Debtors

A person or organization that you owe money to is called a “creditor.” You might owe money to a phone company, a friend, a family member, a credit card company, a bank, or other people or organizations.

Someone who owes money is usually called a “debtor.” You become a debtor anytime you owe someone money. For example, you become a debtor when you:

- borrow money from family or friends
- rent an apartment but do not pay your rent on time
- take out a bank loan, payday loan or mortgage
- owe money on a credit card
- sign up for a cell phone plan but do not make your payments on time
- do not pay your cable, hydro or other utility bills on time.

Your agreement with the creditor will usually tell you what and when you are expected to pay, and also what money will be charged to you if you pay late. Some credit agreements may be oral, but most agreements with companies will be in writing. The credit agreement is very important. The agreement should tell you:

- if you have to pay money every month.
- if you have to pay the total amount owing every month or the minimum payment you must make
- the date your payment is due
- if you have to pay interest and how much
- how much money in interest and penalties that you will have to pay if you do not make a payment as set out in the agreement
- other steps your creditor might take if you do not make payments on time, including cutting off services or closing your account.

It is very important that you read the agreement to make sure that it says what you have agreed to, including amounts, dates, etc.

If your agreement is not in writing, you should make notes about what you and your creditor have agreed to, for example: amount, interest, and the time limits.

Keeping records and paperwork

It is very important that you keep copies of paperwork related to your creditors, including:

- leases and other contracts
- receipts for payment
- account statements
- letters that you receive
- letters that you send, etc.

You need to have the records and paperwork in case you and your creditor have a disagreement. You will also need your records to get proper legal advice. It is also a very good idea to make notes about any telephone conversations or meetings that you have with creditors, including:

- date(s) and time(s)
- name of the creditor representative
- a summary of what you discussed.

What happens if I do not pay my bills on time?

If you do not pay your bills on time, a creditor can take action against you to try to get money from you. A creditor can also make a report about you to a credit reporting agency (you can read more about your credit record and credit reporting agencies on page 13).

Most creditors cannot just take money from you.

If your creditor is the government, your landlord, or a bank, the rules may be different.

Owing money to the government

If you owe money to the government, the government may be able to take money like your tax refund and credits, your benefits, etc. If you owe the government money, you should get legal advice right away.

Owing money to a landlord

The *Residential Tenancies Act, 2006* has rules that apply to most rental housing situations in Ontario. If you owe money to a landlord, or if your landlord claims that you owe money, you should get legal advice right away.

Owing money to a bank

If you owe money to a bank and you also have an account with that bank, it is possible that the bank could take money from your bank account for a debt that you owe to the bank. For example: you might have a loan from the bank, or, you might owe money to a credit card that you hold through that bank, which is basically the same as owing money to the bank.

If you owe money to a bank, it is important that you protect your money right away.

You should open a new account at a different bank. Your new account must be at a different bank, not just a different branch of the same bank. When you have your new account, you can withdraw all your money from your old account and deposit the money into your new account. If you get any money by direct deposit, like your pay, your benefits or your tax credits, then you need to redirect those payments to your new account. Then, you can close your old account.

The reason to move your money to another bank is to keep your money safer while you decide what to do. Also, if you owe money to more than one creditor, you may not want the bank to take that money first and not leave any money for your other debts. However, it is important to remember that moving your money does not erase your debt, and you may still have to pay the money back at a later time.

Getting Legal Help on page 19 gives information about how to get legal advice.

What if I want to pay?

You may be able to make an agreement with your creditor to repay all or part of the debt that you creditor says that you owe. Some creditors may agree to settle your debt by accepting payment from you for part of what you owe. If you cannot pay all at once, a creditor may accept your promise that you will pay the amount over a period of time. This “payment plan” will usually require you to promise to make certain payments at certain times, in addition to any new payments you may owe. If you make an agreement or payment plan, ask the creditor to confirm the plan in writing. Even if you pay and solve the problem, the creditor may still report your late payment to a credit reporting agency. You can read more about your credit record and credit reporting agencies on page 13.

What if I do not agree with a creditor?

If you do not agree with what the creditor is saying, you should make it clear to the creditor that you do not agree that you owe the money. You should send a letter to the creditor to explain your position and to ask for proof of the debt. If you have proof that you have paid the debt, you can send a copy of the proof with the letter. You should get legal advice before you write the letter because your letter might give your creditor more time to take action against you. Please see **Is there a time limit for a creditor to sue me?** on page 10. Keep a copy of the letter in case you need it in the future. **Getting Legal Help** on page 19 gives information about how to get legal advice.

Collection calls and letters

When you do not make payments according to your agreement with a creditor, you are considered to be in “default” of the agreement. Your creditor will almost certainly let you know. Some creditors will state that your “account is in default.” Some creditors will add the money you owe to the following month’s bill with additional charges for paying late. At some point, the creditor will likely phone, email or send you a letter to tell you to pay the money that you are behind in paying.

The creditor may refuse to continue the service it provides, for example: credit card, cell phone service, cable service, etc.

You are not automatically forced to pay your creditor simply because you are getting calls, emails or letters.

What is a Collection Agency?

A collection agency is a business that focuses on collecting debts. If you and a creditor are unable to solve the problem, the creditor may hire a collection agency to try to collect the money from you. Or, the creditor may transfer your debt to a collection agency, which means that the collection agency becomes the creditor for your debt.

You are not automatically forced to pay your creditor simply because you are getting calls or letters from a collection agency.

You may decide to pay the amount that you owe. Sometimes a collection agency will accept a “payment plan” or agree to accept less than what you owe. If you make an agreement or payment plan, ask the collection agency to confirm the plan in writing. Again, remember that the creditor may still report the late payment to a credit reporting agency. You can read more about your credit record and credit reporting agencies on page 13.

Collection agencies may contact you frequently to demand that you pay. Collection agencies have to follow certain legal rules about when and how often they contact you. All collection agencies in Ontario are regulated by the Ontario Ministry of Consumer Services. You can get information about the collection agency rules from the Ministry of Consumer Services (the Ministry contact information is on page 17).

What if I disagree with a collection agency?

A collection agency may claim that you owe money but you may not agree that you owe the money. You should make it clear to the collection agency right away that you “dispute” the debt. You can send a registered letter to say that you do not agree and to ask for proof of the debt. If you have proof that you have paid the debt, you can send a copy of the proof.

If you send a registered letter to the collection agency to say that you dispute the debt, the collection agency is required to stop contacting you unless you give them your permission to keep contacting you. If the agency continues to contact you, you can make a complaint to Ministry of Consumer Services (the Ministry contact information is on page 17).

You should get legal advice before you contact the collection agency because you might give your creditor more time to take action against you. Please see **Is there a time limit for a creditor to sue me?** on page 10. **Getting Legal Help** on page 19 gives information about how to get legal advice.

Should I write to a creditor if I am Judgment-Proof?

If you are judgment-proof, you may decide to send a letter to a creditor or collection agency to say that you are judgment-proof. Please see **What does Judgment Proof mean?** on page 12. Your letter saying that you are judgment proof may convince a creditor to stop making collection calls to you and to stop sending you letters, because you have no income or assets to garnish or seize.

If the collection calls and letters are causing you stress or affecting your health, you may wish to mention that in your letter. But, remember that if you admit that you owe money, the time limit for your creditor to sue you may be restarted. Please see **Is there a time limit for a creditor to sue me?** on page 10.

You should get legal advice before you send your letter to the creditor or collection agency. **Getting Legal Help** on page 19 gives information about how to get legal advice.

Can I make a repayment agreement?

You may be able to make an agreement with your creditor to repay all or part of your debt. Please see **What if I want to pay?** on page 4.

What is a Consumer Proposal?

A “consumer proposal” is a formal process under bankruptcy law to propose a repayment plan to your creditors. Creditors often accept less than the full amount of the debt. You hire a person called an “administrator” to help you to propose a repayment plan to all of your creditors. The law allows the administrator to take money for their services. Administrators are usually trustees in bankruptcy or a person appointed by the Office of the Superintendent of Bankruptcy to administer consumer proposals. You can find more information about trustees in bankruptcy on page 9.

What is Bankruptcy?

If you have debts that you are not able to pay back, then you may be able to declare “bankruptcy.” Bankruptcy is a legal process you can go through that eventually cancels your debts. However, some types of debts are not cancelled by bankruptcy. You should get legal advice about your particular situation. **Getting Legal Help** on page 19 gives information about how to get legal advice.

There are advantages and disadvantages to declaring bankruptcy.

The advantage to bankruptcy is that once you have gone through the bankruptcy period, most of your debts are legally cancelled so you will no longer owe the money.

The main disadvantage is that it costs money for you to declare bankruptcy. You will have to hire a “trustee in bankruptcy” to administer your finances for a period of many months. The trustee will generally charge a significant fee. Please see **What if I cannot afford to pay a trustee in bankruptcy?** on page 8.

There are some other disadvantages to declaring bankruptcy:

- If you have income or assets that can be seized, those assets will be transferred to your trustee in bankruptcy. After the trustee fees and the disbursements are paid, the rest of the money may be distributed to your creditors.
- During the bankruptcy period, you have to report all income to your trustee. Any income that you make that is above a cut-off point will go to your creditors.
- Declaring bankruptcy will ruin your credit record (see **What is my credit record?** on page 13). It will take 7 years for the bankruptcy to be cleared from your credit record (if it is your first bankruptcy).
- A second bankruptcy has different rules and even greater disadvantages.

What if I cannot afford to pay a trustee in bankruptcy?

If your income is low, you may be eligible for assistance through the Bankruptcy Assistance Program (BAP) run by the Office of the Superintendent of Bankruptcy Canada. You will have to meet with two trustees on the BAP list. If the trustees recommend you as eligible for BAP, you can get the services of a bankruptcy trustee on the BAP list at a discounted rate. For more about BAP, contact the Ontario office of the Government of Canada Office of the Superintendent of Bankruptcy (contact information is on page 18).

If you are not judgment-proof, then bankruptcy is one way to avoid having your income or assets seized by your creditors. Bankruptcy is a serious decision. You should get advice from a trustee in bankruptcy about how bankruptcy would apply in your situation.

What about bankruptcy if I am Judgment Proof?

If you are judgment-proof and expect to always be judgment-proof, then bankruptcy may not be the best option for you. Please see **What does Judgment-Proof mean?** on page 12. There may not be any advantage to declaring bankruptcy if there is already no way for most creditors to take your money or assets.

What is a Trustee in Bankruptcy?

A trustee in bankruptcy is a person you hire to represent you for your consumer proposal or to administer your bankruptcy. If you are considering bankruptcy, you can talk to a trustee in bankruptcy to find out how bankruptcy would apply to you and your debts. Trustees in bankruptcy are licensed by Government of Canada Office of the Superintendent of Bankruptcy and that Office keeps a list of licensed trustees in bankruptcy (you can find contact information on page 18).

What if I ignore the debt?

If you do not pay your debt, your creditor can sue you in court and then try to garnish your income and seize your assets. Please see **Can a creditor sue me in court?** on page 10 for more information about being sued.

If you are judgment-proof, your creditor may not be able to garnish your wages or seize your assets if they sue you. Please see **What does Judgment-Proof mean?** on page 12).

The time limit for a creditor to sue you is generally 2 years. But the time limit to sue is a complicated legal issue. If the creditor has not sued you before the time limit ends, your creditors will be not be able to successfully sue you for the money. But you will still owe the money and the unpaid debt may still be on your credit record. Please see **Is there a time limit for a creditor to sue me?** on page 10.

If a creditor sues you, you should get legal advice immediately.

Please see **Can a creditor sue me in court?** on page 10. **Getting Legal Help** on page 19 gives information about how to get legal advice.

What does a creditor have to do to collect money from me?

Can a creditor sue me in court?

A creditor can sue you in court if the creditor believes that you owe money and you do not pay. There is a legal process that the creditor must follow. You will get a notice called a “statement of claim” that a lawsuit has been started against you.

There are strict timelines for you to respond to a statement of claim. If you receive a statement of claim, you should get legal advice right away. Please see **Getting Legal Help** on page 19 for information about how to get legal advice.

What if my creditor gets a “judgment” against me?

If you lose your court case or you do not respond, the court will issue a “judgment” against you that says how much you owe your creditor, including interest. The judgment will also say that the longer that you delay paying, the more interest you will owe. The judgment will also say if you have to pay any of the creditor’s court or legal costs. **If you do not agree with the judgment, you may be able to appeal the judgment. There are time limits so you should get legal advice right away** (see page 19).

Is there a time limit for a creditor to sue me?

There is a time limit for a creditor to sue you. The time limit to sue is a complicated legal issue. For most debts since 2003, the creditor must sue you within 2 years of the time that you did not make the required payment. The 2-year time limit starts again if you make a partial payment or you admit that you owe the money during the 2 years. Once the time limit has run out, it is too late for the creditor to sue you. But even if the creditor can no longer sue you, you still owe the money and your creditor can still report your debt to a credit reporting agency (please see **What is my credit record?** on page 13).

There are other exceptions to the general rules about time limits. If you are planning to rely on the 2-year time limit to respond to your creditor’s lawsuit, you should get legal advice first. **Getting Legal Help** on page 19 gives information about how to get legal advice.

If the court decides that I owe the money, how can the creditor collect the money from me?

If there is a court judgment against you, your creditor can schedule a “debtor examination” in court to find out more about your income, assets, liabilities and expenses. You must attend the debtor examination. You can be found guilty of contempt of court if you do not attend the examination. Contempt of court is serious and can result in a fine (or even jail, in serious cases). At the debtor examination, you will be required to answer questions about your income and assets. If you lie to the court, you could be found guilty of a criminal offence.

Once a creditor knows about your assets, the creditor can get a court order for some of your assets to be “seized” (taken) and sold to pay the creditor. Your assets include the money in your bank account and other things of value. Not all assets can be seized. Some assets are protected (please see **What is protected from creditors?** on page 11). **If a creditor is trying to seize your assets, you should get legal advice right away.**

A creditor can also get a court order to “garnish” your income so that part of your income will be paid to your creditor. Your income includes your wages if you are working. The garnishment order will require that the person who normally pays you your income, such as your employer or insurance provider, must pay some of your wages or benefits to the court. Your creditor can then apply to get the money from the court. There are restrictions on what types of income and how much income can be garnished. **If you receive a notice of garnishment you should get legal advice right away.**

Getting Legal Help on page 19 gives information about how to get legal advice.

What is protected from creditors?

Many household items and belongings, up to a certain value, are protected from seizure. This includes clothing, furniture and food. Also, a single motor vehicle is protected if it is not worth more than a certain amount. These amounts change over time. **If a creditor is trying to seize your belongings, you should get legal advice right away.**

In general, a creditor can garnish 20% of your net wages. Net wages are wages after taxes and other mandatory deductions are made. The 20% garnishment limit could also apply to disability benefits from private insurance policies, for example, long-term disability benefits. However, there are exceptions to this general rule. **If a creditor is trying to garnish your wages or benefits, you should get legal advice right away.**

Some money cannot be garnished by creditors. Money that comes from government benefits is protected from most creditors. Some protected government benefits include:

- Ontario Works (OW)
- Ontario Disability Support Program (ODSP)
- Employment Insurance (EI)
- Canada Pension Plan (CPP)
- Old Age Security (OAS) and Guaranteed Income Supplement (GIS).

However, there are exceptions. For example, some government benefits can be garnished to pay your spousal support or child support obligations. Your CPP can also be garnished to pay your income tax debt. Even if your money is from government benefits, you should not have your money in a bank account if you owe money to that bank (please see **Owing money to a bank** on page 4).

If your bank account contains some money that is protected and other money that is not protected, you should open two bank accounts: one bank account for money that is protected and the other bank account for your other money. This will make it clear which money is fully protected from seizure/garnishment.

Getting Legal Help on page 19 gives information about how to get legal advice.

What does Judgment-Proof mean?

If you only have income and belongings that are protected from seizure, you are called “judgment-proof.” If you are “judgment proof,” it means that a creditor will not be able to take your money or belongings, even if they get a court judgment against you. For example, if your only income is from the Ontario Disability Support Program (ODSP), and you have no assets or only assets that are protected from seizure, you are called judgment-proof. You still owe the money and your creditor may still get a judgment against you, but your creditor will not be able to get money from you. Please see **What is protected from creditors?** on page 11.

Remember that even if you are judgment-proof now, you may not be in the future if your situation changes. Also, some creditors, such as family support recipients, the government, your bank, and Canada Revenue Agency, may still be able to get money from you.

If you get a notice of seizure or garnishment, you should get legal advice right away. Even if you are judgment-proof or some of your money is protected, you may still have to take steps to make sure that the protected status of your money is recognized. **Getting Legal Help** on page 19 gives information about how to get legal advice.

What is my credit record?

Your credit record may also be called a credit report or consumer report. Your credit record includes information about your current credit, as well as your payment and credit history. It usually includes information about your bank accounts, credit cards, loans and other debts claimed against you, as well as information about your payment history.

Your credit record is maintained by at least one of Canada's main credit reporting agencies. The two main credit reporting agencies are listed on page 18. Your credit record will be affected if a creditor reports to one or more of these agencies that you have not paid a debt that you owe or that you are late with your payment(s). A creditor can make a report to a credit reporting agency even if the creditor does not have a judgment from a court. Even if you are judgment-proof, your creditor can still make a report on your credit record (please see **What does Judgment Proof Mean?** on page 12).

Having a bad credit record can make it hard for you to get approved for credit cards and loans. Some landlords check credit records before agreeing to rent apartments or houses.

However, even if your creditor lists a debt on your credit record, the creditor must still follow the legal process to try to collect money from you (please see **Can a creditor can sue me in court?** on page 10).

Can I see my credit record?

You can get a copy of your credit record from a credit reporting agency. The contact information for Canada's two main credit reporting agencies is on page 18. If you do not agree with a debt that is listed on your credit record, you can contact the credit reporting agency and ask that they remove the debt. The agency may or may not remove the debt, depending on the circumstances. However, the agencies have a legal obligation to keep records as accurate as possible. If the agency refuses to correct the error, you can contact the Ministry of Consumer Services for assistance with resolving the problem. The Ministry contact information is on page 17.

Even if you pay back a debt, the fact that you paid late may still remain on your credit record. In most cases, information about debts can remain on your credit record for up to seven years from your last payment. You can help to improve your overall credit record by paying your bills on time. It is a good idea to get a copy of your credit record to make sure that it is accurate.

Community Legal Education Ontario (CLEO) has booklets about credit that are available on-line and in print (Community Legal Education Ontario information is on page 17).

Getting Legal Help

Getting Legal Help on page 19 gives information about how to get legal advice.

Important words and terms used in this guide

Appeal: A legal process to ask a higher court or tribunal to change or overturn a decision.

Assets: Things you own that have some dollar value. Some examples include your home (if you own it), car, work equipment, coin collection, and money in your wallet or in your bank account.

Bankruptcy: A legal process that can cancel all or some of your debts (see **What is Bankruptcy?** on page 7).

Collection Agency: A business that focuses on collecting debts (see **What is a Collection Agency?** on page 5).

Consumer Proposal: A legal process to ask all of your creditors to agree to a re-payment arrangement, and often to reduce the amount(s) owed (see **What is a Consumer Proposal?** on page 7).

Credit Record/Credit Report: Information about your credit history that is kept by a credit reporting agency. It usually includes information about your bank accounts, credit cards, loans and other debts claimed against you with information about your payment history. Your credit record is often used to decide whether to lend you money or rent an apartment to you (see **What is my credit record?** on page 13).

Important words and terms used in this guide (continued)

Credit Reporting Agency: Keeps records about your current credit, as well as your payment and credit history, usually includes information about your bank accounts, credit cards, loans and other debts claimed against you, as well as information about your payment history (see **What is my credit record?** on page 13).

Creditor: A person or organization that you owe to (see **Creditors and Debtors** on page 2).

Debtor: A person who owes money (see **Creditors and Debtors** on page 2).

Debtor Examination: A legal proceeding that your creditor can request after a court judgment has been issued against you so that your creditor can find out about your income, assets, expenses and liabilities (see **If the court decides that I owe the money, how can the creditor collect the money from me?** on page 11).

Default: Not honouring an agreement or order, for example: defaulting on a loan.

Garnish and Garnishment: Money that is owing to a debtor is taken to pay a debt to a creditor that has a court order or a judgment. Usually, it is your income that is garnished so that part of your wages is paid to your creditor. Some types of income cannot be garnished (see **If the court decides that I owe the money, how can the creditor collect the money from me?** on page 11).

Income: Payments made to you, usually on a regular basis, including wages from a job, disability support and other kinds of income replacement benefits. “Gross income” is income before income taxes and other mandatory deductions. “Net income” is income after taxes and mandatory deductions. Not all income can be garnished (see **Garnish** above and **What does Judgment-Proof mean?** on page 12).

Judgment: A decision by a court at the end of a lawsuit. If you are sued for a debt, a judgment may allow your creditor to begin taking steps to garnish your income or seize your assets (see **Can a creditor sue me in court?** on page 10).

Judgment-Proof: Someone who has no income or assets that can be garnished or seized by most creditors (see **What does Judgment Proof mean?** on page 12).

Important words and terms used in this guide (continued)

Legal Information and Legal Advice: Legal information is general and can help you to understand the law. Legal advice is specifically about you and your situation. **Getting Legal Help** on page 19 gives information about how to get legal advice.

Liability/Liabilities: Any amount owed to a creditor is called a liability.

Seize/Seizure: A creditor takes or “seizes” your assets or property under a court order (see **If the court decides that I owe the money, how can the creditor collect the money from me?** on page 11).

Statement of Claim: A legal notice that someone, such as a creditor, has begun a lawsuit against you. It sets out what the creditor is claiming that you owe and the basis for that claim (see **Can a creditor sue me in court?** on page 10).

Trustee in Bankruptcy: A person you hire to represent you for your consumer proposal or to administer your bankruptcy. Trustees in bankruptcy are licensed by the Office of the Superintendent of Bankruptcy (see **What is a Trustee in Bankruptcy?** on page 9).

For more about words and terms, you can visit:

- the Government of Canada Office of the Superintendent of Bankruptcy website includes a glossary of many words and legal terms, as well as information about debt and bankruptcy:
www.ic.gc.ca/eic/site/bsf-osb.nsf/eng/br01467.html .
- the Ontario Ministry of the Attorney General website includes a glossary of legal terms:
www.attorneygeneral.jus.gov.on.ca/english/glossary/ .

Resources

Getting Legal Help on page 19 gives information about how to get legal advice.

Community Legal Education Ontario (CLEO) has booklets about credit that are available on-line and in print, including:

- **Your credit report** www.cleo.on.ca/en/publications/credit .
- **Credit repair** www.cleo.on.ca/en/publications/crrepair .
- **Payday loans** www.cleo.on.ca/en/publications/payday .

The Ontario Ministry of Consumer Services oversees collection agencies and consumer reporting agencies. The Ministry can also assist with other consumer issues, such as problems with defective products and services that you have bought. The Ministry website has information about debt, collection agencies and more:

Ministry of Consumer Services / Consumer Protection Branch

Phone (toll-free): 1-800-889-9768

www.sse.gov.on.ca/mcs/en/Pages/default.aspx .

Credit information on Ministry website:

www.sse.gov.on.ca/mcs/en/Pages/Personal_Finance.aspx .

The Ontario Ministry of the Attorney General website includes information about suing and being sued for people in Ontario:

Ontario Ministry of the Attorney General website:

www.attorneygeneral.jus.gov.on.ca/english/justice-ont/lawsuits_disputes.asp.

Law Help Ontario provides a range of services for low-income, self-represented litigants with civil matters, including information and guides about suing and being sued in Ontario. Please see page 20 for more information about Law Help Ontario.

Law Help Ontario website: www.lawhelpontario.org/ .

Resources (continued)

Credit counselling services can help you to budget, negotiate repayment plans, etc. You can find more information about your options and get referrals to credit counselling services in your area through the following:

Ontario Association of Credit Counselling Services

Phone: 905-945-5644

Phone (toll free): 1-888-746-3328

Website: www.oaccs.com .

Credit Counselling Canada

Phone (toll free): 1-866-398-5999

Website: www.creditcounsellingcanada.ca .

Credit reporting agencies keep records and make reports about your credit record (see **What is my credit record?** on page 13). You can check your credit record to make sure it is correct. Both of these agencies can provide you with a free copy of your credit report:

Equifax Canada

Phone (toll free): 1-800-465-7166

Website: www.equifax.ca .

TransUnion Canada

Phone (toll-free): 1-866-525-0262 (except in Quebec)

Website: www.transunion.ca/ .

The Government of Canada Office of the Superintendent of Bankruptcy website includes information about debt, options, consumer proposals, bankruptcy, trustees in bankruptcy, and more: www.ic.gc.ca/eic/site/bsf-osb.nsf/eng/h_br01854.html .

The Bankruptcy Assistance Program (“BAP”) can help you to hire a trustee in bankruptcy if you cannot afford to pay the regular trustee costs. The Office of the Superintendent of Bankruptcy Canada keeps a list of trustees who participate in BAP by offering their services at a reduced rate. You can get more information about bankruptcy in general and about BAP, by contacting:

Office of the Superintendent of Bankruptcy

Phone (toll-free): 1-877-376-9902

Website: www.servicecanada.gc.ca/eng/goc/bankruptcy_assistance.shtml .

Getting Legal Help

Community Legal Clinics

Ontario's Community legal clinics provide free legal information and services to people in their communities. Legal clinics are independent organizations and their services vary.

The HIV & AIDS Legal Clinic Ontario (HALCO) provides free legal services to people living with HIV in Ontario. If you are living with HIV in Ontario, please contact HALCO for free legal information, advice and referrals:

HIV & AIDS Legal Clinic Ontario (HALCO)

55 University Avenue, Suite 1400

Toronto, Ontario

Phone: 416-340-7790

Phone (toll-free): 1-888-705-8889

Website: www.halco.org .

If you live in Ontario, you can contact your local community legal clinic. You can find your local clinic:

- on the Legal Aid Ontario website: www.legalaid.on.ca/clinics .
- by contacting Legal Aid Ontario:
Phone: 416-979-1446
Phone (toll free): 1-800-668-8258

Law Society Referral Service (LSRS)

If you are not able to get help from a community legal clinic, you can contact the Law Society Referral Service (LSRS). The LSRS will provide the name of a lawyer or licensed paralegal who will provide a free consultation of up to 30 minutes to help you determine your rights and options:

Law Society Referral Service

Law Society of Upper Canada

Phone: 416-947-3330

Phone (toll free): 1-800-268-8326

Website: www.lsuc.on.ca/faq.aspx?id=2147486372 .

Getting Legal Help (continued)

Law Help Ontario

If you are not able to get legal help from a legal clinic or to afford a private lawyer, **Law Help Ontario** may be able to provide free help. Law Help Ontario is run by a charity called Pro Bono Law Ontario. Law Help Ontario provides information and advice about suing and being sued for debts in Small Claims Court and Superior Court of Justice. Law Help Ontario has help centres in three Ontario courthouses:

- 47 Sheppard Avenue East in Toronto (Small Claims Court)
- 393 University Avenue in Toronto (Superior Court), and
- 161 Elgin Street in Ottawa (Small Claims Court and Superior Court).

Law Help Ontario also has a toll-free number for people who live more than 40 km from the help centres. You can find more information on the Law Help Ontario website:

www.lawhelpontario.org .

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This guide is general legal information for people in Ontario. It is not legal advice. This guide was produced in November 2013. The law can change at any time. If you have a legal problem, you need legal advice. **Getting Legal Help** on page 19 gives information about how to get legal advice.

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