

SUPPORTING INDIVIDUALS
AND OUR COMMUNITY BY
PROVIDING QUALITY LEGAL
SERVICES.

Northwest Community Legal Clinic

DECEMBER 2010

211 North in the Rainy River District

Rebekka DeCorte, 211 Data editor, Atikokan

211 is an easy-to-remember three-digit phone number providing free, confidential access to information about the full range of community, social, health and related government services. 211 calls are answered by information specialists, who assess each caller's needs and link them to the best available services and programs, 24 hours a day, seven days a week. 211 is available in many languages and is always answered by a live person.

211 is a 2 channel service comprised of a telephone line and an online database.

Along with the telephone service, 211 offers a comprehensive online database of organizations, programs and services available in Northern Ontario. The database can be accessed at www.211north.ca.

In 2010, the Northwest Community Legal Clinic entered into a partnership with the Lakehead Social Planning Council's 211North program to update and maintain the information used by



**Call 211 or visit the website
at www.211north.ca**

the telephone specialists and for the public to view. A data editor has been hired and trained to manage and update the information in the Rainy River District. The data editor works from the Northwest Community Legal

Clinic located in Atikokan branch office.

People call 2-1-1 for many reasons. Some simply need a phone number to a community program, while others call because they need to talk over a problem. Every call is different. As more people find they are in need of assistance during this harsh economic climate and high unemployment period, the 211 call volume continues to grow.

The 211 service is now offered in the following districts in Ontario: Thunder Bay, Algoma and Rainy River. As the Lakehead Social Planning Council, 211 North expansion plan progresses across the North it is anticipated that by 2011, the service will be available to the Kenora, Cochrane, Sudbury, Timiskaming, and Nipissing Districts.

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Executive Director's message

In October 2010, the Board and Staff of the Northwest Community Legal Clinic gathered in Kenora to celebrate our second Annual General Meeting as one organization, and to have our annual planning session. All of our Board members returned again for another year, to continue the work we do throughout the two Districts.

For the coming year, we set goals that we hope will meet the needs of our communities, diverse and unique as they are throughout our two Districts, and will reflect this in our funding application to Legal Aid Ontario for our next fiscal year.

In our discussions, and in our day to day work, we strive to strengthen our communities, with everything we do. Sometimes we

do that by helping individuals, and other times by helping groups. Always we try to ensure that our energies and resources are put into things that benefit our clients, neighbours, and fellow residents. At the end of the day, that's what it's all about, making safe and supportive places for all of us who live in Northwestern Ontario.

- Trudy McCormick

OHRC launches survey on discrimination based on mental health and addiction disabilities



The Ontario Human Rights Commission (OHRC) launched a survey today to learn more about the human rights issues and barriers people with mental health and addiction disabilities face. The survey kicks off a broader consultation process on human rights and mental health-related issues.

The questions are aimed at learning how discrimination because of a person's mental health issue or addiction may affect their ability to find and keep a job, get an apartment or connect with education and health-related services.

"Mental health is a priority for the OHRC," said Chief

Commissioner Barbara Hall. "There are many ways we will add our voice to advancing rights for people living with mental health and addiction issues; the first step is to open this dialogue with the people who know first-hand the lived realities of mental health challenges."

The surveys are part of a broader public consultation that will hear stories from people with mental health disabilities and addictions, their families and friends, employers, service providers and housing providers in a number of communities across Ontario.

The OHRC will apply what it learns to its work in this area,

which will include developing an effective, meaningful and relevant policy to help people living with mental health and addiction-related disabilities as well as the people who serve and employ them.

The survey is available online in two different formats, one for people with a mental health disability or addiction, and one for friends and family members. People are invited to fill out the survey online or print it out and mail it to the OHRC before the **end of February 2011**.

More information is available on the OHRC website at www.ohrc.on.ca, and regular updates will be posted on Facebook and Twitter.

Our Pamphlet Stands
All three offices of the Northwest Community Legal Clinic carry a large supply of pamphlets relating to areas of law within the Clinic Mandate. We invite you to call or stop into your local office to view the selection.

Never Give Up - A Tenants Tale

This article was submitted by client's of the Kenora office.

Thomas Edison once said "Many of life's failures are people who did not realize how close they were to success when they gave up." This is definitely a quote people should learn to live by because it explains the importance of not giving up on something you believe in.

In 2009 we were renting a

house in Kenora, but due to financial difficulties, we could no longer afford to live there. We spoke with our landlords and came to an agreement that we would pay a half months rent and be out of the house by the end of the month. We asked our landlords to reimburse us our last month's rent (LMR) and they replied by saying that we had no right to ask for it back.

We knew what they were doing was unjust and wrong, but we were young and inexperienced. We then decided to call the Legal Clinic and spoke with Nan who affirmed we were entitled to our LMR. Following her advice, we wrote a letter to the landlord requesting our LMR be returned to us.

With no contact from the landlords, we met with Nan again. She sent out one last

Never Give Up cont'd

letter and with no response, we decided to file with the Landlord and Tenant Board (LTB). The hearing was in early 2010 and the landlords were ordered to return our LMR plus interest.

With no contact from our landlords, we went to Small Claims (SCC) to garnish their bank account, but they no longer banked there. Our landlords then served us with a Small Claims suit, claiming we owed over \$7000. We showed up at the settlement conference alone because we knew that we were in the right. The judge told us that if we went through we

would owe our landlords money.

We were on the edge of giving up. We were going to make a deal to drop our charges if they dropped theirs. We decided to head back to the Legal Clinic to see what they suggest we do. We were both surprised and amazed that they would represent us in court if we continued the fight. What our landlords were trying to accomplish was not right.

At the end of July 2010 we went to Small Claims with Sallie as our representative. The judge finally ended the matter in our favour once again. Our former landlords finally gave up and started making

monthly payments through the Legal Clinic for the return of our LMR plus all other costs that were added during this long period of time.

We owe all the thanks in the world to the wonderful staff at the Legal Clinic that stood by us during this entire ordeal and continued to remind us that if you truly believe in something, you should never give up.

If you have questions or concerns with your tenancy, contact the Legal Clinic closest to you for information, advice or representation on a Landlord and Tenant Board matter.

“if you truly believe in something, you should never give up”

Severance Pay - Be Informed

The Ontario Employment Standards Act, 2000 dictates minimum severance requirements in situations when the employer dismisses the employee due to bankruptcy, a lay off of 35 or more weeks out of 52, or when a business closes permanently.

Several qualifications must be met before severance is enforced by the act. To find out if you qualify, visit www.labour.gov.on.ca. Keep in mind that the amount set out by the employment standards act is a minimum requirement and negotiating a higher amount may be possible. Termination pay is not the same as severance pay. Termination pay is given in place of

required notice for the ending of employment.

It is important to be aware that accepting severance pay may affect many other things. These include:

- Income Tax (severance is taxable income)
- Employment Insurance (may have to repay EI if collected in same year as severance is dated, or may delay EI payments)
- Ontario Works (may have to repay OW received)
- Health & Insurance Benefits

Although the legal clinic is not able to assist with severance pay concerns, alternate sources for help are:

- Private Lawyers – Contact the Lawyer Referral Service at 1-800-268-8326 for a free ½ hour of advice and referral
- Service Canada (for Employment Insurance questions) 1-800-206-7218
- Ontario Ministry of Labour 1-800-531-5551
- Your Union Representative
- Internet Resources (www.worksmartontario.ca)



Lawyer Referral Service
1-800-268-8326



Supporting individuals and our community
by providing quality legal services.

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Bed bugs

From a Toronto Star article:

New Democrat MPP Cheri DiNovo is pushing for a law forcing landlords to be licensed and their premises inspected for bedbugs, saying Ontario is "doing nothing" to stop the growing scourge of pests.



Information:

Bedbugs, which can live for up to 18 months without eating, are tiny and resilient. They reside in the smallest of spaces such as electrical outlets and vents. Their eggs can even withstand vacuuming. So getting rid of the pests requires careful steaming and thorough vacuuming of carpets and broodloom, sealing of cracks, and washing of clothes and linens.

"The landlord simply doesn't get their license renewed if they don't have a bug-free unit," the MPP for Parkdale-High Park said Thursday in proposing a private member's bill.

"It protects good landlords and calls bad landlords to account."

Stay tuned for updates!



Office Closures

December 24th, 2010
through to January 4, 2011 -
Christmas & New Year's
February 21, 2011 - Family Day

Sub-offices

Red Lake - January 5, February 2,
March 2
Ear Falls - January 6, February 3,
March 3

Best wishes to
all for a safe and
enjoyable holiday
season!
&
All the best for
2011!

From the Board
and Staff of the
Northwest
Community
Legal Clinic



Consider the environment...

Please recycle this newsletter!