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## BREAKING DOWN THE BRICK WALL

### OVERCOMING BUREAUCRATIC BARRIERS TO INCOME ASSISTANCE

*By Khalela Bell*  
*I enter the welfare office, past the ever present "Washrooms Out of Order" sign, and am immediately greeted by a security guard offering a wait number ticket. He is disgruntled when I do not oblige, and questions what I need and where I am going. I walk past the waiting area, filled with silent faces that would clearly rather be anywhere but here, and by another security guard who sizes me up with clear irritation at my disrupting of the human conveyer belt. Elementary-school style signs requesting respect are posted*

*above the two intake workers at the front, and a "Floor Warden" sign hangs above a desk behind them. To the right,*



*one of the two computers provided for client use is "Out of Order". As I walk through the office to the outreach area at the back, there is a line of largely empty, outward facing desks fronted by platforms raised five feet high.*

*As I approach an outreach worker at the back, she lowers her platform, which feels like the final touch to the Ministry's many barriers and sums up their approach to customer service.*

TAPS' Outreach Legal Advocacy project (OLA) provides outreach services to people who are experiencing homelessness and who need help accessing income assistance and disability benefits. OLA works in partnership with several local organizations that

*(See Outreach, page 6)*

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S

#302 – 895 Fort St.  
Victoria, BC  
V8W 1H7  
Tel: 250-361-3521  
Fax: 250-361-3541  
[www.tapsbc.ca](http://www.tapsbc.ca)



# CH-CH-CH-CHANGES!

## WHAT'S NEW AT THE RESIDENTIAL TENANCY BRANCH

By Yuka Kurokawa  
and Emily Rogers

With the recent switch in provincial leadership, we are beginning to (finally!) see some changes at the Residential Tenancy Branch (RTB) and improvements to tenancy laws. The following are some of the recent changes, and what they mean for you as a tenant.

### Elimination of Vacate Clauses

In recent years, the TAPS advocates have seen landlords use fixed-term tenancy agreements with “vacate” clauses (where the tenant must vacate the unit at the end of the lease) as a way to get around rent increase restrictions. Normally, in an ongoing tenancy, there are limits on the amount a landlord can raise the rent each year. Fixed-term leases with “vacate” clauses have



allowed landlords to force one tenant to “vacate” the unit in order to get a new tenant in with a large rent increase for that unit.

The new legislation no longer allows fixed-term tenancy agreements with “vacate” clauses (with some exceptions, such as sublease agreements.) The new legislation applies to both new and existing tenancy agreements, which means that if you are currently in a lease with a “vacate” clause, this term is likely not enforceable. If, at the end of your fixed-term tenancy, you do not enter into a new fixed-term agreement, the tenancy will automatically continue as a month-to-month agreement.

### Fixed-Term Tenancies and Rent Increases

TAPS advocates have also seen landlords use back-to-back fixed-term tenancy agreements to get around rent increase restrictions. Previously, at the end of the fixed-term lease, the landlord would “offer” the tenant a new fixed-term lease, but at a much increased rent. Because the

## PERSONS WITH DISABILITIES

TAPS has advocates who can help you apply for Person With Disabilities status (PWD) through the Ministry of Social Development and Poverty Reduction. TAPS can also help you with an appeal if you have been denied. Call us at 250-361-3521 for more information. If you are at the appeal stage, get in touch with us as soon as possible after receiving your letter of denial, and tell the receptionist you are calling about a disability appeal.

Follow us on twitter  
[@tapsbc](https://twitter.com/tapsbc)

new lease was considered a new tenancy—even though it was the same tenant in the same unit—the rent increase restrictions did not apply. This loophole has been closed, and landlords must now follow rent increase laws with tenants who have back-to-back fixed-term tenancy agreements. As long as you remain in a rental unit, your

(See Tenancy, page 4)

# BC POVERTY REDUCTION FORUM

*By Hilary Marks*

In October I was appointed to the Minister's Advisory Forum on Poverty Reduction. To this project, I bring my years of personal experience living in poverty, plus my experience working with other people who are in poverty, both as a peer supporter and through my work with TAPS, Our Place, PEERS and other organizations. This is right down my alley!

The Advisory Forum's first meeting took place in Vancouver in November. The travel costs were covered—Helijet, at over \$300 one way. That makes the cost both ways for two trips \$1200—the amount I get on a disability cheque for a full month. I have a real struggle with this. My morals are challenged to the degree that I have to rationalize the work I am doing to cover that travel cost. The work of convincing the government that change is needed has to be done. We need deep change, change to the legislation and policies that have an impact on so many aspects of the lives of people living in poverty. This is not a

“one-ministry fix”; the ministries of housing, health, education, children and families, and finance, as well as the social development ministry, must be involved, as the policies of all these ministries affect the lives of people struggling on low incomes.

The Poverty Reduction Forum is holding community meetings around the province to hear people's views. The community meeting in Victoria took place on November 27 at the Leonardo da Vinci Centre, and Khalela



from TAPS helped me organize the community social action bus to take people over there. For true consultation, those on low incomes need to be included financially and nutritionally. The forum gave those who attended \$20 and provided food, but there wasn't enough food, and that became a great learning experience for everyone. At the community meeting were people living in poverty, the working poor and folks who work with marginalized people. The contributions from those with lived experience truly shone

*(See Poverty Reduction, page 4)*

## TAPS STAFF

**Doug King**

Executive Director

**Khalela Bell**

Outreach Legal Advocate

**Izzy Dehler-Hyde**

Coordinator of the  
Volunteer Disability  
Advocacy Project

**David Huxtable**

Employment Standards  
Legal Advocate

**Daniel Jackson**

Income Assistance Legal  
Advocate, Federal Disability  
Legal Advocate, and Tenant  
Legal Advocate

**Yuka Kurokawa**

Tenant Legal Advocate

**Jen Matthews**

Income Assistance Legal  
Advocate

**Emily Rogers**

Tenant Legal Advocate

**Caitlin Wright**

Federal Disability Legal  
Advocate

**On Leave**

John Cooke  
Thea McDonagh  
Stephen Portman

Taproot is published bi-monthly. Newsletter artists:  
Mitch Lindsay Joan Stiebel

## FEDERAL DISABILITY ADVOCACY PROJECT

TAPS' Federal Disability Advocacy Project can provide information on CPP-Disability, the Disability Tax Credit and the Registered Disability Savings Plan. If you would like to speak with an advocate about any of these benefits, or would like help applying, contact Caitlin or Daniel at TAPS at 250-361-3521.

Check us out at  
[www.tapsbc.ca](http://www.tapsbc.ca)

*(Cont'd from Poverty Reduction, page 3)*

through! The representatives from the Ministry of Social Development and Poverty Reduction and the Honorable Minister Shane Simpson were impressed with the turnout. And people were sincerely impressed that the Minister was there; they have some sense that this time it may not all be talk.

Through this process so far, I have met so many passionate people from around BC, people who are

## VOLUNTEER AT TAPS!

Come and volunteer  
on our busy front  
desk—  
a great way to  
participate in the fight  
against poverty!

Call Heidi  
at 250-361-3521

all in the same fight to end poverty everywhere in the province.

You can get your ideas and opinions in to the Ministry's Advisory Forum on Poverty Reduction at [BCPovertyReduction@gov.bc.ca](mailto:BCPovertyReduction@gov.bc.ca), or phone 778-698-7746 in Victoria, or 1-800-663-7867 elsewhere in BC. Make your voice heard! Let them know we need to end poverty now, not later! There are Poverty Reduction Forum community meetings around British Columbia and another one in Victoria in March. Visit <https://engage.gov.bc.ca/bcpovertyreduction/> for more information.

*Hilary Marks is a long-time volunteer with Together Against Poverty Society, where she is a front desk receptionist, disability advocate and board member. ■*

*(Cont'd from Tenancy, page 2)*

landlord can only increase the rent every 12 months, must provide proper three months' written notice, and can only raise the rent within the legal amount (in 2018 that amount is 4%).

### Online Dispute Resolution Hearing Applications

The Residential Tenancy Branch has launched a new online system for applying for dispute resolution hearings. The process is more detailed than before and now allows you to upload documents, including evidence documents, directly into the system. You will need to create a BCeID account. Make sure you have reliable access to email if you apply online, as important documents will be sent to you by e-mail, and you will need to act on certain instructions quickly.

The RTB is strongly encouraging everyone to apply for dispute resolution online, but Service BC offices are still required to accept paper applications and hard copy evidence for dispute resolution.

### Fee Waivers

Another change at the RTB regards fee waivers. Usually, it costs \$100 every time you apply for dispute resolution.

*(See Tenancy, page 5)*

(Cont'd from Tenancy, Page 4)

However, if your income is under \$1700 per month, you can get this fee waived and do not have to pay anything to apply. This part has stayed the same, and they have added a type of fee waiver called "extraordinary expenses". If you usually have over \$1700 a month in income but have had an unexpected expense that would make paying the \$100 fee a hardship, you can now apply for a fee waiver by filling out a form and including proof of the unexpected situation you were faced with. The RTB considers eligible unexpected

situations to be:

- extraordinary medical expenses
- transportation costs for medically necessary procedures not available in your community
- funeral expenses
- costs associated with an emergency such as a fire, flood, earthquake, landslide or avalanche

#### More RTB Staff

In an attempt to reduce wait times for hearings and reduce backlogs on the information line, the RTB has committed to hiring 30 new staff, including new arbitrators and information officers. The RTB

is setting up a new compliance unit aimed at taking action against landlords (and tenants) who demonstrate serious and/or repeat non-compliance with tenancy laws.

We hope that these changes are the first of many improvements to the tenancy system and renters' rights in BC. If you have any questions about your rights, TAPS' tenant legal advocates can be reached at 250-361-3521 or [info@tapbc.ca](mailto:info@tapbc.ca). ■



## BECOME A TAPS MEMBER!

Want to support TAPS? Why not become a member! We are happy to waive the fee, so it doesn't have to cost you anything. You will get the Taproot mailed or e-mailed to you.

### Together Against Poverty Society Membership Registration 2018

**Together Against Poverty Society, #302 - 895 Fort Street, Victoria, BC, V8W 1H7**

Annual Membership Fees:  Unwaged \$5 (we are happy to waive this fee)

Waged \$20

Organization \$80

Method of payment:  Cash  Check  N/A

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

I would like to join TAPS' mailing list to receive:  E-mails from TAPS about its work

Taproot—TAPS' newsletter

>>>  by e-mail

by postal mail

## TAPS TAX CLINIC

By Tony Pullman

Well, it's that time of year again—tax time. By the end of February everyone should have received their T slips from employers, or from government, setting out how much they received in 2017 and how much they paid in income tax, CPP and EI.

The act of filing a tax return, which at TAPS our volunteers can do electronically, triggers a PST refund, GST credits, BC Low Income tax credits, Child Tax Benefits, Guaranteed Income Supplements and other benefits to which our clients may be entitled.

TAPS continues to offer its tax clinics each Thursday, with the only difference

being that *we will not be preparing returns for years prior to 2014 in the period from March 1, when we get the software from the Canada Revenue Agency (CRA), to the end of April, when the rush starts to subside. This is because*



returns for the years 2014, 2015, 2016 and 2017 can be filed electronically, and returns for the years 2008 to 2013 must be filed by paper and snail mail.

In addition, we will try to have three volunteers on duty in the mornings from 8:30 until 12:30, and three more in the afternoon from 12:30 until 4:30 during this busy period.

With longer hours and more volunteers, we hope to meet the demand we are anticipating. Last year we were able to handle over 60 clients in a single day!

Remember to bring your T slips. If you have lost your T4 slips, the easiest way to get them is to write to the CRA at Winnipeg Tax Centre PO Box 14005 Stn Main

Winnipeg MB R3C 0E3, stating your address, SIN and date of birth. Lost T5007 forms are not a problem.

Also, if you want to start having your refunds and GST credits paid into your bank account directly by the government, have your banking details ready or bring a void cheque. The CRA software needs to know the following: bank identification number (three digits); bank branch transit number (five digits); and your bank account number. Your bank can help you if you are in any doubt. ■

*(Cont'd from Outreach, page 1)*

provide services to people coming up against the brick wall of bureaucracy. These organizations may refer clients to me, but more importantly a couple of them have opened up their offices to me so that I can be available to their clients in a place they are already familiar with and comfortable in. OLA's work with the Daily Dose Society (DDS) is one example of how community partnership and grassroots efforts can help meet client needs. DDS's mandate is to support people receiving opiate replacement therapy at the neighbouring Specialized Therapeutic Solutions Pharmacy, and they

*(See Outreach, page 7)*

## TAPS TAX CLINIC

**Info for February  
tax clinics only:**

**Thursdays**

**9 to 11 and 1 to 4**

**We will not be e-filing tax  
returns in February—paper  
filing only.**

**We will start e-filing on  
March 1, with new hours:  
Thursdays, 8:30 to 4:30.**

*(Cont'd from Outreach, page 6)*

will do such things as help people apply for housing and give people rides to doctors' appointments. DDS is a true community space where progressive healthcare is delivered with humility and compassion. I have a regular shift at DDS each week, which means that our mutual clients are able to access multiple services in one place, become familiar with me, and develop enough trust to be able to be candid about their health.

The Ministry of Social Development and Poverty Reduction (MSDPR) has requirements that make income assistance and other benefits inaccessible to many, not because they don't qualify, but because it is so difficult for people to get all the documents they need to prove to MSDPR that they do qualify. The whole process is a maze, with Catch-22s along the way. A person may have to order a birth certificate, obtain proof of their social insurance number, get a doctor's note, or prove they have been "independent" (by MSDPR's criteria) for two years. I go with people to government offices, to their bank, or to their doctor's office, and I help them write the letters and fill out the forms necessary to get any

documents they don't have. The income assistance and disability application process is designed by and intended for those with economic and social privilege. OLA aims to give people the support the bureaucracy has effectively eliminated.

The OLA project lies at the centre of the housing crisis, opioid crisis, doctor shortage, and continued criminalization of low-income and racialized people. In line with the TAPS approach, client support is not carried out as an act of charity, but rather as part of big-picture thinking about how to address injustice through policy change and building community power. OLA clients are diverse and include elderly clients, single mothers, youth who have aged out of foster care, and people who have become unhoused for the first time due to ill health. Every client has a story of how they got to where they are, and how systemic failures have contributed to their current difficulties. Each story drives home the fact that homelessness can happen to anyone. ■



## BECOME A MONTHLY TAPS DONOR!

With your support, individuals and families living in poverty in our region will have access to critical legal advocacy and educational services. TAPS' services are unique in their design and delivery, and offer knowledge, empowerment and, in many cases, a new sense of hope.

Select a monthly amount that's affordable to you, and TAPS will automatically deduct it from your checking account each month. You'll never have to write a check, buy a stamp or find an envelope again.

Monthly donors receive the following benefits:

- Updates on TAPS programs
- Annual tax receipt for all your donations during the year
- Taproot delivered to your e-mail.

See the monthly donor form on page 8 of this newsletter.

## ABOUT TAPS

TAPS was established and registered as a society in 1989. We provide legal information and representation on issues relating to income assistance, provincial and federal disability benefits, residential tenancy, and employment standards to people in the Greater Victoria area. We also provide public legal education in these areas and on broader poverty issues.

You can reach us between 9:30 am and 4:30 pm, Monday to Friday, by phone at 250-361-3521 or in person at #302 - 895 Fort Street. The office is closed daily for lunch between noon and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

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## Thank You for Supporting TAPS' Legal Advocacy!

The best way to support TAPS is by becoming a monthly donor! Please submit this form and your voided check to: Together Against Poverty Society, #302 - 895 Fort Street, Victoria, BC, V8W 1H7

Date: \_\_\_\_\_

*Please debit my bank account (attach VOID cheque):*

\$10   \$25   \$35   \$50   \$100   Other amount \$\_\_\_\_\_ (please specify)

*I would like this donation debit to be processed through my account on the 25th of each month.*

Signature: \_\_\_\_\_

Donor Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

This donation is made on behalf of:   an individual   a business

*A tax receipt for your total monthly donations will be sent to you at the end of the calendar year.*

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>>>   by e-mail   by postal mail