

Learning about the Law



This publication explains in a general way the law that applies in British Columbia. It can help you understand your legal rights and responsibilities in daily life. Topics covered include working, renting a home, and family relationships.



People's
Law
School

Work out life's legal problems

2023 EDITION

www.peopleslawschool.ca

About this Publication

Acknowledgements

Contributors to this edition of *Learning about the Law*:

- Writing, editing and legal review:
Manjeet K. Chana, Drew Jackson,
Spencer Keene, Veronica Lorimer
- Support: Elena Renderos-Vasquez

The People's Law School acknowledges the contribution of the Justice Education Society in earlier versions of this publication, as well as the contributions of many writers and reviewers.

This publication was made possible through the funding support of the Law Foundation of BC, the Notary Foundation of BC, the Department of Justice Canada, and the Province of British Columbia.

Copyright



Learning about the Law © 2023

People's Law School, is made available under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.

About People's Law School

People's Law School is a non-profit society in British Columbia, dedicated to making the law accessible to everyone. We provide free education and information to help people effectively deal with the legal problems of daily life.



**People's
Law
School**

604-331-5400
info@peopleslawschool.ca
www.peopleslawschool.ca

What's Inside

Introduction	2
Fundamentals of Canadian Law	3
Canada's Legal System	7
Working in BC	9
Renting a Home	13
Family Law	18
Older People and the Law	24
Young People and the Law	30
Find Out More	34
Glossary	36

Introduction

This publication explains in a general way the law that applies in British Columbia and in Canada. It can help you understand your legal rights and responsibilities under the law.

At People's Law School, we believe accurate, plain English information can help people take action to work out their legal problems. **This publication is not intended as legal advice.** For help with a specific legal problem, contact a legal professional. Some sources of legal help are highlighted in the Find Out More section.

We tried to keep the language easy, but some parts may still be hard. Most words in bold are defined in the Glossary section.

The information is current to February 2023.



For updated and in-depth coverage of your legal rights, visit the People's Law School website at peopleslawschool.ca.

Fundamentals of Canadian Law



In this section, you will learn about Canada's laws, your rights and responsibilities, and how the laws are made.

The laws in Canada

Canada's laws express the values and beliefs of Canadian society. They aim to protect people and provide stability for society as a whole. They also aim to make sure there is a peaceful way to settle disputes.

Multiple legal systems

There are multiple legal systems in Canada. European settlers brought the English and French legal systems to Canada. Today, most of the country follows laws rooted in English common law. The province of Quebec follows civil law, which came from France. When we say "Canada's laws," these are the laws we're talking about.

As well, Indigenous laws exist. They operate at the same time as common law and civil law in Canada. Indigenous legal systems were disrupted by colonialism. Indigenous communities across the country are rebuilding their distinct laws in a variety of ways.

Canada's colonial past and present

The people who are Indigenous to Canada belong to three groups — First Nations, Métis, and Inuit. Indigenous Peoples have lived on

these lands for thousands of years. When settlers arrived, there were many distinct Indigenous societies. Each had its own thriving systems of government and laws, cultures, and languages.

European colonizers did not take Indigenous laws or worldviews seriously. Over time, they imposed their laws and policies on Indigenous Peoples. They did this to take control of Indigenous Peoples and benefit from the lands.

When Canada was formed in 1867, the government introduced laws that aimed to erase Indigenous Peoples as distinct peoples. Yet Indigenous Peoples and cultures have survived and adapted. Indigenous Peoples continue to fight colonial policies and laws that threaten their communities and land.

Reconciliation is everyone's responsibility

Governments have started to accept responsibility for how their actions hurt Indigenous Peoples. This is due to the efforts of Indigenous Peoples. All Canadians are called to a lifelong process of reconciliation.

For newcomers to Canada, a first step is to learn the truth about past and present injustices. You should also learn about the Nations on whose land you live and work. Learn about their histories, cultures, languages, and the issues facing them today.

Rights and responsibilities

Canada's constitution

Canada has a constitution. It sets out the powers of the government and the rights of the people. It says how we want to govern ourselves and structure our society.

The constitution is the highest law in the Canadian legal system. Governments must respect it whenever they pass a law, make a policy, or have day-to-day dealings with us.

The rule of law

The constitution states that the **rule of law** is one of Canada's founding principles. This principle recognizes that we need laws to manage society. They help us live together peacefully.

The rule of law means that no one is above the law. Everyone — including politicians, police officers, and wealthy individuals — must obey the law. All Canadians must respect the law even if they disagree with it. This means you must obey a law even if you don't like it.

Rights and freedoms

Canada's constitution includes the *Charter of Rights and Freedoms* (often called the "Charter"). It highlights key **freedoms** all Canadians enjoy. For example, you can:

- speak freely
- believe in any religion or no religion
- meet with or join any group (except a terrorist organization)
- live and work anywhere in Canada
- participate in peaceful political activities

The Charter also spells out key legal **rights**. For example, everyone in Canada has the right:

- to be thought of as **innocent** until proven **guilty**
- to have a fair **trial** in **court**
- to not suffer cruel or unusual treatment or **punishment**

The Charter also sets out **equality rights**. Everyone in Canada has the right to the equal protection and benefit of the law, without **discrimination**. This means that the laws in Canada must be applied equally to all people, regardless of personal characteristics such as race, sex, sexual orientation, age, or disability (among others).

Laws against discrimination

Canada's laws help protect you against unfair discrimination when you (among other things):

- use public services
- buy or rent a home
- look for a job
- deal with any government agency

To discriminate against someone means to treat them badly or unfairly because of certain parts of their identity. These include:

- race, colour, ancestry, Indigenous identity, or place of origin
- age
- sex, sexual orientation, or gender identity or expression
- marital or family status
- religion
- physical or mental disability

Discrimination is against the law in Canada. For example, it is against the law to discriminate against women. Women in Canada are equal to men. They can have the same jobs as men. They are equal partners in the family, in business, in law, and in government.

That all said, the reality is that people living in Canada are not always treated equally. For example, women often face wage discrimination. The law says this is not okay.

As well, there are laws, policies, and practices that create and uphold discrimination. This is called **systemic discrimination**. For example, anti-Indigenous racism is embedded in many of our laws and institutions. Governments are starting to come to terms with this. In BC, the Office of the Human Rights Commissioner works to shift discriminatory laws, policies, and cultures.

Responsibilities

The law offers you protections, such as from discrimination and unfair treatment by others. The law also places **responsibilities** on you.

When you rent a place to live, for example, you have the right to the quiet enjoyment of your home. Your neighbours also have this right. This means you have a responsibility not to make noise that disturbs your neighbours. And your neighbours have a responsibility not to make noise that disturbs you.

In a similar way, your freedom of religion means you must also respect the beliefs of others. You must respect the rights of other people even if you don't like or don't approve of those rights.



"My co-worker Iryna used to disapprove of LGBTQ+ couples. Her culture and religion doesn't accept them. I and others helped her learn that in Canada, it's against the law to discriminate against people based on their sexual orientation, or their gender identity or expression. She has become much more accepting of people who identify as LGBTQ+."
– Nina, Burnaby, BC

You also have responsibilities to the community as a whole. Because you can make use of social services in Canada, you must pay your share of the taxes that finance those services. Canadian laws aim to balance rights and responsibilities.

How laws are made

Canadians vote for people to represent us in government. The people who get the most votes become our elected **representatives**. It is their job to make the laws.

Voting

To vote in any **election**, you must:

- be a Canadian citizen,
- be at least 18 years old on election day, and
- be on the voters' list.

To vote in a British Columbia election, you must also have lived in the province for the six months before voting day. To find out how to get on the voters list for a federal election, go to Elections Canada at elections.ca.

Who makes the laws

When Canadians vote, they give consent to the party that wins the election to make the laws.

The elected politicians can propose new laws or **bills**. A bill is what a law is called before it becomes a law. These bills are debated to decide whether or not they should become laws. The goal of the debate is to explore all possible effects of a bill, both good and bad. After the debate, there is a vote. If the majority of our elected representatives vote for the bill, it can become a law.

Changing the laws

If someone wants to change a law, they can work with other Canadians to seek change through peaceful means. Canadians write letters, organize political protests, work with political parties, or join groups of people who have the same ideas as they do. Working in this way, groups may succeed in persuading the government to change a law. Changing a law takes a lot of time and work but Canadians believe that peaceful change is best.

The government

In Canada, there are different levels of government: federal, provincial, and municipal.

Levels of government

The **federal government**, called the government of Canada, acts for the whole country. The elected representatives of the federal government are members of Parliament, often called MPs. They meet in Ottawa. The leader of the federal government is called the prime minister.

The Parliament in Ottawa has two sections: the House of Commons and the Senate. The House of Commons is where members of Parliament

debate and vote in order to make laws. The purpose of the Senate is to review proposed laws to make sure they are the best they can be.

Provinces and territories have their own governments. British Columbia, like other provinces, has a **provincial government**. In BC, the elected representatives of the provincial government are members of the Legislative Assembly, often called MLAs. They meet at the legislature in Victoria. The leader of the provincial government is called the premier.

Canada also has **local (municipal) governments** in cities and towns. The elected representatives are called councillors. They meet at city hall or town hall. The leader of the municipal government is called the mayor.

Each level of government has different responsibilities

Each level of government makes laws on what they are responsible for. The federal government has the power to make laws that affect the whole country. Examples are citizenship and immigration laws, and criminal laws.

Provincial governments, such as the province of British Columbia, have the power to make laws that apply only in that province. Examples are landlord and tenant laws, and most laws about employment.

The provincial governments can give some of their responsibilities to municipalities.

Municipalities, cities, and towns have the power to make local laws about things such as streets, parking, and noise. These laws are called **bylaws**.

Canada has a king

King Charles III, who lives in Britain, is the king of Canada. But the king and his representative in Canada, the governor-general, are the **symbolic** heads of Canada. It is the elected representatives (described above) who have political power and make laws in Canada.

Governance in Indigenous communities

Indigenous Peoples have the **inherent right to self-determination**. The source of this right is not Canadian law. Indigenous Peoples have been self-determining for thousands of years. Indigenous communities have their own ways of organizing themselves and resolving disputes.

When Europeans arrived, they forced foreign systems of governance on Indigenous Peoples. Indigenous communities are working to regain control over matters that are essential to their ways of life. Each community has unique needs and goals.

Some Indigenous communities have chosen to negotiate **self-government agreements** with the federal government. These communities have control over their own affairs. This can include making their own laws, deciding how to spend money, and delivering services within their community.

Canada's Legal System



In this section, you will learn the role courts and tribunals play in applying Canada's laws.

Two kinds of law: Criminal law and civil law

Broadly speaking, laws in Canada fall into two categories: criminal law or civil law.

Criminal law deals with crimes, like assault or theft. The *Criminal Code* is the main law setting out what amounts to a crime and how it should be dealt with. This law is the same all across Canada. The purpose of criminal law is to make sure people stay safe and secure. If someone is charged and found guilty of a crime, they face legal consequences ranging from a discharge to a fine to time in jail.

Civil law deals with all other legal issues, like having a contract with someone or buying property. Family law is another kind of civil law. The purpose of civil law is to make sure that we are fair in our dealings with each other.

Courts apply the laws

A **court** is a place where legal matters are decided, usually by a judge. Courts exist to provide a way to apply the laws in a fair and rational manner. Courts have a variety of functions. For example, they enforce criminal law and they resolve civil law disagreements among people.

Two very important principles are fundamental to the Canadian court system:

- the courts are separate from government
- judges are independent

The courts are separate from government

In Canada, the courts are separate from the government. This arrangement is often called "a separation of powers."

The courts decide how the laws that are made by the government apply to individuals in everyday situations. A key purpose of the courts is to protect the rights and freedoms of everyone in Canada.

When judges make a decision in court, they apply the law made by our elected representatives. They are also guided by what other judges have decided in previous similar cases.

Judges are independent

In Canada, judges are free to make decisions without interference or influence from any source, including government.

It is our constitutional right to have our legal issues decided by a fair, independent decision-maker. Judges have a responsibility to listen to both sides of a case and then to make fair decisions based on the law, the facts, and the evidence before them.

If a judge felt pressure from the government — or anyone else — to decide a case in a particular way, the result would be unfair. The rights of individual citizens would not be protected.

Courts in British Columbia

In BC there are three levels of court:

- Provincial Court
- Supreme Court
- Court of Appeal

Provincial Court of British Columbia

The Provincial Court is the first level of court. It deals with:

- most cases about criminal law matters
- most types of family cases, including those involving child protection
- civil cases dealing with claims between \$5,000 and \$35,000 (smaller claims of up to \$5,000 are brought to an online tribunal, which is like a court but less formal)
- cases that involve traffic offences



"Last year, I loaned \$10,000 to a friend to help him buy a used car. He agreed to pay me \$150 per month, plus interest, until the loan was paid back. We even wrote this down. It's been over a year and he hasn't made any payments. He doesn't answer my texts or calls. I'm starting a small claims case against him in Provincial Court for the money he owes me."

– Ranjit, Prince George, BC

BC Supreme Court

The BC Supreme Court has the power to decide most legal cases. It hears:

- serious criminal cases (like murder)
- civil cases involving amounts over \$35,000
- family cases of all types, including those dealing with divorce or dividing property owned by the family
- appeals of cases from the Provincial Court

Court of Appeal for British Columbia

The Court of Appeal is the highest level of court in BC. If someone believes a big mistake was made in their case by the BC Supreme Court, they may be able to appeal the decision to the Court of Appeal. Usually, three judges from the Court of Appeal will hear the appeal.

Federal Courts

The federal court system is separate from the provincial court system. The Federal Court of Canada deals with some types of cases that involve the rights of all Canadians, like immigration, citizenship, and income taxes.

An appeal from the Federal Court goes to the Federal Court of Appeal.

Supreme Court of Canada

The Supreme Court of Canada in Ottawa is the highest court in Canada. It hears appeals from the highest courts in each province and territory. It also hears appeals from the Federal Court of Appeal. Usually, someone has to ask the Supreme Court of Canada for permission to appeal — it's not automatic. The court will decide if it will hear an appeal.

There is no appeal from a decision made by the Supreme Court of Canada.

Tribunals

Tribunals are like courts but are less formal. They hear specific types of disputes. An example is the Employment Standards Tribunal, which hears complaints that workers in BC bring against their employers.

Tribunals are typically faster and cheaper than courts as a way to resolve disagreements. Similar to a court, each side at a tribunal has a chance to present its case, and an independent decision-maker makes a decision. The decision-maker is someone with specialized knowledge.

Here are more examples of issues where you can use a tribunal to resolve your dispute:

- small claims disputes up to \$5,000
- employment and assistance benefits
- human rights claims
- landlord and tenant matters
- workers' compensation benefits

Working in BC



This section looks at laws that apply to the workplace in British Columbia.

Tip

For updated and in-depth coverage of the laws that apply to workers in BC, visit peopleslawschool.ca.

Accepting a job

When you accept a job, you enter into a legal agreement with the employer. This is called your **employment contract**. Your employer agrees to pay you a wage in return for your work.

The employment contract typically sets out other details as well. For example, things like how much vacation you get, how many sick days you can take, and the rules around **overtime**.

Your employment contract might take the form of a written agreement you sign. Or it could be in a letter or email you receive from the employer before you start working. It could even be partly in an office policy manual or staff handbook.

Rights at work

In BC there's a law that protects the rights of workers. It's called the *Employment Standards Act*. This law sets minimum standards for working conditions. It covers:

- the minimum amount a worker can be paid
- hours of work and overtime

- vacation and statutory holidays
- getting time off work if you're sick and for certain other reasons
- ending employment

We explain key parts of this law shortly.

The Employment Standards Branch administers this law. This is a government office that helps workers and employers resolve problems. The branch can be reached at 1-800-236-3700 (toll-free) and found online at gov.bc.ca/employmentstandards.

Most workers are protected by employment standards law

The *Employment Standards Act* applies to **employees**. The definition of who is an employee is very broad. It's intended to cover as many work relationships as possible.

But not everyone is covered by this law. Some types of workers are not included. For example, it doesn't cover those working in certain licensed professions (such as architects and lawyers). It doesn't cover babysitters or students working at their school or in work-study programs.

As well, **independent contractors** aren't covered. Unlike employees, independent contractors are hired by the employer to perform a service. They are in business for themselves.

Some workers are covered by parts of the Act but not all of it. For example, farm workers are protected by some but not all sections of the Act.

Minimum wage

Employees are entitled to a **minimum wage**. An employer can't pay an employee less than this wage. As of June 1, 2022, the general minimum wage in BC is \$15.65 per hour. Special minimum wage rates apply for some jobs, such as farm workers who pick crops by hand. The rates change from time to time.

Both full-time and part-time workers have the right to minimum wage.

Overtime pay

Employees are entitled to **overtime** wages if they work more than eight hours per day or 40 hours per week. (There is one exception: if they agree to average their hours. The employer can then compress the work week into fewer, longer work days without paying the usual overtime.)

The amount of overtime pay depends on the number of extra hours an employee works.

After eight hours of work in one day, the employer must pay one-and-a-half times your regular pay for each extra hour you work. This is called **time-and-a-half**.

After 12 hours, your employer must pay two times your regular pay for each additional hour you work. This is called **double-time**.

Meal breaks

Your employer mustn't allow you to work more than five consecutive hours without a meal break. Each meal break must be at least half an hour long.

Employers are not required to provide coffee breaks.

Statutory holidays

There are eleven public holidays in BC. They are called **statutory holidays** because the *Employment Standards Act* says they are holidays. Statute is another name for a law made by the government.

On statutory holidays, employees are entitled to the day off with pay, or to extra pay for working on the holiday.

The statutory holidays in BC are New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, British Columbia Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving Day, Remembrance Day, and Christmas Day. Easter Sunday, Easter Monday, and Boxing Day are not statutory holidays, though many employers will offer employees a day off with pay on those dates.

Vacation

As an employee, after your first 12 months on the job, the employer has to give you at least two weeks paid vacation every year. If you've worked for the same employer for five years or more, your employer has to give you at least three weeks paid vacation every year.

These vacation minimums are in addition to statutory holidays.

Leave

Employees are entitled to take leaves from work for a range of reasons.

People who are expecting to give birth are entitled to 17 weeks off work, without pay, to have their baby. This is called **maternity leave**. It's also sometimes referred to as pregnancy leave.

An employer can't fire a worker because they are pregnant. And when they return to work, they must get back their old job or a similar job for at least the same pay.

Any parent is entitled to a period of unpaid **parental leave** from work when their child is born or adopted.

An employee is entitled to **sick leave**. Over the course of a year, you're entitled to at least five days of paid sick leave and three days of unpaid leave if you can't work due to personal illness or injury.

There is also a **family responsibility leave**. This allows you up to five days of unpaid leave to help with the care, health or education of an immediate family member.

Safety at work

Getting hurt on the job

Sometimes workers get hurt or sick on the job. **Workers' compensation** is a program that helps.

WorkSafeBC runs this program. They make safety rules and send inspectors to workplaces to check if they are safe. Employers pay for this protection. There is no cost to workers.

Workers who can't work because of an accident at work or illness may get money from the workers' compensation program. If a worker dies at work, the family may get compensation.

Discrimination at work

In Canada, the law helps protect workers from **discrimination**.

An employer is expected to hire workers on the basis of skills, experience and education needed for the job. It is discrimination if an employer doesn't give you a job because of any of these personal characteristics:

- your race, colour, ancestry, Indigenous identity, or place of origin
- your age
- your sex, sexual orientation, or gender identity or expression
- your marital or family status
- your political belief or religion
- any physical or mental disability
- any criminal convictions that are unrelated to the job

The law also helps protect you against discrimination while you are on the job. This might take the form of being treated differently or poorly, compared to others, because of one of the personal characteristics listed above.

If an employer discriminates against you, you can make a complaint to the Human Rights Tribunal. For help with making a complaint, contact the BC Human Rights Clinic at bchrc.net.



"I felt ready to take on more at work. I applied for a supervisor position. My employer told me it would be 'too much for a woman to handle.' I was shocked by the blatant discrimination. I'm considering a human rights complaint."

– Jasmine, Richmond, BC

Belonging to a union

A **union** is a group of workers who join together to negotiate wages and working conditions with the employer. Everyone has the right to form a union if most of the workers want a union. Unions are for the protection of workers.

If you are a member of a union, the union will talk through issues with your employer. Together, they will decide about pay, vacation time, sick leave, and other benefits. This is called collective bargaining. They will write a contract. This is called a **collective agreement**.

The collective agreement sets out your rights and working conditions. If you have a problem with your employer, talk to the union. The union will meet with the employer to discuss the concerns.

There are rules for unions, saying what they can and can't do. These rules are set out in the *Labour Relations Code*.

Leaving or losing your job

Generally speaking, an employer can fire a worker whenever they want as long as they give **notice of termination**. The employer can do this in two ways. They can tell the worker ahead of time, or pay them instead.

Notice requirements

Under the *Employment Standards Act*, employees who lose their job are entitled to receive a minimum amount of notice or pay based on length of service:

- after three consecutive months of employment — one week
- after 12 consecutive months of employment — two weeks
- after three consecutive years — three weeks, plus one week for each additional year of employment to a maximum of eight weeks

An employer can give either advance notice or pay. The notice must be in writing.



"I worked in a local bookstore for six months. After the holiday season, my employer said she didn't have enough work for me and had to let me go. She told me today was my last day, and that she would transfer an additional week's worth of pay to my bank account."

– Aiden, Nanaimo, BC

You may be entitled to more than these minimum requirements. The notice you get must be **reasonable** — unless you have an employment contract that says differently. How much is reasonable depends on factors such as how long you've been in the job, the type of job, and your age. For more on what reasonable notice is, see peopleslawschool.ca.

Getting fired for "just cause"

Workers can lose their job without notice or pay if they do something seriously wrong. This is called being fired for **just cause**. Examples of when an employer might have just cause to fire you are if you are dishonest about something important or you steal from the employer.

Getting laid off

Sometimes an employer does not have enough work for their workers or does not have money to pay the bills. The employer might lay off the workers for a few weeks.

A **layoff** is usually temporary. The employer doesn't have to tell you ahead of time. If the layoff lasts longer than 13 weeks in a 20-week period, it means your employment has ended.

If the layoff is permanent and your employment has ended, the employer must give you **notice of termination**. That is, they must give you advance notice or pay as described above.

Quitting your job

Workers can quit a job at any time. However, they generally must give notice ahead of time, to give the employer a reasonable time to adjust to their departure. The amount of notice depends on factors like the worker's responsibilities, salary, and length of service. For more junior workers, two weeks notice is common.

If you can, it's a good idea to give plenty of notice that you are quitting. This is especially so if you want your employer to give a good report about your character and abilities when you apply for another job. This is called giving a **reference**.

Employment insurance (EI)

Employment insurance is a federal government program that all workers and employers pay into. It's often known just by its initials: EI.

EI is meant to help workers when they lose their jobs, or need time off work.

There are several types of employment insurance benefits:

- **Regular benefits** are for people who lose their jobs through no fault of their own.
- **Maternity and parental benefits** are for those who are pregnant, have recently given birth, are adopting a child, or are caring for a newborn.
- **Sickness benefits** are for people who cannot work because of sickness or injury.
- **Caregiving benefits** are for people who have to care or support a family member who is critically ill or injured or requires end-of-life care.

To apply for EI benefits, you need to fill out an application for EI at a Service Canada office at servicecanada.gc.ca or online at canada.ca/ei. You have to work a certain number of weeks before you can apply for benefits.

If you lost your job because you quit or got fired, it may be difficult to get EI benefits.

Renting a Home



Every province in Canada has laws about renting, as well as about buying and owning a home. In this section, you will learn about these laws in British Columbia.



For updated and in-depth coverage of renting or buying a home in BC, visit peopleslawschool.ca.

Before renting

When you rent a place to live, you are a renter, also known as a **tenant**. If you own a home or apartment and you rent it to someone else, you are a **landlord**.

You must follow BC laws about renting if you are a tenant or a landlord. A government office is responsible for making sure landlords and tenants follow these laws. It's called the Residential Tenancy Branch.

The laws in play

The main law that sets out the rules for tenants and landlords is called the *Residential Tenancy Act*. There are more rules in another law called the Residential Tenancy Regulation.

There are supports available

For information or free help, you can contact the Residential Tenancy Branch or the Tenant Resource & Advisory Centre.

Residential Tenancy Branch

Vancouver: 604-660-1020

Victoria: 250-387-1602

Toll-free: 1-800-665-8779

gov.bc.ca/landlordtenant

Tenant Resource & Advisory Centre (TRAC)

Vancouver: 604-255-0546

Toll-free: 1-800-665-1185

tenants.bc.ca

TRAC has an online course for first-time tenants at rentingitright.ca. In it, you'll learn how to search for housing, put together a strong rental application, and safely sign a contract about your tenancy with the landlord.

You can also find answers to common questions tenants have at peopleslawschool.ca/renting.

Looking for a place

When you look at a place to rent, the landlord will tell you how much the rent is. It's important to ask the landlord what is included in the rent. For example, does the rent include gas, electricity, internet, cable service, or laundry machines for your use?

When you apply to rent a place, the landlord cannot charge you money to take your application. Doing this is illegal.

Discrimination in renting

A landlord can't refuse to rent a place to live based on a part of someone's identity protected under the law. Doing so is **discrimination**. The law protects against discrimination based on a person's:

- race, colour, ancestry, place of origin, or Indigenous identity
- age
- sex, sexual orientation, or gender identity or expression
- marital or family status

- religion
- (legal) source of income
- mental or physical disability

A landlord can't refuse to rent to someone or charge a different rent based on any of these protected characteristics.

So a landlord can't, for example, refuse to rent to someone because they're on income assistance.

Or a landlord can't refuse to rent to someone because they have children. (There is an exception to this rule for rental buildings reserved for people age 55 and older.)

You can complain to the BC Human Rights Tribunal at bchrt.bc.ca if you think a landlord has discriminated against you.

For help with filing a human rights complaint, you can contact the BC Human Rights Clinic at bchrc.net operated by the Community Legal Assistance Society.

Making an agreement to rent

When you find a suitable place to rent, you and the landlord make a contract. This is a binding legal agreement. A contract between a tenant and landlord is called a **tenancy agreement**.

A tenancy agreement must follow the rules about renting in the *Residential Tenancy Act* and Regulation. It must be in writing. The Residential Tenancy Branch has a **residential tenancy agreement** form at gov.bc.ca/landlordtenant that you and the landlord can use.

The agreement will say how much the rent is and when you must pay it. The agreement should also include what the law says about such things as **security deposits**, rent increases, and repairs.

A tenancy agreement can be a month-to-month agreement or a fixed-term agreement, also known as a **lease**. If you sign a lease, you can't move out until your lease is finished without paying extra money.



"When I moved to BC, I signed a one-year lease for a rental apartment. I planned to stay the full year. Unfortunately, my mom isn't doing well. With a few months still left on the lease, I decided to go back to Ontario to help her. But because I'm moving out early, I have to pay for the remaining months of the lease."

– Candace, Coquitlam, BC

The tenancy agreement must be signed and dated by you and your landlord. You should read the agreement before you sign it. Get someone to help if you need to. The landlord must give you a copy of the signed agreement within 21 days.

Move-in inspection

You and the landlord must do a walkaround before you move in, checking the rental unit out together. The landlord must complete a **condition inspection report**, and both of you need to sign it. This is a written record of the condition of the place. The report should show if it's in poor condition.

Make sure you get a copy of the condition inspection report from the landlord.

Paying a deposit

When you move into a place, the landlord can ask for some extra money to cover any damage you may cause to the rental unit. This is called a **security deposit**. It can't be more than half the monthly rent. The landlord can also ask for a pet damage deposit if they allow you to have a pet. That also can't be more than half the monthly rent.

It is very important you keep the receipts for these deposits. At the end of your tenancy, you are entitled to the deposits back unless the landlord can show you damaged the unit.

While renting

Paying rent

When you rent a place to live, you usually pay rent to the landlord once a month. Make sure you get proof that you paid the rent. This can take the form of a receipt from the landlord, a witness, or a cancelled cheque from your bank or credit union. Keep this proof in case there is a dispute about it later.

Rent increases

If your landlord wants to raise your rent, they must follow the rules. For example, the landlord can only increase the rent once every 12 months. They can't increase it more than a percentage set by the government.

As well, the landlord must use a special form called **notice of rent increase**. And they must give you this notice three full months before they can increase the rent.

For more on rent increases, see the Residential Tenancy Branch at gov.bc.ca/landlordtenant and TRAC at tenants.bc.ca.

Repairs

Landlords are generally responsible for fixing problems in a rental unit. Tenants are responsible for repairing damage they (or their visitors or pets) cause.

The landlord must put up a sign or tell you in writing who and what number to call if there is an emergency. This includes urgent problems with electricity, plumbing (say the toilet doesn't work), and heating.

If something needs to be fixed, ask your landlord to make the repairs. It's a good idea to do this in writing and keep a copy of the letter.

If the landlord doesn't make the repairs, contact the Residential Tenancy Branch at gov.bc.ca/landlordtenant or TRAC at tenants.bc.ca.

Another option may be to contact your municipality. Many towns and cities have rules

(or **bylaws**) about keeping rental suites safe and healthy. You can contact your local city hall to ask them about these rules. They may be able to send an **inspector**. An inspector can check your place for free and tell the landlord to do the repairs.



"I live in a basement suite. The pipe from the toilet was leaking, so I told the landlord. But the landlord didn't fix it, even after I asked a second time. I decided to contact city hall. An inspector came to look at the toilet. They told the landlord to fix the pipe. Because the landlord didn't want to be fined, they fixed the problem."

– Ciara, Kamloops, BC

Paying for damage

As a tenant, if you (or your visitor or pet) damage the rental unit, you have to pay for the repair. You should tell the landlord right away.



"I rent a suite in an older house. I threw a party one night. One of my friends accidentally broke a bedroom window. In the morning, I called the landlord and explained what happened. The landlord called a company to replace the window, and I paid \$400 for the new window."

– Quan, Nelson, BC

Letting the landlord in

Landlords can ask to enter the rental unit. You can agree to let the landlord in when they ask. Otherwise, the landlord must give you written notice at least 24 hours before they come. The notice must say what time between 8 am and 9 pm the landlord will come and why they are coming.

Sometimes there is an emergency. For example, you may have a fire or a broken water pipe. Then the landlord can come in without notice or permission.

Resolving disputes

If you have a problem with your landlord, you may be able to resolve the matter by talking to them. If you can't work it out on your own, you can access **dispute resolution** through the Residential Tenancy Branch.

Either you or the landlord can apply for dispute resolution. The process involves a hearing — like a court hearing, but less formal. It's usually held by teleconference. An independent decision-maker makes a decision in your situation based on the law. You need to have evidence in support of your claims. You and the landlord must follow the decision.

To learn more about how dispute resolution works, see the Residential Tenancy Branch at gov.bc.ca/landlordtenant and TRAC at tenants.bc.ca.

Ending a tenancy

Moving out

When you want to move out of a house or apartment you are renting, the law requires that you tell your landlord in writing. This is called **giving notice**. You have to write your name, address and the date you will move out, and then sign the notice.

If you are in a **month-to-month tenancy**, you must give notice to the landlord at least one month before you will move out. The first day of the month you plan to move out is too late.



"I rent an apartment month-to-month. I've decided to move out and find a place closer to my parents. I plan to move out on December 31. That means I have to give notice to my landlord by November 30 at the latest. If I give notice on December 1, it would be too late; I'd have to pay an extra month's rent in that case."

– Nathan, Courtenay, BC

If you signed a fixed-term agreement or **lease**, you are not allowed to end your tenancy early. If you do, you may have to pay extra money to the landlord for breaking the tenancy agreement.

It's best to give the notice to the landlord or the building manager yourself. You may want to ask someone to go with you in case the landlord denies receiving the notice. Keep a copy of the notice.

Eviction

A landlord can sometimes make a tenant move out of a rental unit. This is called **eviction**.

The law says how much time the landlord has to give the tenant to move out. It depends on the reasons for eviction. For example, the landlord can give:

- **10 days notice** when the tenant hasn't paid the rent
- **one month notice** when the tenant is too noisy or has too many people living in the place
- **two months notice** when the landlord or a close family member wants to live in the rental unit

These are just examples.

As a tenant, be aware that the landlord cannot just tell you to leave. They have to put the eviction notice in writing, on the proper form, and explain the reason for the eviction. If you get an eviction notice, **don't ignore it**. Read it very carefully.

You may disagree with the reason the landlord is evicting you. For example, you don't think you're too noisy, or you don't have too many people living in your place. If you want to try to stop an eviction, you can **dispute** the notice. You can apply to the Residential Tenancy Branch to ask an arbitrator to decide. The eviction form will say how much time you have to do that.

If you get an eviction notice, you should ask for help or advice as soon as you can. Contact the Residential Tenancy Branch at gov.bc.ca/landlordtenant or TRAC at tenants.bc.ca.

Getting your security deposit back

On moving out of your rental unit, you should give the landlord an address in writing saying where to send the **security deposit**. Once you have given the landlord this address, the landlord must do one of three things:

- return the security deposit with interest within 15 days,
- ask for your written permission to keep some or all of the deposit, or
- apply to the Residential Tenancy Branch for permission to keep some or all of the deposit.

If the landlord doesn't deal with the security deposit within 15 days, they have to pay you double the amount of the deposit.

Buying a home

Buying a home is exciting. But it's also stressful, as there's a lot at stake.

Before you start looking, consider what you can afford. There are a lot of expenses involved. In addition to the obvious (the purchase price), there are closing costs (including legal fees), and ongoing costs such as loan payments, property taxes, and maintenance.

Borrowing money to buy a home

Most people cannot afford to pay the entire cost of a home up front. A lender may loan you money to purchase it. The money you borrow to buy a home is called a **mortgage**. The lender will also expect you to use some of your own money and make a **down payment** on the home you buy.

Sometimes a lender will give you a pre-approved mortgage. This is a mortgage amount at an interest rate they guarantee for a period of time, such as 90 days.

To pay down your mortgage, you make a regular payment, most often monthly. Your monthly payment includes the **interest** the lender charges you to borrow their money.

What's involved in buying a home

Most homes in Canada are sold through real estate agents, also called realtors. A real estate agent can assist you with the purchase process, including helping you understand the housing market, learning about the community you want to live in, and negotiating the purchase price. The cost of your real estate agent is usually covered by the seller of the home.

When you find a property you want to purchase, your real estate agent will write an offer, called a **contract of purchase and sale**. The agent will present your offer to the seller.

It's a good idea to have the home inspected before you complete the sale. This may help you avoid big or small surprises such as structural problems or mould in the walls. A real estate agent can help you find a home inspector. As the buyer, you pay for the cost of the inspection.

To complete the sale, you need to prepare documents that transfer legal ownership from the seller to you. Most people hire a lawyer or notary public to help with this. Your real estate agent may be able to suggest one for you. Or you can search online or in your local phone book.

People's Law School has more in-depth information about buying a home at peopleslawschool.ca.

Owning a home and bylaws

When you own your home, many laws that come into play are made by your city or town. These are called **bylaws**. They deal with safety and health issues and allowable uses of the property. They set out rules for things like fences, trees, noise, parking, and pets.

For more information on these topics, visit the neighbours section on the People's Law School website at peopleslawschool.ca.

Family Law



Family law is the area of law that deals with relationships, marriage, and children.

Tip

For updated and in-depth information on family law in BC, visit dialalaw.ca.

Family relationships

The laws in play

There are two main laws dealing with family law. They are the:

- *Family Law Act*: This BC law applies to all couples (married and unmarried).
- *Divorce Act*: This federal law applies to married couples only (or those who used to be married).

These laws (and others) apply in the same way to people in opposite-sex and same-sex relationships.

Family law and Indigenous Peoples

For many family law matters, the same laws apply to everyone. For example, there are no distinct laws for Indigenous Peoples about getting married.

There are some situations where a person's Indigenous identity and heritage are considered. For example, a court will consider an Indigenous child's upbringing, culture and heritage in deciding what parenting arrangements are in the child's best interests.

A few laws about family matters are different for Indigenous Peoples. For example, when a couple separates, if one of them lives on a First Nation reserve, certain other laws apply. Legal Aid BC explains the family laws that apply to Indigenous Peoples at family.legalaid.bc.ca/aboriginal-people.

Getting married

To get married in BC, someone has to be unmarried and age 19 or older. (Young people between 16 and 19 can marry with the consent of their parents or **guardians**.) They also have to understand the nature of the marriage ceremony.

Someone doesn't have to be a resident of BC to get married here. But they do need a marriage licence. They need to apply for it some time in the three months before their wedding date.

A valid marriage lasts until one partner dies or until the marriage is legally ended by a **divorce**.

Marriage and marriage-like relationships

When someone is married, the law says they are a **spouse**. As a spouse, they have legal rights and responsibilities about caring for each other and their children.

Someone is also considered a spouse under the law in two other situations:

- If they've lived together in a **marriage-like relationship for two years or more**.
- If they've lived together in a **marriage-like relationship and have a child together**.

Many people call a marriage-like relationship a "common-law" relationship. This type of relationship ends when a couple begins to live apart.

Guardians and guardianship

A child's parents are the **guardians** of the child while they live together and after they separate. This means they are responsible for caring for the child and making decisions affecting the child.

If the parents separate, both remain the child's guardians, unless an agreement or court order removes one of them as a guardian.

Generally, a parent who has never lived with their child is not the child's guardian. There are a few exceptions, such as if they regularly care for the child.

People other than parents — such as grandparents, for example — can sometimes be guardians. But they must apply to court for an order naming them as guardians.

Family law agreements

A family law agreement is a written **contract**. It sets out a couple's decisions about the legal issues in their relationship.

Couples can make an agreement at any time. They can make one before moving in together, while living together, or when they separate.

An agreement made before or while a couple lives together can cover what will happen during the relationship. For example, it can describe how household chores or expenses will be divided. It can also set out what will happen if the relationship ends.

An agreement made after a couple separates covers their decisions about parenting, financial support, and dividing property and debt. This type of agreement is called a **separation agreement**.

Making a family law agreement saves time, money, and stress. It allows couples to keep control of important decisions that affect their family.

Before signing a family law agreement, each **spouse** should get legal advice. They should see separate lawyers about what the agreement says.

When a relationship breaks down

Separation

Every year in BC, thousands of married and unmarried **spouses** stop living together as a couple. This is called **separation**.

Spouses are separated when one or both people:

- decide their relationship is over,
- tell the other person their decision, and
- act like the relationship is over.

Even if a couple continues to live in the same home, they can be considered separated if they don't share things like meals, a bedroom, and social activities.

Spouses don't need to agree to separate. They also don't need to sign any papers, see a lawyer, or go to court to be separated.

Decisions to make

When a couple separates, they must make many decisions. For example:

- Does one person need financial help from the other? This is called **spousal support**. Can the other person afford to pay it? If so, how much can they afford to pay and for how long?
- Who will stay in the family home? Can everybody still live there or does someone need to move out?
- How will property be divided? How will debts be shared?
- If there are children, where will they live? How will decisions about their care be made? How will the parents share time with the children?
- Does **child support** need to be paid? If so, which parent should pay child support and how much?

Sponsorship breakdown

A spouse may be **sponsored** to come live in Canada as a permanent resident. If they separate from their sponsor, they may worry whether they can stay in Canada. They can. Their sponsor can't make them leave the country. And the sponsor doesn't have the right to keep the couple's children or property.

In their booklet *Sponsorship Breakdown*, Legal Aid BC explains what happens when an immigration sponsorship breaks down.

Divorce



"Marianne and I separated a few months ago. I thought we needed to do something to get a legal separation, like sign some papers or go to court. But a lawyer told me we don't have to do anything. As long as one of us wants to end the relationship, tells the other, and acts like our relationship is over, we are separated. Once we've been separated for at least a year, one or both of us can apply to court for a divorce. In the meantime, we can make a family law agreement to settle our issues."

– Neil, Salt Spring Island, BC

For a married couple to end their marriage, they must follow a legal process called **divorce**. (If the marriage wasn't valid, they can apply for an **annulment**.)

Getting a divorce involves filling out forms and filing them with the BC Supreme Court. A judge looks over the documents. They will decide whether to grant a divorce.

To apply for a divorce, a spouse must have lived in BC for at least 12 months. They don't need their spouse's permission to apply. But they have to show their marriage has broken down. A spouse can do this by showing any of these things:

- that the spouses have lived separately for at least one year
- that their spouse has committed **adultery**

- that their spouse abused them physically or mentally (called **cruelty** under the law)

Someone can apply for a divorce in BC even if they were married in another country. They will need to show proof they were legally married — such as by providing their original marriage certificate.

Some cultures have their own divorce ceremony. But a couple is not legally divorced in Canada unless they have a **court order** for divorce from Canada or another country.

For more on the requirements to get a divorce and the process involved, visit dialalaw.ca.

Decisions about children

When parents separate, they must work out the details of how their children will be cared for.

Parenting arrangements

A child's parents can make arrangements to share **parental responsibilities** and **parenting time**.

Parental responsibilities include making decisions about day-to-day care. It also includes making decisions about important aspects of the child's life. This includes where they go to school, how they're treated when they get sick, and if they'll be raised in a religion. When parents separate, parental responsibilities can be shared or be given to just one parent.

Parenting time is the time that a parent spends with a child. During parenting time, a parent is responsible for the care of the child and making day-to-day decisions.

Contact

Contact with a child refers to the time that a person who is not a guardian spends with the child. For example, grandparents, stepparents, and others who are important to the child may have contact with the child.

Best interests of the child

If parents can't agree about the care of their children, they can ask a court to decide. When making decisions like these, courts only consider the best interests of the children. Factors that go into this include:

- the child's health and emotional well-being
- what the child wants and needs
- who cared for the child in the past
- whether there is a history of family violence
- what the parents are capable of (each one's ability to carry out their responsibilities for the child)

Child support

Parents are legally responsible for financially supporting their children. This is true even if one parent doesn't see or take care of the children.

Child support is money paid by one parent to the other parent. It's paid after separation to help cover the costs of raising the children.

The parent with whom the child lives most of the time is entitled to receive child support from the other parent. If a child spends the same amount of time with both parents, the parent with the higher income usually has to pay child support.

Child support is calculated using rules called the Child Support Guidelines. These rules are based on the income of the parent who must pay support and the number of children they have needing support.



"When we separated, my husband agreed the kids should live with me. But we couldn't agree on money for the kids. So we went to a family justice counsellor. They told us child support is a child's right and that my husband has to pay money to support the children, based on his income. The counsellor helped us make an agreement."

– Nadia, Vancouver, BC

Spousal support

The breakup of a relationship can leave **spouses** on an unequal financial footing. A spouse who's struggling moneywise may ask the other for help. This is called **spousal support**. It's meant to help a spouse after separation with living expenses and with becoming financially independent.

Many factors determine whether a spouse can get spousal support. These include the length of the relationship, difference in incomes, and extent to which the relationship left one spouse economically disadvantaged.

Family property and debt

When a relationship ends, **spouses** often have to deal with their property and debt. They have to figure out who gets what and who pays for which debts.

BC family law spells out how property and debt are dealt with for couples who are married or who are in a **marriage-like relationship** for two years or more.

When their relationship ends, the spouses are presumed to keep property they brought into the relationship and to share in property they acquired during their relationship. Unless otherwise agreed, the law presumes that all **family property** and **family debt** is divided **equally**.

A court can order that family property and debt be divided *unequally* if it would be significantly unfair to divide it equally.

Moving after separation

After separation, one **spouse** may want to move to a new place. For couples who have a child together, if the move would significantly affect the child's relationship with other important people in their life, it's called a **relocation**. This usually means moving a long distance: to another province or country, or another community in BC.

The law sets out a process that must be followed. A spouse with a parenting order or agreement who wants to move generally must give written notice to the other guardian of the child, and to other people who have contact with the child. A guardian who doesn't want the move to happen can object by making an application to court. In deciding whether or not to allow a move, a judge will look at the child's best interests.

Legal Aid BC has more on the process of relocation at family.legalaid.bc.ca.

Abuse and staying safe

Family violence

Family violence is any kind of abusive behaviour used to get power and control over a family member. It can be intentional or unintentional. It can happen during a relationship or after it ends.

Family violence includes physical abuse (such as hitting a partner or child). It also includes sexual, psychological, and emotional or verbal abuse. It includes threats and harassment.

If someone is at risk of family violence, they may need to get a **protection order** from the court. A protection order is meant to protect a person and their children from violence carried out by another family member. It can stop the family member from making contact and from visiting the family home or a workplace.

If the family member does not follow the protection order, the police can help. They can arrest and charge the family member with a criminal offence.

For more information, including key supports for those experiencing family violence, see dialalaw.ca. As well, Legal Aid BC offers a factsheet series, *Live Safe, End Abuse*.

When children need protection

Sometimes parents don't take care of their children. Maybe they leave the children alone, or hurt them, or don't give them enough food.

This is child abuse.

If you are aware of a possible case of child abuse, the law says you *have* to report it to the BC government. You can call their provincial screening line at 1-800-663-9122 at any time of the day or night.

If a child protection worker thinks a child is in danger, they can remove the child from the home and place them in a safe place, such as the home of a relative.

When a child is removed, the worker and the parents have to go to court. The judge will hear from the worker and the parents and then decide what happens to the child.

There are some differences in the process for Indigenous children and families. For example, the child protection worker must take steps to protect the child's Indigenous identity and family ties, and a representative of the child's Indigenous community will become involved. This process is evolving as the BC government has recognized the rights of Indigenous communities to make laws and provide their own child and family services.

For more on child protection, see the Legal Aid BC booklets on *Parents' Rights*, *Kids' Rights* and *If Your Child Is Taken*, as well as dialalaw.ca. Legal Aid BC has information for Indigenous Peoples about child and family rights at aboriginal.legalaid.bc.ca.

Resolving family law issues

Sometimes separating couples can't agree on how to deal with their family issues. They might think going to court is their only option. Sometimes that's true. For example, if someone is violent or is threatening to take the children out of town.

But most family law problems can be resolved without going to court.

Resolving issues out of court

Among the options to sort out family issues outside the courtroom are:

- **Mediation.** The separating couple meets with a trained, neutral person called a mediator. The mediator can help the couple talk to each other and agree on their issues. The mediator doesn't take sides or force solutions on people. They don't make any of the decisions. They work to help the couple make decisions both can live with.
- **Collaborative negotiation.** The spouses each hire a specially-trained lawyer who practises collaborative negotiation. This is a confidential negotiation process where all involved agree to do everything possible to reach a settlement without going to court.
- **Arbitration.** The spouses hire a trained, neutral person called an arbitrator. The arbitrator makes a decision resolving the legal issues at an arbitration. Hiring an arbitrator is like hiring a private judge. An arbitrator's decision is binding and just as enforceable as a court order.



"My spouse and I made a separation agreement. We clashed on a lot of things, so we decided to get help. We contacted a mediator to work out parenting arrangements, support, and property division. I'm glad we did this without having to go to court. We saved money, and we both understand what our rights and obligations are."

– Danny, Squamish, BC

Going to court

Couples who can't agree on their family issues may have to start a court action. If so, here are some things they can expect during the process:

- **Exchange of information.** The law requires each **spouse** to provide the other with "full and true information" so they can resolve their dispute. The court rules set out what information must be provided.
- **Meetings to discuss options.** The court process focuses on helping spouses resolve as many of their issues as possible without having a **trial**. Parties meet with a judge early in the process to see if it's possible to reach an agreement.
- **A temporary solution.** In some cases, one or both spouses may need a *temporary* solution for issues, such as support payments or a decision about who lives in the family home. Either spouse can apply to the court for what is called an *interim order*. An interim order is for a limited time.

If issues remain unresolved, there will be a **trial** in court. A judge listens to the evidence presented and makes decisions about the issues. The judge puts the decisions into a final order. Both spouses must do what the court order says.

To learn more about BC's legal system, visit Legal Aid BC's website at family.legalaid.bc.ca.

Older People and the Law



This section deals with the laws that especially affect older people. This area of law is often called **elder law**.

Tip

For updated and in-depth coverage of how the law affects older people in BC, visit peopleslawschool.ca.

Retirement and government benefits

The government offers several programs to help people financially as they get older. These **social security** programs pay benefits when someone retires, becomes disabled, or loses a job.

- **Old Age Security** provides older adults with a monthly pension payment.
- **Canada Pension Plan** provides workers with a monthly pension when they retire. It also pays benefits when a worker dies or becomes disabled.
- **Employment insurance** provides benefits to workers who lose their job. It also helps those who can't work because of sickness, or need time off work to care for an ill family member.

Old Age Security

Old Age Security provides you with a monthly pension at age 65 if you have lived in Canada for at least 10 years. Your work history is not

a factor. You can receive the pension even if you have never worked or are still working. You must be a Canadian citizen or a legal resident.

If you have a low income, you may be eligible for additional benefits on top of the Old Age Security pension. For those age 60 to 64, there are allowance benefits. For those age 65 and over, there is a guaranteed income supplement.

You may need to apply to receive the Old Age Security pension. If you did not receive a letter from Service Canada the month after you turned 64, you should contact Service Canada. Their phone number is 1-800-277-9914. You can find their office locations at servicecanada.gc.ca. Have your **social insurance number** ready when you contact them.

Canada Pension Plan

If you worked in Canada, you can get a monthly retirement pension as early as age 60.

When you work, the government takes some money from your pay cheques (and from your employer) and puts it into the Canada Pension Plan (CPP). If you are self-employed, you have to pay money into the plan when you pay your income tax.

The plan pays a retirement pension to partially replace your income from working once you retire. The amount of your pension depends on how much you contributed to the plan. The CPP retirement pension is separate from your Old Age Security pension.

CPP also provides benefits when contributors become disabled or die.

The standard age to start receiving your CPP retirement pension is 65. But you can take a reduced pension as early as age 60.

Your CPP retirement pension does not start automatically. You must apply for it. You can do so online at canada.ca/cpp or at a Service Canada office. You can find their office locations at servicecanada.gc.ca.

Employment insurance

Older adults who continue working after age 65 are eligible for the same employment insurance benefits as other workers in Canada.

EI, as it's often called, provides benefits if you lose your job through no fault of your own (for example, due to shortage of work or seasonal layoffs) and can't find a job.

Employment insurance also provides sickness benefits if you can't work because of sickness or injury, as well as benefits to help caregivers take time away from work to care for family members who are ill or injured.

You can apply for EI benefits online at canada.ca/ei or at a Service Canada office. You can find their office locations at servicecanada.gc.ca.

Managing your money

Joint bank accounts

A **joint bank account** is held by two or more people. Any person whose name is on the joint bank account can put money into the bank account and take money out of it.

Sometimes people put their bank account into joint names with a trusted relative or friend so the other person can help with banking, shopping, and taking out cash for spending. But any person named on the account can use all of the funds as their own and take out all the money. This is a downside of joint accounts.

An option to lower the risk is to open a second, smaller bank account. You can ask your bank to regularly move funds from your main account into the second account to pay for what you need each month. You can tell the person who is helping you with banking and shopping that they can withdraw money from this account but not the main account. The main account stays in your name only.

Direct deposits and automatic payments

Another option that is safer than a joint account is to set up **direct deposits**. You can ask the government to have your pension and other cheques deposited directly into your bank account. You can also ask your bank about setting up automatic bill payments from your account.

The bank will send you a monthly statement so you know all the activity in your account. There might be a small cost, but many banks have low or no fees for services to older adults.

Talk to your bank manager for more ideas on keeping your money safe.

Protecting yourself and your money

Sadly, sometimes people try to take advantage of you, especially as you get older.

Scammers use a variety of methods to trick people out of their money. Some offer prizes and say you have to send them money to claim your prize. Some make threats, such as to bring criminal proceedings, unless you pay them money.

Others try to trick you to give up your personal information so they can access your bank accounts or run up debts in your name. This is called **identity theft**. It involves taking your personal information — without your knowledge or agreement — to commit fraud or theft.

Here are some key ways to protect yourself and your money.

Be careful with your personal information

This includes your name, address, phone number, and date of birth. Don't give them out to anyone you don't know and trust. Same with your **social insurance number**, credit card numbers, and bank account information.

Be careful when throwing away credit card statements and receipts. Tear the receipts

up or put them through a paper shredder. Criminals may go through the trash and use the statements and receipts to find out information about you.

Keep your passwords separate from your bank cards. If you write down passwords, make sure you store them in a safe place. Don't keep passwords in your wallet.

Don't give information when someone contacts you

If an offer sounds too good to be true, it usually is. If someone phones or emails with a prize or an offer and starts asking questions, they may be trying to learn your personal information. It's not safe to give these people information about yourself or your accounts.

A bank will never ask for personal information or passwords over the phone unless you call them, and in that case, the bank will ask you to prove your identity. A bank will never email you and ask for your passwords or the numbers for debit or credit cards.

If you have caller ID on your phone, you can look to see if the number belongs to someone you know. If the number is not familiar, you can let the phone ring and ignore the call.

Register with the do not call list

You can register for the national do not call list at Innte-dncl.gc.ca to reduce calls from people and companies trying to sell you things.

Elder abuse

Elder abuse is mistreatment that harms an older adult. It can take many forms:

- **Physical abuse:** using physical force against an older adult.
- **Financial abuse:** misusing an older adult's money or property. It includes forcing an older adult to sign a document.
- **Neglect:** not keeping an older person clean and safe.

- **Sexual abuse:** forced sexual contact of any kind.
- **Psychological or emotional abuse:** actions that cause mental or emotional harm. It includes threats, verbal abuse, and humiliation.

Signs of abuse

Here are some signs that abuse may be happening:

- **Physical abuse:** bruising and injuries that cannot be explained.
- **Psychological or emotional abuse:** someone shows a high level of anxiety or distress.
- **Financial abuse:** large unexplained withdrawals from bank accounts.
- **Neglect or self-neglect:** lack of bathing, unclean living conditions, and lack of health aids such as dentures or glasses.

Different types of abuse often occur at the same time. For example, a victim of physical abuse may also be a victim of psychological or emotional abuse.

Where to go for help

Everyone deserves to be treated with dignity and respect. Elder abuse is always wrong, and can also be a criminal offence.

The following resources can provide support to you or someone you know. See the Find Out More section for additional contact information.

- If someone is in immediate danger, **call 911**.
- Seniors First BC operates the Seniors Abuse and Information Line (SAIL). It provides confidential legal information and emotional support over the phone. They can also provide legal representation in certain areas of law. For more information, see seniorsfirstbc.ca.
- BC Association of Community Response Networks can put you in touch with agencies in your community that help older people who are being abused or neglected.

Visit bccrns.ca/search to search the network by organization name, health authority region, or community group.

- VictimLinkBC is a toll-free, confidential phone service that can put victims of abuse in touch with counselling and other supports. Call 1-800-563-0808 anytime, 24/7.

Wills and planning for your future care

At any age, it's important to put your affairs in order in case something drastic happens to you. But this becomes especially important as you get older.

For most people, making a **will** is a critical step to plan for their passing. And there are documents to consider putting in place in case you get sick or become mentally incapable. These include a **power of attorney** and a **representation agreement**.



For updated and in-depth information on wills and planning for your future care, visit peopleslawschool.ca.

Making a will

A **will** is a legal document that sets out what will happen after you die to (most of) your property and any minor children. (A will doesn't cover property you own jointly with other people or accounts where you've named a **beneficiary**.)

A will is not the same as a **power of attorney**. A power of attorney sets out your instructions for dealing with your financial and legal affairs *while you are alive*. (See the next section about powers of attorney.)

In your will, you need to name someone to be your **executor**. This is the person who carries out the instructions in your will. The executor of your will is not automatically the same person as your power of attorney unless you appoint the same person as your executor and as your attorney.

Most people ask a family member or close friend to be their executor. Or, if you prefer, you can ask a lawyer or private trust company. You should name a backup executor in case the person you choose isn't able or willing to do the job at the time. Then the backup can take over.

You can cancel a will and make a new one any time, as long as you are mentally capable.



"My husband and I were married for over 40 years. He died without a will. I had a hard time figuring out what to do. I ended up hiring a lawyer, who helped me apply to court to become the administrator of my husband's estate. There was a lot to do and it took months to process. I don't want my kids to go through that, so I made a will to make it easier for them to deal with my estate when the time comes."

– Maricel, Fort St. John, BC

Making a power of attorney

A **power of attorney** is a legal document that names another person to be your **attorney**. An attorney is someone you trust to manage your financial and legal matters while you are alive. They must act in your best interests and follow your wishes.



The word **attorney** does not refer to a lawyer. It refers to the person you choose to manage your affairs under the power of attorney.

Most people draw up a power of attorney to make sure someone can step in to manage their affairs in case they lose their mental capacity. The person you appoint as your attorney can pay your bills, deposit money in your bank account, invest your money, or sell your home. But they can't make health care decisions for you.

You must be **mentally capable** when you sign a power of attorney. This means you must understand what you are doing and what might happen as a result.

You can still handle your own affairs after you appoint an attorney. You can also **revoke** (that is, cancel) a power of attorney at any time and make a new one with a different attorney, as long as you are mentally capable.

Choosing an attorney

Choosing your attorney is an important decision, and it's not always easy. Most people ask a trusted friend, a relative, or a lawyer to be their attorney. Key considerations include choosing someone you trust, who understands the responsibilities involved, and who ensures your needs — not theirs — come first.

You can have one or two people act as your attorney. The people who act as your attorney can act together, or one or the other attorney can be named as an alternate (a backup). This will help make sure your wishes are followed.

There are different types of power of attorney

There are different types of power of attorney. Which one you choose depends on your needs.

- **General power of attorney.** You appoint an attorney to manage your financial and legal affairs, but the appointment ends if you become mentally incapable.
- **Enduring power of attorney.** You appoint an attorney to manage your financial and legal affairs, and the appointment continues — or “endures” — in the event you become mentally incapable.
- **Limited power of attorney.** You give someone the power to do certain things only. You say exactly what action your attorney can take. For example, if you are travelling in another country, you might give your attorney the power to do your banking while you are away.

If you have worries about your attorney

Your attorney has a duty to act in your best interests and to follow your wishes. But some attorneys misuse their power. They might take funds out of your bank account without your permission. Or sell what you own and use the money for themselves. This is financial abuse and sadly it happens often, especially to older people.

If you are worried about financial abuse, you can contact the places listed above under **elder abuse**. Also see the options for legal help listed in the Find Out More section.

Making a representation agreement

A **representation agreement** is a legal document that deals with health and personal care. It lets you choose someone to help you make certain decisions — or to make decisions for you — if you're ever incapable of making those decisions yourself. The person you choose is called your **representative**.

There are two types of representation agreements. A **standard representation agreement** gives limited authority to your representative to make health and personal care decisions for you, as well as routine financial decisions. It doesn't allow a representative to make decisions about end-of-life care.

Standard representation agreements are typically made by people who already have limited mental capacity. To make this type of agreement, they have to be able to understand what they're agreeing to and what effect it will have on them.

An **enhanced representation agreement** gives more responsibility to your representative over health care and personal care decisions. (A representative has no authority to make legal or financial decisions under an enhanced representation agreement.) Your representative might even decide if you will or will not receive medical services necessary to continue life.

To make an enhanced representation agreement, you need to have full mental capacity.

In choosing a representative, it's important to choose someone you know well and trust. Make sure they know your wishes. As your representative, they must respect those wishes, now and in the future, especially if you can't speak for yourself.

Making an advance directive

In an advance directive, you can record your instructions for accepting or refusing specific health care treatments. It's meant to "stand in" for you in the future — at a time you need health care but aren't capable of providing consent.

Advance directives are usually appropriate for people with a specific medical condition or who are at end-of-life. Some people use the term "living will" when talking about an advance directive.

Instructions in your advance directive can be general statements such as *"I don't want to be connected to machines to stay alive."* Or they can be specific statements such as *"I don't want to receive donated blood."*

An advance directive ensures that your wishes are followed even if you are not able to speak for yourself due to an injury or illness.

You have to be mentally capable to make an advance directive.

Know what you're signing

Signing a legal document means you agree to everything written in it. The document becomes legally binding.

Don't be pressured into signing any legal document. And don't sign anything you don't understand. Take your time. If you have any questions, talk with a lawyer or a trusted friend.

Young People and the Law



This section looks at young people and the law.

Legal rights and responsibilities of young people

This chart shows when young people gain legal rights and responsibilities in BC.

Right or responsibility	Age
Can be responsible for crimes	12
Can work with consent of parent or guardian	12
Can be sentenced for crimes under adult criminal law	14
Can work without needing consent of anyone	16
Can leave school	16
Can get a driver's licence with consent of parent or guardian	16
Can get married with consent of parents or guardian	16
Can vote in a provincial or federal election	18
Can get married	19
Can get a driver's licence	19
Can buy or drink alcohol	19
Can leave home	19
Can buy cigarettes	19

Going to school

All children between the ages of 5 and 16 years must go to public school.

This is not the case if a child:

- goes to a private school,
- is being homeschooled by their parent, or
- goes to a school operated by a First Nation.

Working

A young person age 16 or older can work in BC without needing anyone's permission. (There is an exception: you can't do certain types of hazardous work until you're 18. An example would be tree falling.)

Workers age 16 or older are entitled to the same job protections as adult workers.

Children age 14 and 15 can do "light work" jobs, with the written consent of a parent or **guardian**. Examples of light work are working as a cashier, dishwasher, or tutor.

Children age 12 and 13 need the written consent of a parent or guardian to work. They also need a permit from the Employment Standards Branch, except in certain circumstances, such as to work as a camp assistant or for a family business.

Children under age 16 can't be required to work during school hours, and there are limits on the number of hours they can work.

Tip

There are special rules for kids working in the entertainment industry as actors, performers or extras. For more, visit peopleslawschool.ca/agetowork.

Getting married

People age 19 or older can marry. Young people between 16 and 19 can marry with the consent of their parents or **guardians**. Young people under 16 usually can't get married. They have to go to court first and ask a judge for

permission to marry. The judge will only agree if they think to do so is in their best interests.

Young people and criminal law

Sometimes children break the law.

The Canadian justice system recognizes that youth crime and adult crime need to be dealt with differently. Someone age 18 or older who commits a crime is dealt with under the *Criminal Code*. For children from 12 to 17 years old, there is a special law called the *Youth Criminal Justice Act*. It says:

- The public has the right to be protected from young people's crimes.
- Young people who break the law should be held responsible for their actions. They need to understand that what they did caused harm to the community. At the same time, they need help to learn how to stay out of trouble and to contribute to the community in a positive way.
- Young people have the same legal rights as adults. The police have to tell young people about their rights (including their right to a lawyer) and explain what is happening to them.
- Young people don't go to the same court as adults. There is a special youth court. The judge in youth court will make sure young people get a lawyer.
- Steps taken against young people should be sensitive to cultural, ethnic, gender, and language differences between people. They should respond to the specific needs of Indigenous youth.
- People 18 years or older who break the law are adults and have to go to adult court.

Children under 12 can't be charged with a crime or taken to court.

What happens to youth who commit a crime

The first time a young person age 12 to 17 years does something wrong, they usually do not have to go to court. The young person may get help from a local community group.

But maybe it's not the first time the young person has been in trouble. Or maybe it is something more serious. Maybe the young person had a weapon such as a knife or gun. Then they will have to go to youth court.

If the judge at the court decides the young person is **guilty**, they will be **sentenced**. The young person will have a youth record.

When deciding on a sentence, the judge might have the young person:

- pay a fine
- pay for loss or damage with money or with work
- do some volunteer work in the community
- checked on by someone from the court, for up to two years
- go to jail if the crime is serious

If a young person over 14 years old is accused of doing something very serious, they may be sentenced as an adult and receive a tougher sentence than in youth court. Examples of very serious offences include murder and repeat violent offences.

In most cases, the name of the young person who broke the law is not made public. However, in some cases it may be made public, such as when they are given an adult sentence for a serious offence.

Young people and gangs

Some young people join gangs. A gang is a group of people who break the law. Gang members can be from any racial, cultural, or social economic group. But young people who are most likely to join a gang will have certain risk factors, including:

- poor communication and conflict with family
- lack of connection to cultural identity
- low school attendance and involvement
- history of family violence or crime

At first, gangs treat their new young members well. They introduce them to new friends. Then they ask them to do something for the gang, such as stealing something.

Often, young people are afraid to say no or to leave the gang. They are afraid the gang will hurt them or their family.

There are supports for youth, as explained in the BC government's booklet *Preventing Youth Involvement in Gangs*.

Rules about driving

After turning age 16, young people can apply for a driver's licence in BC. But if they're under 19, they need a parent or **guardian** to sign the application.

Getting a driver's licence involves several stages. These include having a learner's (or L) licence for at least a year, and a novice (or N) licence for at least two years of safe driving.

If a young person under age 18 gets a car, they can't register it or get licence plates for it unless a parent or guardian also signs the papers, or the young person satisfies ICBC they are self-supporting or married.

A young person driving a car has the same responsibilities as an adult. For more on getting a driver's licence and driving in BC, see peopleslawschool.ca or icbc.com.

Breaking traffic rules



"I am 17 years old, and I got my N licence a few months ago. The other day, I didn't stop at a stop sign. A police officer pulled me over and gave me a ticket. I have to pay a monetary fine."

– Sadie, Kelowna, BC

Sometimes young drivers break the traffic rules. What happens to the youth depends on how serious their actions are.

If youth are caught driving dangerously, it is serious. They will be charged with a criminal offence and have to go to youth court. They will also lose their licence.

Street racing

Street racing is a very serious offence. People under age 18 will go to youth court. Drivers 18 and older go to adult court. Either way, if someone is found guilty of street racing, they will have their vehicle taken away, be fined a large amount, and lose their driver's licence.

Help for young people

Young people usually learn new **customs** faster than their parents. Children also have a lot of pressure from kids at school to be more "Canadian." On the other hand, parents may feel that their children are behaving badly. They may worry that their children don't respect them anymore.

Many community groups have parenting classes. Some are offered in languages other than English. In these classes, parents learn about taking care of children. They also learn how to deal with problems that may come with raising children in a new country. Parents find out how to talk and listen to their children and help them with problems. They also learn about ways to correct and teach children without harming them.

Many community agencies also give information and advice. People can call these agencies when they have a problem and don't know where to go for help. Workers at the agencies can help them find the right place to go.

There are also parenting programs in English and other languages on TV and radio.

For more information about parenting classes and programs, you can contact the Parent Support Services Society of BC at parentsupportbc.ca, or your nearest community centre.

Helpline for Children

The Helpline for Children is **310-1234**, free from anywhere in BC. A child or youth can call the Helpline for Children if they are being abused or mistreated at home, at school, in the playground, or anywhere else.

If you know a family where a child or youth is being hurt, or if you are afraid you may hurt a child, call the Helpline. Your call is confidential.

Youth against Violence Line

The Youth Against Violence Line is **1-800-680-4264**, free from anywhere in BC. It is a province-wide service that provides 24/7 confidential help to young people who are affected by youth violence or crime.

Youth who are worried about their safety, or who want to report a crime without giving their name, can call this line too.

Parents and members of the community can also call this line for help and information.

Help at school

Schools have a number of supports for children, in addition to their teachers.

Some school districts have settlement support workers as well as multicultural workers. Both provide cross-cultural supports for immigrant and refugee students and their families.

Most schools and districts also have sexual orientation and gender identity (SOGI) leads. Reach out to your school or district to access these supports.

High schools also have counsellors. They help students with problems at school or at home. They also help students choose school subjects and give advice about what to do when they finish school.

Many elementary schools and high schools also have home-school workers. Sometimes parents want to find out about their child's school or what their child does there. Parents can talk to a home-school worker.

Each school district should also have policies that deal with bullying and **discrimination**. If your child experiences bullying, you can ask for copies of the policies. As well, your child can use the ERASE Bullying online tool at erasereportit.gov.bc.ca to send an anonymous report to their school or district. Someone will follow up on it right away.

Helpful rules to teach children

Talk with your children about their safety. Teach your children to:

- know their full name, address, and phone number
- know the difference between a friend and a stranger
- always check with the family before going anywhere
- never answer the door if they are home alone
- never tell anyone over the phone that they are alone
- call the Helpline for Children at 310-1234 if they are afraid and feel unsafe

Find Out More

Free and low-cost legal help

Access Pro Bono

Access Pro Bono has free legal advice clinics across BC. Lawyers volunteer to provide free legal advice to those who can't afford a lawyer and can't get legal aid.

Lower Mainland: 604-878-7400

Toll-free: 1-877-762-6664

accessprobono.ca

BC Human Rights Clinic

Operated by the Community Legal Assistance Society, this clinic provides assistance and representation to those who need help dealing with a provincial human rights complaint.

Lower Mainland: 604-622-1100

Toll-free: 1-855-685-6222

bchrc.net

Community Legal Assistance Society (CLAS)

CLAS provides legal advice and some representation to low-income British Columbians facing a range of problems, including eviction, human rights complaints, and work-related issues.

Lower Mainland: 604-685-3425

Toll-free: 1-888-685-6222

clasbc.net

Family Justice Centres

These centres are located throughout BC and provide free services (including mediation) to couples going through a separation or divorce.

gov.bc.ca/familyjustice

Lawyer Referral Service

This service, operated by Access Pro Bono, can help you connect with a lawyer for a free 15-minute consultation to see if you want to hire them.

Lower Mainland: 604-687-3221

Toll-free: 1-800-663-1919

accessprobono.ca

Legal Aid BC

This non-profit provides free legal advice or representation for certain types of legal problems if you meet financial eligibility guidelines.

Lower Mainland: 604-408-2172

Toll-free: 1-866-577-2525

legalaid.bc.ca

MOSAIC

A non-profit that provides free programs and services to help new immigrants and refugees with their settlement in Canada. They provide legal advocacy in areas such as family law and immigration law.

Lower Mainland: 604-254-9626

mosaicbc.org

PovNet

Their Find an Advocate tool can help you find a legal advocate in your area. Legal advocates provide free support, advocacy, and information to low-income people experiencing legal problems. Advocates usually work out of community agencies.

povnet.org

More information

BC Association of Community Response Networks (BCCRN)

Provides information and help to anyone who is being abused or neglected, or is supporting someone who is.

bccrns.ca

Clicklaw

A website operated by Courthouse Libraries BC that provides legal information, education, and resources from across BC.

clicklaw.bc.ca

Court Information Program for Immigrants

This Justice Education Society program provides free legal information to new immigrants and refugees. Services are provided in English and several other languages.

courtinformation.ca

Dial-A-Law

From People's Law School, Dial-A-Law has brief legal information on over 190 topics. You can listen on the telephone or online. You can also read the information online.

Toll-free: 1-800-565-5297

dialalaw.ca

Employment Standards Branch

This BC government office provides free legal information to employees and employers about their rights and responsibilities under BC law. They answer questions and deal with complaints against employers.

Toll-free: 1-833-236-3700

gov.bc.ca/employmentstandards

Families Change: Guide to Separation & Divorce

This Justice Education Society website provides information on separation and divorce for children, teens, and parents.

familieschange.ca

Family Law in BC

This website from Legal Aid BC provides free information, publications, and self-help guides on a wide range of family law issues.

family.legalaid.bc.ca

Legal Rights for Youth

This Justice Education Society website describes the legal rights for youth living in BC.

Toll-free: 1-855-875-8867

legalrightsforyouth.ca

Mediate BC Society

Mediate BC can put you in touch with a mediator who helps people (including separating couples) work together to find a solution to their legal problems.

Lower Mainland: 1-604-684-1300

Toll-free: 1-877-656-1300

mediatebc.com

Nidus Personal Planning Resource Centre and Registry

Nidus provides information to British Columbians about personal planning, including information on making a representation agreement or enduring power of attorney.

nidus.ca

People's Law School

People's Law School provides free education and information to help British Columbians effectively deal with the legal problems of daily life.

Lower Mainland: 604-331-5400

peopleslawschool.ca

Public Guardian and Trustee

The office of the Public Guardian and Trustee provides a range of services to those who do not have the legal capacity to protect their own interests.

Lower Mainland: 604-660-4444

Toll-free: 1-800-663-7867

trustee.bc.ca

Residential Tenancy Branch

The BC government department responsible for landlord-tenant matters. Their website has free dispute resolution guides, policy guidelines, and information sheets.

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Toll-free: 1-800-665-8779

gov.bc.ca/landlordtenant

Seniors First BC

A non-profit that provides information, advocacy, support, and referrals to older adults and those who care for them.

Lower Mainland: 604-336-5653

Seniors Abuse and Information Line (SAIL):
604-437-1940

Toll-free (SAIL): 1-866-437-1940

seniorsfirstbc.ca

Tenant Resource & Advisory Centre (TRAC)

A non-profit that provides tenants with legal education and assistance. You can phone them if you have a problem with renting.

Lower Mainland: 604-255-0546

Toll-free: 1-800-665-1185

tenants.bc.ca

VictimLink

This is a toll-free, confidential, multilingual service for victims of crime. Available across BC, 24 hours a day, 7 days a week, and in 150 languages, it provides information and support to victims.

Toll-free: 1-800-563-0808

victimlinkbc.ca

Victimsinfo.ca

A website for victims and witnesses of crime in BC. It gives people the information they need to deal with the consequences of crime.

victimsinfo.ca

Glossary

Advance directive: Written instructions about what health care a person wants or does not want in the future if a decision needs to be made and they're incapable of making it. Sometimes called a "living will."

Attorney: A person legally appointed or empowered to act on behalf of another person.

Beneficiary: A person who is to receive money or property in a will, benefit plan, or insurance policy.

Bylaw: A law made by a local government that applies only to the local area. For example, most cities and towns in British Columbia have building bylaws to control the way buildings in that community are designed and constructed.

Collective agreement: When a workplace includes workers who belong to a union, a collective agreement sets out the conditions of employment. These typically include wages and benefits, hours of work, duties of workers and the employer, and a process to resolve disputes.

Constitution: The constitution of a country or organization is the system of laws which formally state people's rights and responsibilities.

Contact: The time a person who is not a child's guardian spends with the child.

Contract: A legally recognized agreement made between two or more people.

Court: A place where legal matters are decided by a judge or a jury. (A jury is a group of people chosen from the general public to decide a legal matter.)

Court order: A decision made by a court.

Custom: A way of behaving or a belief that has been established for a long time.

Discrimination: When a person is treated badly or unfairly because of parts of their identity protected under human rights law. Examples include a person's race, sex, sexual orientation, age, or disability.

Dispute resolution: A process of resolving disputes between people.

Divorce: The legal process that ends a valid marriage.

Down payment: A part of the purchase price paid at the time of purchase, with the balance to be paid later.

Elder abuse: Mistreatment that harms an older person. It can take many forms, including physical, financial, or emotional ill-treatment, or neglect of an older person.

Elder law: An area of law focusing on issues that affect older people.

Election: A process in which people vote to choose a person or group of people to hold an official position.

Employee: Under the law in BC, an employee is a worker who is covered by employment standards legislation.

Employment contract: A legally recognized agreement between an employer and a worker setting out the terms and conditions of the working relationship.

Enduring power of attorney: A legal document that enables an adult to appoint another person to make financial and legal decisions for them, and specifies that the appointment continues — or “endures” — in the event the adult becomes mentally incapable.

Enhanced representation agreement: A legal document used to authorize someone to assist an adult, or to act on the adult's behalf, for health care and personal care matters. Often called a section 9 representation agreement. Must be made by a legally capable adult.

Equality: The same status, rights, and responsibilities for all the members of a society or group.

Eviction: The act of making someone leave a rental property.

Evidence: Information used in a legal proceeding to try to prove something.

Executor: The person named in a will to carry out the instructions in the will and settle the will-maker's affairs after they die.

Federal: Laws or institutions (such as courts or government) that deal with the whole country.

Fixed-term tenancy: A tenancy agreement where the tenant agrees to rent a place for a certain amount of time, such as one year. Also referred to as a lease.

Guardian: A person who has the legal authority (and the corresponding duty) to care for the interests of another person. That person might be a child or an older adult in need of care.

Guilty: When a person is found responsible for a crime.

Identity theft: When someone takes personal information and uses it to access that person's finances, make purchases in their name, or commit other crimes.

Independent contractor: A person who runs their own business. An independent contractor is considered to be self-employed, and does not have the same rights as an employee.

Innocent: Free from legal blame. Not guilty of a crime.

Interest: An amount paid to a creditor in exchange for money they lend. The amount is usually a set percentage of the money borrowed. The percentage is called an interest rate.

Interim order: A temporary order that lasts a certain amount of time, until a certain event happens, or until a final order is made.

Joint bank account: A bank account in which two or more people have ownership rights over the same account.

Landlord: A person who owns property and rents or leases it to another person.

Layoff: When a worker is told by their employer to leave their job.

Lease: An agreement to rent something (such as an apartment or car) for a certain period of time.

Mental capacity: A person's ability to make their own decisions and understand them.

Minimum wage: The lowest wage an employer can pay an employee.

Month-to-month tenancy: A tenancy on a monthly basis. It continues until the tenant or landlord gives notice to end the tenancy.

Mortgage: A legal agreement in which a person borrows money to buy real property (such as a home) and gives the lender a security interest in the property.

Municipal government: The government for a local area, such as a city, town, or district.

Notice of termination: When an employer fires or lays off a worker, they usually have to give the worker notice of termination. They can do this by telling the worker ahead of time or paying the worker an amount to cover the notice period.

Overtime: When someone works beyond a certain number of hours set out in employment standards legislation.

Parental responsibilities: The responsibilities a guardian has when raising a child. These include making important decisions about health care, education, and religious upbringing, as well as making day-to-day decisions affecting the child.

Parenting time: The time a guardian has with a child. Usually this is set out in a schedule agreed on by the guardians or fixed by the court.

Power of attorney: A legal document that enables an adult to give another person (or more than one person) the authority to make financial and legal decisions for them.

Protection order: A court order made to protect someone from another person.

Punishment: 1. Severe physical treatment of any kind. 2. The penalty given to someone who has done something wrong.

Representatives: People chosen to act and speak on behalf of a wider group.

Representation agreement: A legal document that authorizes someone to assist an adult or act on their behalf for health and personal care matters. It can also cover routine financial and legal matters.

Responsibilities: Things a person must do or not do as part of a society or a role.

Revoke: To bring to an end.

Rights: Things a person is entitled to do or have.

Rule of law: A philosophy or practice that supports the equality of all people before the law and prevents the arbitrary use of power.

Security deposit: Money paid by a tenant to a landlord at the start of a tenancy and kept until the end of the tenancy. It can cover damage a tenant causes to the rental property.

Sentence: The punishment a person receives for committing a crime.

Separation: When one or both people in a marriage or marriage-like relationship decide and act like the relationship is over.

Social insurance number (SIN): A SIN is a nine-digit number that everyone needs to work in Canada, to use government programs, or get government benefits.

Social security: Government programs to provide people with income support in a range of situations, including when they're unemployed, retired, pregnant, or disabled.

Spouse: A person who is married, or who is in a marriage-like relationship for a certain period of time.

Standard representation agreement: A legal document used to authorize someone to assist an adult, or to act on the adult's behalf, for routine financial affairs, as well as legal, health care, and personal care matters. Often called a section 7 representation agreement.

Statutory holiday: A public holiday recognized in a statute. (A statute is a law made by the government.) On statutory holidays, employees are entitled to the day off with pay, or to extra pay for working on the holiday.

Tenancy agreement: A contract between a landlord and tenant that sets out the terms of the rental of a property.

Tenant: A person who pays rent for a place they live in or a property they use.

Trial: A hearing in court where a decision-maker (usually a judge) listens to evidence and decides (in a criminal trial) whether a person is guilty of a crime or (in a civil trial) how to resolve a dispute.

Tribunal: A body that hears disputes and makes decisions in a specific area. It is like a court but less formal. The BC Human Rights Tribunal, which deals with human rights complaints in BC, is an example of a tribunal.

Will: A legal document that sets out what will happen after you die to (most of) your property and any minor children. (A will doesn't cover property you own jointly with other people or accounts where you've named a beneficiary.)

People's Law School sincerely appreciates the support of:



For the most recent information, visit us online at
www.peopleslawschool.ca

How Did We Do?

Which publication did you read? _____

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
The information presented increased my understanding of the legal topic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am confident that the information provided is reliable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The information helped me identify the next steps to take with my legal issue	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I would recommend this publication to others	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

We welcome your feedback or suggestions _____

You can also fill out our feedback form online at www.peopleslawschool.ca.
Thank you for providing feedback; we value your time and opinion.

Please send your feedback to:

People's Law School
Phone: 604-331-5400
info@peopleslawschool.ca

Other ways to share your feedback:



@PLSBC



People's Law School - BC