



**flew** Family Law  
Education for Women  
Women's Right to Know

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droit de la famille  
Le droit de la femme à savoir

# Money, Abuse and Safety: tips for women

February 21, 2018

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Funded by:

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# Presenters

## **Tamar Witelson**

Legal Director, METRAC



## **Anne Arbour**

Financial Educator, Credit Counselling  
Society



# METRAC

## METRAC, the **Metropolitan Action Committee on Violence Against Women and Children**

- works to end gender-based violence in diverse communities
- a not-for-profit, community-based organization

[www.metrac.org](http://www.metrac.org)

## METRAC's **Community Justice Program**

- provides accessible legal information and education for women and service providers
- focuses on law that affects women, from diverse backgrounds, especially those experiencing violence or abuse

[www.owjn.org](http://www.owjn.org)

## FLEW, **Family Law Education for Women** in Ontario

- provides information on women's rights and options under Ontario and Canadian law when families breakdown
- in 14 languages, accessible formats, online and in print

[www.onefamilylaw.ca](http://www.onefamilylaw.ca)  
[www.undroitdefamille.ca](http://www.undroitdefamille.ca)

# Topics to be Covered

## 1. Money matters:

- a) beginning a relationship
- b) when thinking of ending your relationship
- c) during separation/divorce

## 2. Additional Resources

*Accurate as of the date of this webinar presentation: February 21, 2018*

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# Helpful Terms

- **Debt** - money that a person has promised to repay
- **Credit** - an agreement to borrow money now, and repay it later
- **Creditor** - a person or business you owe money to because you:
  - borrowed money (bank, credit card, car company)
  - promised to pay money (landlord, phone company)
- **Budget** - a plan for your money, that shows how much you have or receive, and how much you spend and save

# Credit Counselling Society

- **No-cost** credit and budget counselling
- Confidential
- In-person or by telephone
  - debt repayment programs and alternatives
  - consumer workshops on credit and money issues
- Online
  - chat (general information only)
  - money management tips
  - NoMoreDebts.org
  - myMoneyCoach.ca
- **1-888-527-8999** 6 days a week

# Meeting with a Credit Counsellor

A client can expect:

- confidentiality, compassion and empathy
- a discussion about what's going on
- a full financial review about your:
  - income, assets, liabilities, expenses and debts
- an objective review of your options
- advice about managing your debt

# What is a Debt Management Program

- A Program to help you:
  - get debt-free in 5 years
  - learn important budgeting skills
  - rebuild your credit
- Debt Management consolidates or gathers most debts into 1 payment
  - for “unsecured” debts
- Creditors reduce/eliminate interest rates



# Money, Abuse and Safety

# Relationship Abuse

- Can affect any couple
- Can be:
  - physical, sexual
  - emotional, psychological
  - financial
- Risk of abuse increases at relationship breakdown

# Relationship Abuse

Financial abuse can happen when your partner:

- Takes your money without permission
- Controls your access to money
- Forces you to spend your money by:
  - violence or threats of violence
  - yelling or anger
  - withholding affection
- Lies about money
  - income
  - spending
  - borrowing/debt

# How are Money and Safety related?

- Reduce the possibility of financial abuse to protect yourself
- Don't let money become a barrier to leaving
- Increase independence over your life
- Get more feeling of control
- Reduce your stress
- Increase your options



# Starting a Relationship

## Starting a Relationship: **when you have an income**

- Consider keeping separate bank accounts
- Discuss if you will share any expenses
  - rent/mortgage
  - home upkeep
  - food
  - car
  - entertainment
- Be careful
  - **joint debt** means **both partners are 100% responsible**
  - will you co-sign for your partner's loan?
  - will you take out a loan for your partner's use (e.g. car)?
  - will you have a joint bank account?
  - whose name is on phone, utilities, credit card accounts?

# Starting a Relationship: **when you have an income**

- Be involved in your budget as a couple
  - know your expenses
    - decide who will pay
  - be clear about where the money will come from
    - think about how long the money will last
- Write it down
  - if you want your agreement to be legally binding as a domestic contract or agreement
    - both partners must sign, with date
    - each signature must be “witnessed” by another person who also signs, with date
    - good idea for a family lawyer to review the document

# Starting a Relationship: **when you don't have an income**

## Build Your Own Financial Identity

- open your own bank account
  - free
  - you only need a few dollars
- open your own credit card
  - even if your partner pays
  - you can cancel on your own
  - a "secured" credit card is possible
- consider your own phone account
- avoid co-signing or joint debt

# Domestic Contracts

- An agreement between two people in an intimate relationship
  - a marriage or “pre-nuptial” contract
  - a cohabitation agreement (unmarried)
- Sets out rights and responsibilities that both people agree to follow, including money matters
  - **cannot** deal with child custody and access
- Can be legally binding
- Can take away rights under family law
- It is important to **talk to a family law lawyer** before you sign a Domestic Contract



# Example Situation

# Example Situation

Malia and Erin have been dating for 2 years and are talking about moving in together.

Malia says Erin can move into her apartment now, and when they find a new place they will talk about co-signing the new lease.

Erin is really pushing for opening a joint bank account right away, saying it will make paying for their rent and food easier. And maybe even a new leased car very soon!

# Example Situation

To protect against financial abuse, what should Malia be thinking about, before she agrees to Erin's idea?

# Example Situation

To protect against financial abuse, Malia should think about:

- Who is going to pay the rent when Erin moves into Malia's apartment?
- Will they co-sign the lease on their new apartment? Who will make the payments?
- Is it a good idea to open a joint bank account?
- Who will pay for food and other expenses (utilities, entertainment)
- Who will sign the car lease? Who will use the car?
- Do they want to write down what they have agreed?

# Questions for Presenters

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# In a Relationship -- Thinking of Leaving

# In a Relationship – Thinking of Leaving

## Planning about money

- Understand how much money you earn and have now (savings)
- Write down everything you spend money on now
- Write down everything your partner pays for you
- Determine how much money you will need after you leave
- Make a budget

# Planning for Expenses

We all have 3 kinds of expenses:

- Fixed expenses
  - same date and amount each month (rent, mortgage, car loan)
- Variable expenses
  - regular payments, but amounts or dates change (phone, heat, clothing)
- Unplanned expenses
  - occasional, emergency, transfers to savings

# What do I put in a budget?

A personal budget sets out:

- The amount of money you have
  - savings
  - investments
- The amount of money you earn and receive
  - monthly take-home (net) pay, and/or
  - monthly benefits
    - Child Tax Benefit
    - Social Assistance
    - Canada Pension Plan benefit
    - private pension
    - investment income

# What do I put in a budget?

A personal budget also sets out:

- What you pay for regular living expenses every month
- What other expenses you may have in a year
  - occasional expenses
  - emergency expenses
- The goals you want to save for

# In a Relationship – Thinking of Leaving

- Make a budget
  - a written spending plan for now
  - can include plans for saving and spending later
- Prepare: collect information for your budget
  - What you spend:
    - Write down everything that you pay for in a month
    - Such as: food, rent, utilities (electricity, heat, internet), childcare, house supplies, car/transit, personal items, entertainment
  - Calculate the amount that you pay in a month for each
  - What your partner pays for you:
    - Write down everything from your list that your partner pays for you (all or part)
    - Think if there are additional items
    - Calculate the amount that your partner pays in a month for each

# In a Relationship – Thinking of Leaving

- Write down everything you will have to pay for if you leave:
  - what will change?
  - what is new?
  - what can you do now?
  - what can you plan for later?
- Can you pay for your needs now?
  - can you get help with some expenses?
- Can you save money now, and prepare to leave?
- If you have to leave now, you can get help with your budget
  - shelter for abused women
  - family, friend
  - community supports
    - women's organization
    - Credit Counselling Society

# Make a Personal Budget

- Why make a budget?
  - tells you the truth about your money needs
  - shows your habits
  - shows where you can make changes
  - gets you in control
  - makes your money life less confusing
- Download the free budget calculator from the Credit Counselling Society
  - [www.mymoneycoach.ca](http://www.mymoneycoach.ca)
  - add your detailed list of expenses
  - the Budget Calculator does the math for you
  - save The Budget Calculator on your computer for updating and review

# Planning Your Budget

## Regular Monthly Expenses

JUNE

Date	Rent	Utilities	Food	Phone Cable wifi	Car/ TTC	medical	debts	Kids – play	Fun
1	900	300	75		125				
2									
3									
4			40				100		
5				250				50	
6									
7			40			20			50

# Planning Your Budget

## Occasional Expenses

Housing	Living	Work	Personal
property taxes	car insurance, maintenance	work supplies	birthday, events, gifts
repair and maintain	dentist, eye glasses	special clothing	clothing, shoes
appliances, decoration	prescriptions	professional fees, licence	courses, activities
	pet expenses		hair, makeup
	cleaning supplies		

# Manage Occasional Expenses

1. Open up a new bank account
2. Add up the cost of every occasional expense in the last year (total yearly occasional expenses)
3. Divide the total by the number of your paydays in a year (now a set amount, spread through the year)
4. Deposit this set amount into the new account from each pay cheque
5. Now keep track of every occasional expense you pay
  - date
  - amount
  - reason

# Emergency Expenses

- Create an emergency fund
  - set aside some money – DO NOT touch it, unless for an emergency
- Example emergency expenses:
  - furnace repair
  - house maintenance
  - car repair
- Start with \$500-\$1000
- Aim for 3 to 6 months total expenses in fund

# Emergency Expenses

- an Emergency Fund is better than relying on a credit card
  - interest on unpaid amount is **very** expensive
  - making only minimum monthly payments on your credit card means **thousands of dollars** adding up in interest

# Build Your Savings – one idea

## 52 week challenge

Week	Deposit	Total	Week	Deposit	Total	Week	Deposit	Total
1	\$1	\$1	8	\$8	\$36	15	\$15	\$120
2	\$2	\$3	9	\$9	\$45	16	\$16	\$136
3	\$3	\$6	10	\$10	\$55	17	\$17	\$153
4	\$4	\$10	11	\$11	\$66	18	\$18	\$171
5	\$5	\$15	12	\$12	\$78	19	\$19	\$190
6	\$6	\$21	13	\$13	\$91	And so on...	...	...
7	\$7	\$28	14	\$14	\$105	52	\$52	\$1378

# Monthly Budget

June

Cash in savings: \_\_\_\_\_

Monthly income (wages; benefit payments): \_\_\_\_\_

Total: **\$XX.xx**

Minus monthly expenses:

regular: \_\_\_\_\_

occasional: \_\_\_\_\_

emergency: \_\_\_\_\_

amount towards savings goal: \_\_\_\_\_

Total: **\$YY.yy**

Budget should cover all expenses and add to savings every month

# Audience Poll #1

When you are planning to leave your partner, you do not have to think about his expenses when you plan your budget.

True or False?

# Audience Poll #1

False.

When you are planning to leave your partner, you have to think about what your expenses are, and how much of those expenses your partner pays for now.

When you leave, this will help you plan for all of the expenses you will have to include in your own budget.

# Legal Rights

- Know your legal rights
- Different rights if you are:
  - married
  - unmarried
  - living together for 3 years or more
  - parents of a child together
- Consider talking to a lawyer
- Get information: [www.onefamilylaw.ca](http://www.onefamilylaw.ca)

# Married Spouses

- Married spouses who separate in Ontario have rights under family law related to family property and money
- Each spouse gets an equal share of the amount that family property has grown during the marriage, such as:
  - value of the family home
  - value of pension, retirement savings plan
- Legal rules for calculating the “equalization payment” to the spouse with less property and money

# Married Spouses

- Each spouse's debt is also included in the equalization calculation
- You may have the right to get monthly payments from your ex-spouse to help support you (called **spousal support**)
- Signing a domestic contract can affect your legal rights to family property when you separate
- It is important to **talk to a family law lawyer** about your money and your rights when you end your marriage

# Unmarried Couples

- If you have been living together but not legally married, the law to share family property does not apply to you
- The Court may still help you get a share of a home or business that you helped with

# Unmarried Couples

- Under Ontario law, you are considered “**common law spouses**” if:
  - you have been living together for at least 3 years, or
  - you have a child together and you have a relationship together (living together or not)
- If you are common law spouses, you may have the right to get monthly payments from your ex-spouse to help support you (called **spousal support**)
- It is important to **talk to a family law lawyer** to find out if you have rights to get money or property when you end your relationship

# Parents of Children

- If you have children together, you may have the right to get monthly payments to help raise your children (called **child support**)
- This applies to all parents
  - married or not
  - lived together or not
  - separated or divorced
- A **family law lawyer** can help you determine whether you can get child support payment, and how much

# Family Law Education for Women (FLEW)

## Helpful **FLEW** webinars:

- *Property Rights and Obligations of Married and Co-habiting Partners*
- *Financial Support after Breakup: What Women Should Know about Spousal and Child Support*
- *Spousal Support Basics and Partner Abuse*
- *Child Support: Dealing with a Difficult Ex-partner*

# Questions for Presenters

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# During Your Separation or Divorce

# Protect Your Credit

- **Credit** is an agreement to borrow money now, and repay it later
  - usually interest is added to the total amount to be repaid
- Common examples of credit:
  - mortgage
  - car loan
  - credit cards

# Protect Your Credit

## Other terms:

- A **Credit Report** is a document that shows your credit history including:
  - if you pay your bills
  - how much credit you have (credit card, loan, mortgage)
  - your payment behaviour (on time or late)
- Your **Credit Score** is a number from a credit agency that tells how likely you are to pay your debts
  - used by creditors, landlords, and some employers to know about your behaviour with money

# Protect Your Credit

- Your past practices with borrowing and repaying money have an impact on your **Credit Score**
- Your Credit Score can affect:
  - whether you can rent an apartment
  - whether you can borrow money
  - whether you get a job
- Your Credit Score is usually affected by:
  - whether you were able to repay borrowed money in the past
  - whether it looks like you can repay borrowed money in the future

# When You Separate or Divorce

- It is important to think about credit when you end your relationship
  - to understand what payments you have to make
  - to try to prevent financial abuse by your partner
  - to make sure you can borrow money in the future

# Financial Abuse and Credit

Some ways your partner can use credit with bad effects on you:

- your partner built up debt, but did not tell you
- your partner has the item (car), but you have to make the loan payments
- you co-signed a loan, but your partner refuses to make the payments

# What Can You Do?

- Check your Credit Report
  - free to check your credit report once a year
  - will not have an effect on your credit score
- Two companies give you a Credit Report
  1. Equifax
    - [www.equifax.ca](http://www.equifax.ca)
    - 1-800-465-7166
  2. Transunion
    - [www.transunion.ca](http://www.transunion.ca)
    - 1-800-663-9980
- Check your Credit Report with **both** companies

# Build Better Credit

- Keep up with regular monthly payments
  - rent/mortgage
  - utilities, phone
  - car loan
- Credit card
  - keep your borrowing limit low
  - try to charge on credit only what you can pay off at the monthly due date
  - make payments on time
  - always pay **at least** the minimum monthly payment

# Build Better Credit

These **do not** affect your Credit Score:

- a Visa or MasterCard **Debit** card
- pre-paid credit cards
- pre-paid cell phones
- payday loans

# What Can You Do?

- Take your name off lease, heat, hydro, internet accounts if you move
- Change your phone account to your name only
- Call credit card company to end a joint account
- Put your money in your own bank account
- Change direct deposit and withdrawal arrangements
- Agree with your partner, if possible
  - to change loan and payment agreements for the things your partner keeps
  - keep a copy of the new agreement

# Separation Agreements

- A Separation Agreement is a kind of domestic contract for when a relationship ends
- For married and unmarried couples
- Partners can agree about money issues:
  - how to divide money and property
  - spousal support and child support payments
  - what will happen with the family home

# Separation Agreements

- Can be **legally binding** if:
  - in writing
  - have a date on it
  - signed by both partners, and
  - witnessed and signed by a third person
- The **Family Responsibility Office (FRO)** can force child and spousal support payments
  - if the Agreement is filed with Family Court

# Separation Agreements

- Can take away your rights under family law
- If your partner was or is **abusive**:
  - you may feel pressured to give up rights
  - you may be pressured to trade one right to get another
  - it may be safer to go to Court to settle issues when you separate
- It is important to **talk to a family law lawyer** before you sign a Separation Agreement
- **FLEW webinar**: *Separation Agreements: A Plan to Move On after Separation*

# Audience Poll #2

What are the risks of co-signing a car loan for your partner?

## Audience Poll #2

- a) After you break up, you will still have to make the payments
- b) If you can't afford the payments, it could affect your credit score
- c) You may not be able to get a car for yourself
- d) All of the above

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# Additional Resources

# Additional Resources

## **Credit Counselling Society 1-888-527-8999**

- Book a free financial consultation with one of our Credit Counsellors
- Message us through our online chat  
[www.NoMoreDebts.org](http://www.NoMoreDebts.org)
- Sign up for our monthly newsletter
- Check out our social media for daily tips and articles  
Facebook  
Twitter  
Instagram
- Free tools and resources available at  
[www.mymoneycoach.ca](http://www.mymoneycoach.ca)
- **Free Webinars every month** such as:  
*Budgeting 101: 6 Easy Steps to Manage Your Money*  
*The Truth About Credit*

# Additional Resources

## The **Credit Counselling Society**:

- is an accredited member of Credit Counselling Canada
- is an International Affiliate member of National Foundation for Credit Counselling
- counsellors have or are training for AFCC (Accredited Financial Counsellors Canada) certification
- has won Consumer Choice Awards in many locations

# Additional Resources

## **FLEW (Family Law Education for Women)**

[www.onefamilylaw.ca/en/resources/](http://www.onefamilylaw.ca/en/resources/)

### **Webinars:**

*Property Rights and Obligations of Married Spouses and Co-habiting Partners*

*Separation Agreements*

*Conflict, Court, or Another Way: Different Ways to Resolve a Family Dispute*

*Financial Support After Breakup: What Women Should Know About Child and Spousal Support*

*Child Support: Dealing with a Difficult Ex-partner*

*Spousal Support Basics and Partner Abuse*

## **Ontario Women's Justice Network (OWJN)**

[www.owjn.org](http://www.owjn.org)

## **Steps to Justice (on Debt and Consumer Rights)**

[www.stepstojustice.ca/category/legal-topic/debt-and-consumer-rights](http://www.stepstojustice.ca/category/legal-topic/debt-and-consumer-rights)

# Resources (Family Law)

## **Legal Aid Ontario**

<http://www.legalaid.on.ca/en/getting/default.asp>

- Toll-free: 1-800-668-8258 TTY: 1-866-641-8867
- Toronto: 416-979-1446 (accepts collect calls)

## **Family Law Information Program (FLIP)**

<http://www.legalaid.on.ca/en/getting/flip.asp>

## **Family Law Information Centres (FLICs)**

[http://www.legalaid.on.ca/en/getting/type\\_family.asp](http://www.legalaid.on.ca/en/getting/type_family.asp)

## **Family Law Services Centres (FLSCs)**

<http://www.legalaid.on.ca/en/contact/contact.asp?type=flsc>

**Your Legal Rights** [www.yourlegalrights.on.ca](http://www.yourlegalrights.on.ca)

## **Canadian Family Law Lawyers Network (National)**

[www.cfln.ca](http://www.cfln.ca)

**Family Responsibility Office** Toll-free: 1-888-815-2757

# Resources (Domestic Abuse)

For information, if your partner is abusive or violent:

- **Assaulted Women's Helpline** [www.awhl.org](http://www.awhl.org)
  - Toll-free: 1-866-863-0511 TTY: 1-866-863-7868
  - Toronto: 416-863-0511
- **Family Violence Authorization Program (Legal Aid Ontario)**
  - Free 2-hour emergency meeting with a lawyer
  - Offered through some shelters and community legal clinics
  - Toll-free: 1-800-668-8258
  - TTY: 1-866-641-8867
- **Barbra Schlifer Legal Clinic**
  - Toronto: 416-323-9149 x278 (legal intake)
  - TTY: 416-3231361
  - Free counselling, referral, legal and interpreter services to survivors of violence (Family, Criminal and Immigration law)

# Resources (Domestic Abuse)

For information, if your partner is abusive or violent:

- **Ontario Coalition of Rape Crisis Centres**

[www.sexualassaultsupport.ca](http://www.sexualassaultsupport.ca)

- **Network of Sexual Assault/Domestic Violence Treatment Centres**

[www.sadvtreatmentcentres.net](http://www.sadvtreatmentcentres.net)

- **Victim Services Directory**

[www.justice.gc.ca/eng/pi/pcvi-cpcv/vsd-rsv/index.html](http://www.justice.gc.ca/eng/pi/pcvi-cpcv/vsd-rsv/index.html)

# Resources (General)

## **Law Society of Upper Canada Lawyer Referral Service**

<http://www.lsuc.on.ca/with.aspx?id=697>

- Toll-free: 1-800-268-8326
- Toronto: 416-947-3330
- TTY: 416-644-4886

## **Toolkit for a good Client-Lawyer Relationship**

<http://schliferclinic.com/vars/legal/pblo/toolkit.htm>

- Barbra Schlifer Commemorative Clinic

## **Ministry of the Attorney General**

<http://www.attorneygeneral.jus.gov.on.ca/english/>

- Toll free: 1-800-518-7901
- TTY: 1-877-425-0575

## **Find a community legal clinic near you**

<http://www.legalaid.on.ca/en/contact/contact.asp?type=cl>

## **211 Canada.ca**

<http://211canada.ca/>