



If you need money and
other help when your
immigration sponsorship
in Canada breaks down



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This booklet explains the law in general. It isn't intended to give you legal advice on your particular problem. Because each person's case is different, you may need to get legal help. *Sponsorship Breakdown* was up to date as of October 2017.

This booklet tells you what to do if you can't support yourself when:

- the person who sponsored you for permanent resident status in Canada won't or can't support you, and/or
- you've stopped living with your sponsor who is your spouse or common-law partner.

This may be because:

- your sponsor no longer has enough money,
- your sponsor won't support you and tells you to leave, or
- your sponsor leaves you and won't support you.

It could also be that you leave because:

- your sponsor is abusing you, or
- your sponsor is forcing you to do something that is unfair or wrong.

It can be frightening to be in any of these situations and not have money, especially if you have children, but help is available. This booklet explains what to do.

If you're being abused or badly neglected, get help right away. If you're afraid and think you, your children, and/or others are in immediate danger from your sponsor, call the police right away by dialling **911**. Call VictimLinkBC at **1-800-563-0808** to find an emergency shelter (a safe house) or a transition house, a victim service program, or a referral for legal help.



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INTRODUCTION



Who is this booklet for?

This booklet is for you if:

- you came to Canada as a spouse under the family class from outside of Canada, or
- you were sponsored by a **spouse** or **common-law partner** of the same or opposite sex when you were already in Canada (an “in-Canada” sponsorship).

You got **permanent resident** status when you entered Canada or from an immigration office if you were in Canada.

In this booklet, we use the word “sponsored” to mean someone granted permanent resident status based on a promise of support from a family member. The word “spouse” means a husband, wife, **conjugal partner**, or common-law partner of the same or opposite sex.

Who this booklet isn't for

This booklet *doesn't* apply to you if you:

- are in Canada and in the process of being sponsored by your **spouse** or **common-law partner** (in other words, you don't have your permanent resident status yet),
- came to Canada as a refugee or as the relative of a refugee,
- came as a family member of an entrepreneur class immigrant,
- came to Canada through an immigration program such as the skilled worker program,
- are the **sponsor**, or
- are on a visitor or student visa.

If you're in any of these situations, you need to get information from another source (see "Who Can Help?" on page 39).

Words in this booklet in **bold** are described in the glossary on page 53.



What is immigration sponsorship?

The federal government is in charge of immigration sponsorships through **Immigration, Refugees and Citizenship Canada (IRCC)**.

Canadian citizens and **permanent residents** who live in Canada can apply to sponsor certain family members to live with them in Canada.

An eligible person can sponsor their:

- spouse (including husband, wife, or common-law partner of the same or opposite sex),
- **conjugal partner** (someone with whom you have a close, mutually dependent, and committed relationship) of at least one year,
- **dependent children** (biological or adopted who are under the age of adulthood as set by the government),
- parents or grandparents, or
- a brother, sister, nephew, niece, or grandchild who is under the age of adulthood as set by the government, orphaned, and not married.

Anyone who sponsors a person to come to Canada must sign an **undertaking** — a promise to the government to support the person for three to ten years (depending on age and relationship). This means they agree to provide that person with food, clothing, a place to live, and other essential things. The sponsor also agrees to pay the fees for BC medical insurance (Medical Services Plan) and medical costs such as dental or eye care that aren't covered by the Medical Services Plan.

What are my responsibilities as a sponsored person in Canada?

When a relative sponsors you, you must sign a "sponsorship agreement" with the sponsor. You must agree to try and support yourself and to ask your sponsor for help before you go to the government for money.

As a permanent resident, you must not be outside of the country for more than three years out of every five to keep your status as a permanent resident.

You must obey the laws of Canada. You may lose your right to stay in Canada if, for example, you're convicted of a serious criminal offence, you were outside of Canada for more than the three years of five allowed, or if Immigration, Refugees and Citizenship Canada discovers that you misrepresented facts in your immigration application.

What are my rights and benefits?

As a sponsored person, you have the right to live and work in Canada and may be eligible to receive some benefits, such as:

- Employment Insurance,
- WorkSafeBC benefits,
- Canada Child Tax Benefit, and
- BC Family Bonus.

Everyone in Canada, no matter what their immigration status is, has the right to be protected by the laws of Canada. This includes laws *against*:

- violence towards anyone, including women, children, and seniors,
- unfair pay,
- unsafe working conditions,
- job discrimination, and
- discrimination in providing public services.

For more information about these rights and benefits, ask an **advocate** or community worker from one of the community groups listed on pages 42 – 49.

What is sponsorship breakdown?

Sponsorship breakdown is when your sponsor can't or won't provide for some or all of your basic needs, such as food, housing, clothing, or medical care, and you're unable to support yourself and/or your dependants. Some examples of a sponsorship breakdown are when your sponsor:

- wants to support you, but no longer has enough money;
- allows you to stay in their home, but doesn't pay for your food, clothing, or medical needs;
- says you must leave the house and refuses to support you;
- leaves you and no longer supports you; or
- refuses to support you after you leave the home for some reason (for example, if the relationship isn't working out).

Sometimes a sponsor treats you so badly that you have to leave, even if they don't tell you to go. For example, you may decide to leave your sponsor if they:

- are abusing you (see page 7), or
- make unreasonable demands, such as forcing you to work for them for no money, or to be part of an illegal activity (for example, prostitution or selling drugs).

If you're in any of these situations, it's also a sponsorship breakdown. (For information about how to get help if your sponsor is abusing you, see page 9.)

If your relationship has broken down and you aren't a permanent resident, get legal help as soon as possible.

Abuse can be physical, emotional or verbal, psychological, sexual, and/or financial. For example, an abuser may physically harm you, threaten you, or scare you by yelling at you. They may stalk you, force you to have sex, or try to control everything you do. An abuser uses threats and violence to gain power and control over his or her partner. Often the abuser blames the abuse on the victim. Remember that abuse against you isn't your fault.

Can my sponsor make me leave Canada?

No. Your sponsor can't make you leave Canada, no matter what kind of problem you have with them. If your sponsor tells you to leave, you don't have to go. If your spouse is pressuring you to leave, contact one of the groups listed on pages 42 – 49. Only Canadian immigration officials can order a person to leave the country. This can only happen after an immigration hearing takes place. You won't be ordered to leave the country just because your sponsorship has broken down or your sponsor wants you to leave.

What will happen to me if my sponsorship breaks down?

Immigration, Refugees and Citizenship Canada won't take any action against you (or your children) if your sponsorship breaks down because you already have permanent resident status. You *will not* be deported. You keep all your rights and benefits. You won't lose your status even if you need to apply for money (called welfare) for basic needs.

(Immigration, Refugees and Citizenship Canada *will* take action against anyone it believes misrepresented facts in their immigration application.)

Before April 28, 2017, some permanent resident status was *conditional*. A conditional permanent resident was required to live with their sponsor for two years. On April 28, 2017, the Canadian government got rid of this condition. This change applied right away to anyone with conditional status as well as to anyone sponsored after that date.

If you're a permanent resident, immigration officials won't ask you to leave Canada if you separate from your spouse (unless they believe the marriage wasn't genuine).

How can I get help if my sponsor is abusing me?

If you're in danger, call the police by dialing **911**. If you live in one of the few areas of BC that doesn't have **911** service, call your local emergency police or RCMP. You can call your local municipal office and ask for the number.

If you're not in immediate danger, but your sponsor is intimidating or scaring you, you need to get help as soon as possible. You have the right to leave someone who is hurting or scaring you even if that person sponsored you. If your spouse is your sponsor, you still have the right to end your relationship.

Abuse is against the law in Canada. You have the right to be safe. If you, your child, or another relative who lives with you is being abused by your sponsor, it's important to get help.

Be sure to tell others about the abuse to create a record of it. This can include talking to a doctor, the police, staff at a shelter, or trusted friends or family members. These types of records are important to have for when you talk to government workers.

There are safe places you can go. You (and your children) can stay at an emergency shelter or a transition house until you find a better place to live. These places are free. Shelters and transition houses provide a temporary place to live and also offer support services for anyone (with or without dependent children) who has experienced violence or who is at risk of violence.

It can be very difficult to leave your sponsor: you might fear your spouse, or the government, the police, your family, or your community. And you might come from a place where men make the rules. But there are many people who can help:

- To find a safe place to stay, phone VictimLinkBC at **1-800-563-0808** (see also page 40). You can also ask the police to take you to a shelter or a transition house, or another safe place.
- Call Legal Aid BC to apply for help getting a protection order against a spouse (or other family member) to stop them from being able to contact you. See page 39 for how to apply for legal aid.
- Contact a community organization to find someone who can speak your language and understand your culture (see page 41).
- If your children sponsored you but are now abusing you, you can get help. Contact Seniors First BC, an organization that provides help and support to older adults who are, or may be, abused at **604-437-1940** (Greater Vancouver) or **1-866-437-1940** (elsewhere in BC, call no charge).

What about money?

If you are a permanent resident, you can apply for **welfare** (money from the provincial government for basic needs such as housing, food, and clothing). This has no impact on your immigration status in Canada.

The next chapter is about how to apply for welfare.

What will happen to my children and our house?

If your spouse is your sponsor and your sponsorship breaks down, they don't have the right to keep your children or your property.

If you and your spouse separate or divorce, your spouse still has a legal responsibility to help support your children. This is called child support or maintenance. They may also have to give you support payments. This is called spousal support.

You can go to court to apply for child or spousal support from your spouse. If you don't want to go to court, you and your spouse can try to work out an agreement with a mediator or with lawyers. You can also get help from a family justice counsellor (see page 52).

You may also have a right to some of the property you shared with your spouse. The two of you could decide how to divide up your property, or you could go to court to do this.

What will happen to my sponsor?

The federal and provincial governments have the right to sue your sponsor to get money for your support (see also page 31). If you're collecting welfare benefits, government policy is to require your sponsor to pay back all the money you received in welfare benefits.

If your sponsor won't support you for the time they promised and you have to go on welfare, they won't be allowed to sponsor other family members unless they pay the government all the money that the welfare ministry gave you.

For more information

For more information about what your rights are and steps you can take to stay safe, read the Legal Aid BC publications:

- *Live Safe — End Abuse*
(available in Chinese (simplified and traditional), English, Farsi, French (online only), Punjabi, and Spanish)
- *Living Together or Living Apart*
(available in Chinese (simplified and traditional), English, French, Punjabi, and Spanish)

All are available on Legal Aid's MyLawBC website at **mylawbc.com/pubs**.

Another Legal Aid website, Family Law in British Columbia, has useful information on family law matters at **familylaw.lss.bc.ca**.



APPLYING FOR
WELFARE



Where can I get help if my sponsor won't support me?

If you have little or no money or income and can't support yourself, you can ask the **Ministry of Social Development and Poverty Reduction** (referred to in this booklet as "the ministry") for help. The ministry is part of the British Columbia provincial government. It provides money for housing, food, clothing, and other basic expenses to people with low or no income and who qualify for help. The money you get from the ministry is usually called **welfare**. It's also sometimes called income assistance or social assistance.

Although the federal government is in charge of sponsorships, Immigration, Refugees and Citizenship Canada can't give you assistance if your sponsorship breaks down, and it doesn't help you get money from your sponsor.

This section of the booklet provides basic information about welfare. You can get more information about how to apply, and what benefits are available, by reading *How to Apply for Welfare*, a booklet published by Legal Aid BC (see page 50). See also pages 42 – 49 for the names of community organizations that can help you apply.

How do I get welfare?

The general steps for most people in BC to apply for welfare are:

- **1** Contact the ministry and fill out an **Application for Income Assistance (part 1) form**, either in person, by phone, or online.

- 2** Have an **orientation** session either in person, by phone, or online (if necessary).

- 3** Do a work search (if necessary).

- 4** Have an eligibility interview with an **employment and assistance worker** (an EAW).

However, in many situations, especially if you're being abused or have an immediate need for help, you won't have to do all of these steps. You can receive money and help much sooner than someone who has to follow the general steps. See the following sections for details.

What if I am fleeing abuse?

It's very important that you say that you're fleeing **abuse** from your spouse or other relative the first time you contact the ministry.

If you're leaving an abusive situation, your application for welfare will move quickly:

- you won't have to do a work search, and
- the ministry should schedule your eligibility interview ***within one business day*** of you starting your application for welfare.

This is true whether or not you're staying in a shelter or transition house when you apply for welfare.

If you meet all the other eligibility criteria for welfare, you should start to receive regular welfare benefits soon after your **eligibility interview**.

If you're fleeing abuse *and* you have an immediate need for food, shelter, or medical help (such as paying for a prescription) that must be met even before your eligibility interview, tell the ministry when you first contact them. Ask them to meet your immediate need until your eligibility interview.

What if I need money right away?

If you aren't fleeing abuse, but you need money or other help with food, shelter, or an urgent medical need right away, ask for an **immediate needs assessment** when you first apply for welfare. Otherwise, it may take several weeks before you get regular welfare benefits if you have to do the work search.

If you need help right away, ask for an immediate needs assessment even if the ministry worker doesn't tell you about it. If you need help explaining why it would be too difficult to go without help during the work search (see page 24), contact one of the groups listed on pages 42 – 49 or a trusted friend to help you.

You don't need to prove that you've tried to get help from food banks, shelters, or transition houses before you can get an immediate needs assessment. And you can get an assessment even if you're already staying in emergency housing and/or getting food from food banks.

Having an assessment simply means that the ministry worker will ask you some questions. If the ministry agrees that you have an immediate need and no other place to get help, they're supposed to meet your need on the same day. As well, the ministry is supposed to give you an eligibility interview **on an urgent basis**, within five days of when you first apply for welfare.

You'll qualify for an immediate needs assessment if you (or one of your dependants) have:

- an immediate need for food,
- an immediate need for somewhere to live (including heating and/or electricity), or
- an urgent need for medical attention (including prescriptions or Medical Services Plan coverage).

If the ministry can't give you an eligibility interview right away, they must give you the resources you need (for example, food vouchers, access to medical items) until the day of your eligibility interview. If you meet all the eligibility criteria for welfare, and aren't required to do a work search (see page 24), you should start to receive regular welfare benefits soon after your interview. If you're required to do a work search, you'll get temporary money called **hardship assistance** while you do the work search.

The Ombudsperson of BC tries to make sure that people who need immediate needs assessments get them quickly. If you're having problems getting your assessment, you can contact the Ombudsperson's office for help (see page 51).

Before you apply

Gather your documents

When you apply, you'll need to show the ministry proof of your identity and immigration status. You'll also benefit from any documents that show that you're fleeing abuse or that you have an immediate need. Also, if you believe you qualify to be excused from the work search (see page 24), gather any documents that will help you prove it.

If you're fleeing abuse, the ministry doesn't require you to "prove" that you've experienced abuse. They can simply believe you. However, if you have documents which help to show the abuse you're fleeing, it's helpful to gather them and give them to the ministry. For example, this could be police reports, medical reports, photographs, or emails and letters from witnesses such as staff at a shelter or other community workers.

How to contact the ministry

You can choose how you'll contact the ministry. You can start your application for welfare by phone, in person at the nearest ministry office, or online (using a computer). The ministry usually tries to get people to apply for welfare using a computer, but you don't have to do that if it's difficult for you.

By phone

To apply by phone, call the ministry's call centre at **1-866-866-0800** (no charge). Explain that you want to apply for welfare by phone. An employment worker may talk to you right away, or schedule a time to phone you back.

Afterwards, you'll need to go into a ministry office (or government Service BC Centre) in person to sign the application form ***within five business days***. Or you may be able to find a "trusted third party" like another government worker, or a doctor, nurse, or registered social worker, and sign the ministry's application form in front of that person ***within five business days***. (They'll be faxed the form.) The **employment and assistance worker (EAW)** will explain this to you.

In person

To find the location of the nearest office, call the ministry at **1-866-866-0800** (no charge) or go to the Access Services page on its website at **www2.gov.bc.ca/gov/content/family-social-supports/income-assistance/access-services**.

Ministry offices are called “Employment and Assistance Offices.”

Online

If you have access to a computer and want to apply online, go to the ministry’s Self-Serve Assessment and Application Tool at **myselfserve.gov.bc.ca**. (This website is in English only.)

For detailed instructions on how to apply for welfare, see the LSS publications *How to Apply for Welfare* and *Applying for Welfare Online* available at **mylawbc.com/pubs**.

What if I don’t speak English well?

If you don’t understand or speak English very well, you have the right to have someone interpret for you when you deal with the ministry. If you need an interpreter, let a ministry worker know as soon as possible. The ministry will arrange for the interpreter and pay the fee for the interpreter’s services.

You also have the right to bring someone with you to the office for support when you apply for welfare in person, or to have someone with you when you apply by phone. Ask someone you trust, such as a friend, relative, neighbour, or community worker. (Even if it’s possible, it’s best not to bring your sponsor.) Tell the ministry who your support person is.

When you apply for welfare, you may be able to skip to the eligibility interview quickly.

Fleeing abuse?

have an eligibility interview
in 1 business day

Qualify for Immediate Needs Assessment?

have an eligibility interview on
an urgent basis within 5 business
days or less

Qualify to skip work search?

have an eligibility interview
in 5 business days

After your interview, the ministry still needs time to verify your documents and make a decision.

How to apply for welfare

1. Fill out the application form

The first time you contact the ministry (either by phone, in person, or online — see page 18), you'll be asked to fill out an **Application for Income Assistance (part 1) form**. If you go into the office, bring along all your documents. If you call or apply online, have them handy.

If you apply in person or by phone, once you fill out and sign the Application for Income Assistance (part 1) form, you'll get a package of information, arrange to do an orientation session, and get a time for your eligibility interview with an EAW. The EAW will also tell you whether you need to do a work search. If you have to do a work search, your eligibility interview with an EAW will be scheduled for a date after your work search is done (unless you have an immediate need — see next page). Ask for the earliest possible appointment for the interview.

If you apply for welfare online, see the LSS publications *How to Apply for Welfare* and *Applying for Welfare Online* at mylawbc.com/pubs for instructions.

Remember: tell the ministry as soon as possible if you're fleeing abuse, and/or if you have an immediate need for food, housing, or urgent medical care.

If you're fleeing abuse, you shouldn't have to do a work search and should have an eligibility interview ***within one business day***.

If you have an immediate need, ask the ministry to meet your need while you're waiting for your eligibility interview. The interview will be granted ***on an urgent basis within five business days or less***.

If the ministry agrees you have an immediate need, but you have to do a work search (see page 24), you can receive temporary hardship assistance while you do it. If you don't have to do a work search and you meet all the other criteria, you should receive regular welfare benefits shortly after your eligibility interview.

2. Have an orientation

Most people have to complete an **orientation** before the ministry will schedule an eligibility interview. Having an orientation just means learning information about welfare and what papers you need to bring to your eligibility interview.

If you apply for welfare by phone or in person, the EAW will do the orientation with you. If you apply on a computer, it will be part of your online application.

You don't have to do an orientation if you:

- are 65 years of age or older, or
- have a mental or physical condition that prevents you from doing an orientation.

If you think there's a good reason why you shouldn't have to do an orientation, explain this to the EAW. You can also ask any of the groups listed on pages 42 – 49 to help you explain this to the EAW.

3. Do a work search

If you haven't received welfare benefits in BC before, you usually have to do a five-week **work search**. (If you have received welfare before, the work search is three weeks.)

If you have to do a work search, ministry staff will give you information about how to look for work, and the forms you'll need to fill out to prove that you've done a reasonable search for work. Be sure to keep a record of what you do to find work and where you apply for a job.

If the ministry has decided that you have an immediate need and that you must do a work search, you'll receive temporary "hardship assistance" money while you look for work.

You don't have to do a work search if you:

- are leaving an abusive spouse or relative (see page 15),
- prove to the ministry that you already actively looked for work in the 30 days before you did part 1 of your application form,
- have a physical or mental condition that the ministry believes stops you from doing a work search (for example, you're pregnant, in the hospital, or have a serious illness),
- are the only person caring for a child under the age of three, or
- are 65 years of age or older.

If you fit into one of these categories, take any documents you have that can help you prove this when you first apply for welfare. If you don't have to do a work search, the ministry is supposed to schedule your eligibility interview for welfare ***within five business days*** (or just ***one business day*** if you're fleeing abuse).

4. Have an eligibility interview

When you have your eligibility interview with an EAW, they'll ask for:

- proof of your work search (if you had to do one before the interview), and
- basic information about you and your sponsor.

You'll also have to give the EAW:

- personal identification (ID);
- proof of previous financial independence (work and educational history), unless you're exempted from this requirement (see page 27 for more information);
- financial information; and
- sponsorship information including details about the breakdown.

Your application will go faster if you have your documents with you for the interview. You can have your interview over the phone, or you can go to the ministry office in person. If you apply online, you may be able to upload the required documents, and an EAW will then review them.

If you have an interview in person, ask the EAW to make a copy of any documents you bring so you can keep the originals. The EAW will also give you some printed information.

If the interview is by phone, the EAW will read out some things to you instead of giving you printed information. (You can ask the EAW to send you paper copies if you want.) Once the phone interview is over, you'll have to take your ID to a ministry office (or a government Service BC Centre).

Or you may be able to take it to another “trusted third party” like another government worker, or a doctor, nurse, or registered social worker, to prove your identity and sign ministry forms in front of that person.

Whether you have the interview in person or by phone, *if you don't have all of your papers with you at your interview*, ask the EAW for a list of all the documents they still need. Find out how long you have to get these documents to the ministry. If you need more time, ask the EAW. If you don't get all the information to the ministry on time, it may close your file (cancel your application), and you'll have to start over and reapply.

Personal identification

When you have the interview with the EAW, you need to have ready:

- *all* of your immigration documents (for example, a confirmation of permanent residence document, permanent resident card, and/or record of landing);
- **photo ID** such as your permanent resident card, driver's licence, your BC identity card (from the BC Motor Vehicles Branch), passport, or original immigration documents with a photo;
- another piece of ID that doesn't need to have a photo, such as your birth certificate, original immigration documents, credit card, or bank card;
- your **Social Insurance Number (SIN)** card, or proof of your SIN if you don't have your card; and
- your BC CareCard or BC Services Card (if you have one).

If you're also applying for welfare for your children or another dependant, you must bring one piece of

identification for each dependant (for example, a birth certificate or BC CareCard). It doesn't have to be photo ID.

If you don't have your SIN card, bring an original document that has your name and social insurance number on it, such as your income tax return or other letter from the government.

Or, if you haven't had a SIN card before (or you want to replace one), contact a Service Canada Centre to apply for a new or replacement SIN card. Some ministry offices also have application forms for SIN cards. Your first SIN card is free. There is a charge of \$10 to get a replacement SIN card. If you can't afford this, you can ask the ministry to pay for it.

If you don't have the ID you need to qualify for welfare, but meet all the other criteria for it, you should be able to get hardship assistance for up to six months while you get the ID that the ministry requires.

Proof of previous financial independence (education and work history)

Before someone can have an eligibility interview, *most* people will be asked to prove to the ministry that they have:

- worked for at least 840 hours a year for two years in a row,
- earned at least \$7,000 a year for two years in a row, or
- worked for part of two years in a row, and collected Employment Insurance, or another income replacement (not welfare or a training allowance), for the rest of those two years.

This can include work you did in any country at any time.

The easiest way to prove you've worked is to provide a T4 slip, a Record of Employment (ROE), or other papers connected with your previous jobs. You can also provide letters from your employers if these are the only records you have. If you can't get any other proof, you may be able to sign a declaration (create a document with the facts and swear that the information is true).

It doesn't matter where or when you worked for two years. You can count work you did a long time ago. You can also count work you did in another country.

The rule about having to have two years' work experience doesn't apply to you if you:

- have left your home to get away from an abusive spouse or relative within the last six months, and the ministry believes this limits your ability to work;
- have dependent children or are caring for children through an arrangement with the Ministry of Children and Family Development (such as foster children);
- were supported by an employed spouse for two years in the past;
- were supported by a spouse for some of a two-year period in the past and were on Employment Insurance or an income-replacement plan for the rest of the time;
- have a medical condition that stops you from working for the next 30 days, or that has stopped you from working for at least six months out of the last two years;
- are pregnant;
- have earned a two-year degree or diploma, or a higher degree;

- are under 19 years old;
- have persistent multiple barriers to employment, or are applying for **disability benefits** for Persons with Disabilities;
- are caring for a spouse with a physical or mental condition that prevents you from leaving home to work;
- were in prison for six months out of the last two years; or
- were in the care of the Ministry of Children and Family Development or a similar agency, or had a youth agreement until you were 19 years old.

Even if you don't fall into one of these groups, you can still get welfare if the ministry believes that, for no fault of your own, you couldn't reasonably have supported yourself for two years and you'll have a very difficult time if you don't get welfare.

Financial information

You'll have to have information about your income and **assets** (savings and things you own) ready for your interview with the EAW. The EAW may ask to see any of the following:

- bank statements or your bankbooks (these must be up to date and go back two to six months)
- information about other property you have in Canada
- information about savings or property you have in other countries
- your most recent Notice of Assessment (tax return notice) from the Canada Revenue Agency
- any recent pay stubs

- Record of Employment (ROE), if you recently left a job
- information about money you get (or could get) from the government, such as the Canada Child Benefit, GST credit, Employment Insurance, WorkSafeBC benefits, or Canada Pension Plan benefits
- documents that show any support payments you get from your former spouse for yourself (that is, spousal support)
- information about your Registered Retirement Saving Plans (RRSPs), Guaranteed Investment Certificates (GICs), trust funds, etc.

If you don't have a court order or separation agreement that gives you the right to receive support payments from your former spouse (for yourself or your children), you can ask the ministry for legal help to get this. You can also ask the ministry for legal help if you already have an order or agreement for spousal or child support, but want to ask for those payments to be increased. If you're afraid for your safety and don't want your former spouse to know where you are, discuss with a lawyer or community worker whether asking the ministry for legal help is a good idea for you.

Sponsorship information

You'll have to provide the EAW with information about your sponsorship and how it has broken down. This is because your sponsorship agreement could be a possible source of income, and you can't get welfare until you show that you have no other safe sources of income. The sooner you give this information to your EAW, the sooner the ministry will decide if you're eligible for welfare.

The EAW will ask for background information such as:

- your sponsor's full name, and any other names your sponsor may use,

- your sponsor's address and phone number, and
- your sponsor's work address.

It's helpful to bring any proof you have that the sponsorship has broken down. If you have any letters from your sponsor or other evidence that they aren't supporting you, bring this with you. It's also helpful if you can show the EAW that you've tried to get support from your sponsor. For example, you could write a letter to your sponsor asking for support and give a copy of that letter to the ministry. If you received help from food banks, churches, or community groups when your sponsor wouldn't help you, it's a good idea to try and bring letters from those places to confirm what help they gave you.

Sometimes, the ministry will ask if you've tried to sue your sponsor for support. People have the right to sue their sponsor for support, but this rarely happens because it's difficult to sue and takes a long time. *You don't have to sue your sponsor before you can apply for welfare.* If you decide to sue your sponsor, talk to one of the groups listed on pages 42 – 49.

Once you've provided the ministry with information about your sponsorship, the ministry will contact your sponsor unless the ministry believes there are concerns for your safety (see page 32). They'll say you've applied for welfare and ask the sponsor if they can or will support you financially. If the sponsor says no, the ministry will continue to process your application for welfare.

If you can't give the ministry all the information it needs about your sponsorship right away, you may be able to receive temporary "hardship assistance" money from the ministry while you take steps to get that information.

If I've been abused, does there have to be contact with my sponsor?

It's very important to tell the ministry if you've been threatened or abused by your sponsor. If this has happened, *and the ministry believes there are concerns for your health or safety*, it's ministry policy that:

- you don't have to talk or write to your sponsor asking them for information; and
- the ministry won't contact your sponsor for information about your sponsorship, or to see if your sponsor is still willing to support you financially.

Gather evidence to prove the abuse or neglect to the ministry such as a police report, medical report, photographs, emails, and letters from witnesses (for example, staff at a shelter or other community workers).

What if my sponsor has my immigration documents?

If you're afraid to ask your sponsor for your immigration documents, or if you think your sponsor won't give them to you, you can apply to Immigration, Refugees and Citizenship Canada for a certified copy of your permanent resident papers or a replacement permanent resident card. For more information, phone them at **1-888-242-2100** or go to their website at **cic.gc.ca**. A replacement card costs \$50. If you don't have \$50, you can ask the ministry to pay for it. You might have to wait two to three months for the card.

The police can help you get your documents from your sponsor. A community worker can help you ask the police to go with you to your sponsor's house (see "Who Can Help?" on pages 42 – 49). The police probably won't make your sponsor give you the papers, but they can make sure you're safe while you're there to discuss it.

While you try to get your documents, you can apply for and begin receiving temporary hardship assistance money, even if you don't have all your ID documents or your Social Insurance Number (SIN). However, you must be able to satisfy the ministry that you're a permanent resident. You must also show the ministry that you're doing everything you can to get your SIN and/or other ID documents (see also page 27).

How long do I have to wait to get welfare?

The ministry usually won't make a decision about whether or not you get welfare until you have:

- completed your application and given all the necessary papers to the ministry,
- finished an orientation session (if necessary — see page 23),
- completed the work search (if necessary — see page 24),
- had an eligibility interview with the ministry, and
- had a **verification** of your information (a check by the ministry).

After your information is verified, it may take a week or more for the ministry to make a decision about your welfare application. This may take longer if you can't give the ministry all your papers quickly.

Remember, if you need money right away, you can ask the ministry at any time for an immediate needs assessment (see page 16).

Can the ministry come to my house to check information?

Ministry staff are not allowed to visit you at home to check whether information you gave them is accurate. Ministry staff can only visit your home without warning to check that you live where you say you do — this is called a “residency check.” If this happens, ministry staff aren’t allowed to enter your home without your permission or talk to children to check the information you give them. The law says you don’t have to let a ministry worker into your home if you don’t want to.

If ministry staff offer to visit you at home to provide you with information or a service, you don’t have to agree to this if you don’t want to. If you do agree, the staff member must arrange a time for the visit with you before arriving. They aren’t allowed to look through your house or ask your children questions about your situation.

What happens once I’m receiving welfare?

If your sponsorship has broken down, the ministry will review your file regularly. The ministry will want to know if your sponsor still can’t support you, or if your sponsor can now pay your expenses.

If your sponsor was abusive and the ministry agrees not to contact your sponsor because of concerns about your safety, the ministry will still review your file regularly. The ministry will want to know if there’s still a safety concern. Because of this, make sure you tell the ministry if you’d still be afraid for your safety if your sponsor is contacted.

Once you receive welfare, the ministry will give you something called a monthly report with your benefits each month. The report has questions on it that you must answer in order to get the next month's cheque. You have to fill out the form, sign it, and return it to the ministry. It's very important to answer the questions on the report correctly and truthfully. You must return the monthly report to the ministry office by the fifth day of the month after you got your payment.

Can I still sponsor my family members if I go on welfare?

You aren't eligible to sponsor anyone to come to Canada, not even your children, while you're on regular welfare. Once you're able to support yourself and earn enough money, you may qualify to sponsor your family members.

If you receive disability benefits (known as benefits for Persons with Disabilities) or disability hardship benefits from the ministry, you can apply to sponsor eligible family members (see page 3 for more information).

What can I do if my welfare application is turned down?

You have the right to **appeal** (ask for a review of) most ministry decisions against you. If you find out that your welfare application has been refused, or your benefits are reduced or ended, *it's very important to ask for help from one of the groups listed on pages 42 – 49 as soon as possible*. With the help of someone from one of these groups, you can explain to a ministry worker why you think the decision is unfair. This may sometimes be the quickest way to get a ministry decision changed. These groups can also help you appeal ministry decisions if necessary.

There are two levels of appeal: the first is called a Reconsideration; the second is an appeal to the Employment and Assistance Appeal Tribunal. You must apply for a Reconsideration *within twenty business days* of when you got the ministry's decision against your welfare application. If the Reconsideration appeal fails, you have *seven business days* to appeal to the Appeal Tribunal.

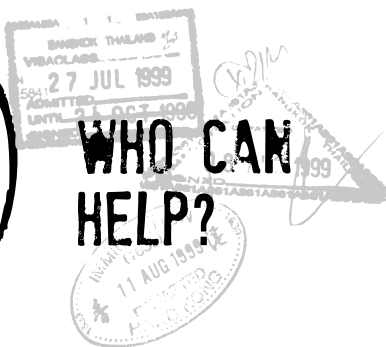
You must be very careful about time limits when you make an appeal. If you miss any of the deadlines, your whole appeal will be lost, and you'll have to reapply for welfare.

It's important to make the best appeal you can, and because there's little time to do it, it's a good idea to get help. Ask one of the groups listed on pages 42 – 49 for help.

What if I lose all my appeals?

If your friends and family can't help you, ask for help from people you already know, such as your church, temple, or community organization. You might at least qualify for temporary "hardship assistance" money from the ministry. Or you might be able to reapply for welfare.

The best way to deal with this difficult situation is to have a community worker on your side. The next section has a list of organizations and services that can help you with sponsorship and welfare issues.



This section of the book has contact information for legal services, victim service workers, and community and settlement workers. You can get legal help, help getting welfare, and practical and emotional support from these organizations.

Apply for legal aid

Legal Aid provides a range of free services (see page 50), including lawyers who can help you if you qualify. You can apply for legal aid if:

- you're being deported (removed from Canada), or
- you need help getting a protection order against an abusive family member.

For immigration legal aid, call the direct immigration line:

Greater Vancouver	604-601-6076
Elsewhere in BC	1-888-601-6076 (no charge)

You can also call the main Call Centre:

Greater Vancouver	604-408-2172
Elsewhere in BC	1-866-577-2525 (no charge)

You can ask to speak to a legal information outreach worker for information and referrals to other services. To find one

or to find your local legal aid office or a legal aid community partner in your area, go to legalaid.bc.ca (and under “Legal Aid,” click “Legal aid locations”).

If you’re being abused

VictimLinkBC

VictimLinkBC is a toll-free, confidential, multilingual telephone service available across BC and the Yukon (24 hours a day, 7 days a week). It provides immediate crisis support for victims of family violence, general information, and referrals to services such as emergency shelters or transition houses.

1-800-563-0808 (call no charge)

victimlinkbc.ca

Battered Women’s Support Services

Emotional support, information, and referrals.

Greater Vancouver 604-687-1867 (crisis line)

TTY 604-687-6732

Elsewhere in BC 1-855-687-1868 (call no charge)

bwss.org

BC Society of Transition Houses (BCSTH)

Listing of transitional housing offered by BCSTH members.

Greater Vancouver 604-669-6943

Elsewhere in BC 1-800-661-1040 (call no charge)

bcsth.ca

BC Housing

Listings for emergency shelters, transition houses, and subsidized housing available in the province.

bchousing.org

(click “Housing Assistance” then “Women Fleeing Violence”)

Find help in your own language

AMSSA

AMSSA is an association of multicultural agencies that serve immigrants. For a list of agencies that have interpretation and translation services, go to **amssa.org** and look under “About Us,” and click “Members.” You’ll find a province-wide alphabetical list of agencies that can help you in your language.

Law Students’ Legal Advice Program

The Law Students’ Legal Advice Program (LSLAP) at the University of British Columbia may have students who can help you in your language.

604-822-5791

lslap.bc.ca

WelcomeBC

WelcomeBC is an online government resource for newcomers to Canada. If you have access to a computer, go to **welcomebc.ca/language2.aspx** for information in a variety of different languages.

Community organizations

On the following pages is a list of groups with community workers who can help you with immigration and welfare matters and may be able to help you find a lawyer or legal advocate. They may also be able to provide interpreters. Call the office closest to you.

If your community isn't listed, you can look for help at a women's centre, transition house, a local community group, or a church.

Abbotsford

Abbotsford Community Services

604-859-7681

info@abbotsfordcommunityservices.com

Burnaby

Immigrant Services Society of BC

Burnaby Office

604-395-8000

settlement@issbc.org

MOSAIC

Kingsway Office

604-438-8214

settlement@mosaicbc.org

CCM of Canada Office

604-877-8606

settlement@mosaicbc.org

SUCCESS

Burnaby Office

604-430-1899

info@success.bc.ca

Campbell River

Immigrant Welcome Centre

250-830-0171

info@immigrantwelcome.ca

Chilliwack

Chilliwack Community Services

604-393-3251

ccsinfo@comserv.bc.ca

Coquitlam

Immigrant Services Society of BC

Cottonwood Office

778-383-1438

settlement@issbc.org

Lincoln Office

778-284-7026

settlement@issbc.org

SUCCESS

North Road Office

604-936-5900

info@success.bc.ca

Pinetree Way Office

604-468-6000

info@success.bc.ca

Courtenay

Immigrant Welcome Centre of Courtenay

250-338-6359

admin@immigrantwelcome.ca

Cranbrook

Columbia Basin Alliance for Literacy

Welcome BC

250-581-2112

cranbrooksettlement@cbal.org

Duncan

Cowichan Valley Intercultural and Immigration Aid Society

250-748-3112

office@cis-iwc.org

Fort St. John

SUCCESS

Fort St. John Office

250-785-5323

info@success.bc.ca

Kamloops

Kamloops Immigrant Services

778-470-6101

kis@immigrantservices.ca

Kelowna area *(includes Lake Country/West Kelowna/Peachland)****Kelowna Community Resources Society***

250-763-8008

immigrantservices@kcr.ca

Langley***Immigrant Services Society of BC******Langley Office***

604-510-5136

settlement@issbc.org

Maple Ridge***Immigrant Services Society of BC******Maple Ridge Office***

778-372-6567

settlement@issbc.org

Mission***Mission Community Services Society***

604-826-3634

info@missioncommunityservices.com

Women's Resource Society of the Fraser Valley

604-820-8455

admin@wrsfv.ca

Nanaimo***Central Vancouver Island Multicultural Society******Nanaimo Office — Immigrant Welcome Centre***

250-753-6911

admin@cvims.org

New Westminster

Immigrant Services Society of BC

New Westminster Office

604-522-5902

settlement@issbc.org

North Vancouver

North Shore Multicultural Society

604-988-2931

office@nsms.ca

Penticton

South Okanagan Immigrant & Community Services

250-492-6299

admin@soics.ca

Prince George

Immigrant and Multicultural Services Society

250-562-2900

imss.pg@shawcable.com

Richmond

Chimo Community Services

604-279-7077

chimo@chimoservices.com

Immigrant Services Society of BC

Richmond Office

604-233-7077

settlement@issbc.org

Richmond Multicultural Community Services

604-279-7160

info@rmcs.bc.ca

SUCCESS

Richmond Office

604-279-7180

info@success.bc.ca

Squamish

Immigrant Services Society of BC

Squamish Office

604-567-4490

settlement@issbc.org

Surrey

DIVERSEcity Community Resources Society

604-597-0205

info@dcrs.ca

MOSAIC

Welcome Centre

778-591-9334

settlement@mosaicbc.org

OPTIONS: Surrey Services to Communities Society

604-584-5811

604-596-4321 (Newton)

info@options.bc.ca

Progressive Intercultural Community Services Society

Surrey Office

604-596-7722

pics@pics.bc.ca

SUCCESS

Surrey Office

604-588-6869

info@success.bc.ca

Vancouver

Battered Women's Support Services

604-687-1868

information@bwss.org

Collingwood Neighbourhood House

604-435-0323

info@cnh.bc.ca

Immigrant Services Society of BC (Settlement Services)

Head Office

604-684-7498

settlement@issbc.org

Kiwassa Neighbourhood House

604-254-5401

info@kiwassa.ca

Little Mountain Neighbourhood House

604-879-7104

info@lmnhs.bc.ca

MOSAIC

Head Office

604-254-9626

settlement@mosaicbc.org

Multicultural Helping House Society

604-879-3277

info@helpinghouse.org

South Vancouver Neighbourhood House

604-324-6212
svnh@southvan.org

SUCCESS

Fraser Street Office

604-324-8300
info@success.bc.ca

Granville Street Office

604-323-0901
info@success.bc.ca

Pender Street Office

604-684-1628
info@success.bc.ca

***Vancouver and Lower Mainland Multicultural Family
Support Services Society***

604-436-1025
againstviolence@vlmfss.ca

Vernon

Vernon and District Immigrant Services Society

250-542-4177
vdiss@shaw.ca

Victoria

Inter-Cultural Association of Greater Victoria

250-388-4728
info@icavictoria.org

Victoria Immigrant and Refugee Centre Society

250-361-9433
info@vircs.bc.ca

More help from Legal Aid BC

In addition to providing free lawyers to those who qualify for help with certain family, immigration, and other problems, Legal Aid also provides legal information (such as this booklet) and legal advice.

Applying for Welfare Online

This fact sheet is about how to apply for welfare online using a computer or mobile phone. Find it at **mylawbc.com** (click “Our publications”).

How to Apply for Welfare

This booklet explains who’s eligible for welfare, how to apply, how to appeal a decision, and how to get more information or help. Find it at **mylawbc.com** (click “Our publications”).

Live Safe — End Abuse

These fact sheets describe 10 aspects of relationship abuse, including what women and men can do if abused, safety planning, protection orders, parenting, money, and the criminal court process. This series includes the title *If Your Sponsor Abuses You*. Find them at **mylawbc.com** (click “Our publications”).

Family Law in BC website

Visit **familylaw.lss.bc.ca** to find fact sheets, self-help guides, and online publications and videos.

MyLawBC website

Visit **mylawbc.com** to find guided pathways with information about family law issues including abuse and family violence.

Family duty counsel

Family duty counsel are lawyers who give advice to people with family law problems. You may be eligible for help from family duty counsel even if you don't qualify for legal aid. Family duty counsel offices are located in many provincial and supreme courts. To find out more, go to legalaids.bc.ca (click "Legal Aid" and then "Legal advice").

Family LawLINE

Family LawLINE lawyers give brief legal advice over the telephone about family law issues. You may be able to get this help whether or not you qualify for legal aid. To be considered for this service, call the province-wide Call Centre. If you qualify, you'll be transferred to an available Family LawLINE lawyer.

Greater Vancouver	604-408-2172
Elsewhere in BC	1-866-577-2525 (call no charge)

Other help

BC Ombudsperson's office

The BC Ombudsperson's office provides information about what steps to take in dealing with a public agency and investigates complaints about unfair practices. Services are free of charge.

1-800-567-3247 (call no charge)
<https://bcombudsperson.ca>

Clicklaw

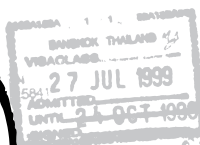
Clicklaw is a website providing links to legal information, education, and help for British Columbians.

clicklaw.bc.ca

Family justice counsellors

Family justice counsellors provide services to families with modest incomes. Call Service BC and ask for a location near you.

Greater Vancouver	604-660-2421
Victoria	250-387-6121
Elsewhere in BC	1-800-663-7867 (no charge)



GLOSSARY



What the words mean

abuse Abuse in relationships includes many types of hurtful or dangerous behaviours. It can range from threats and emotional harm to physical or sexual assault. Abuse can also include using money against you and other controlling behaviour such as limiting what you do. (See also page 7).

advocate A person who knows a lot about certain issues and laws, and uses his or her experience to help other people.

appeal When you disagree with a decision that the ministry makes about your welfare application, and ask another decision-maker to review the decision.

Application for Income Assistance (part 1) form

You fill out this form when you apply for welfare. The information is put into the ministry's computer system.

assets Your assets include things you own such as cash, money in the bank, investments, a car or other vehicle, a business, and real estate.

business day A day on which most businesses are open.

When you figure out the deadline for your welfare application or any appeal, you should count every day except Saturday, Sunday, and government holidays.

common-law partner There are two definitions:

Under federal immigration law, this is a person of the same or opposite sex with whom you've had a marriage-like relationship and lived with for at least one year.

Under provincial welfare law, this is a person whom you identify to the ministry as being your common-law partner, or with whom you've lived for the last 3 months, or 9 of the last 12 months, and the ministry agrees the relationship is marriage-like.

conjugal partner A person of the same or opposite sex with whom you've been in a marriage-like relationship for at least one year, but couldn't marry or live with because of immigration problems, your or their marital status, or sexual orientation.

dependent children There are two definitions:

- Under federal immigration law, a dependent is a child who depends on their parent for financial and other support. A dependent must be:
 - under 22 years old and without a spouse or common-law partner, *or*
 - 22 years old or over, but continues to be unable to support themselves because of a physical or mental condition.
- Under provincial welfare law, a dependent child is an unmarried person under 19 years old who lives with the parent more than half of the time and relies on the parent for the necessities of life (this includes stepchildren and may include other children in your care).

disability benefits Benefits paid by the ministry for people with disabilities (PWD) and their families. Also called “disability assistance.” Disability benefits rates are higher than regular welfare rates. If you have a serious disability, see a community worker for information about applying for disability benefits.

eligibility interview A conversation with a worker at the ministry (SDPR) where you give information about your personal identification, work history, finances, and your sponsor. The ministry will decide later whether you qualify for welfare.

employment and assistance worker Also called an EAW, case worker, or worker. EAWs are the people at the ministry (SDPR) who work with you on your welfare file.

hardship assistance Temporary money from the ministry, available in limited situations such as when:

- you have to do a work search, but have an immediate need for food, shelter, or urgent medical care, or
- you’re taking steps to get the documents or other information that the ministry needs about your sponsorship.

immediate needs assessment If you can show that you have an immediate need for housing, food, or urgent medical help, you should be able to get an eligibility interview for welfare sooner than usual and have your needs met until your eligibility interview is held.

Immigration, Refugees and Citizenship Canada (IRCC)

The part of the federal government that deals with immigration and sponsorship.

Ministry of Social Development and Poverty

Reduction (SDPR) The part of the provincial government that deals with welfare (called “the ministry” in this booklet).

orientation Learning about welfare and what papers you need to bring to your eligibility interview.

permanent resident Also called a landed immigrant. This is a person who has the right to live and work indefinitely in Canada. A permanent resident must not be outside of the country for more than three years out of every five.

photo ID Any official card or document that has your photograph and information about you.

Social Insurance Number (SIN) Every citizen, permanent resident, or any person who may legally work in Canada can get their own SIN from the federal government. You often need to show your SIN when you go to government offices or apply for a job.

sponsor The person who signs papers agreeing to support a family member to live as a permanent resident in Canada.

spouse A husband, wife, conjugal partner, or common-law partner of the same or opposite sex.

undertaking A paper that a person signs when applying to sponsor someone. It’s a promise that the sponsor will financially support the person they’re sponsoring.

verification When the ministry checks (verifies) the information you provided. Someone from the ministry may come to your home (called a home visit), talk with other people, or check other government records.

welfare Also called income assistance or social assistance. This is money you may be able to get from the ministry for food, shelter, clothing, and other basic needs when you're unable to support yourself. Welfare includes disability benefits, hardship assistance, and regular welfare.

work search A period of time where you must look for work, keeping a record of what you did and where you applied for jobs.

How to get Sponsorship Breakdown

and other free Legal Aid BC publications

Read mylawbc.com/pubs
Order crownpub.bc.ca
(under Quick Links, click BC Public Legal
Education & Information)

Questions about ordering?

604-601-6000

distribution@lss.bc.ca

Feedback on this publication?

publications@lss.bc.ca



@ **legalaidsbc**