

Read this fact sheet if you:

- have left, or think you might leave, an abusive partner;
- have questions about how to support yourself and your children; and
- want to know what may happen to your home or property you share with your partner, and who's responsible for debts.

Where can you get money?

Income assistance (welfare)



Income assistance is money and other benefits you may be able to get from the BC Ministry of Social Development and Poverty Reduction (the ministry) if you need it. To apply, call:

1-866-866-0800

Tell them you're leaving an abusive partner. If you need money right away for food, housing, or medical needs, tell them you want to apply for **hardship assistance**. This is emergency money you can get quickly.

You can only get hardship assistance for a short time. If you stay separated from your partner and have no money, apply for regular income assistance or disability benefits as soon as you can.

If you're getting welfare and your address changes, call the ministry to have your payments sent to your new address.

If you live on reserve, you must follow a different process. To apply for welfare, contact the band's social development worker. You don't need to be Aboriginal to apply for welfare on reserve.

Child tax benefits

Child tax benefits are money the federal and provincial governments pay every month to eligible families to help raise their children. If you aren't getting these benefits, call the Canada Revenue Agency to apply:

1-800-387-1193

If you're already getting welfare but not these benefits, ask the ministry for a top-up (extra money) while you wait for these federal benefits to start.

If you get a lump-sum payment of the federal benefits, the BC Family Bonus (a provincial benefit) amount will be taken off your welfare payment for that month.

If you're getting one or more federal benefits and have lived apart from your partner for 90 days or more because your relationship ended, you may qualify for more benefits. Send the Canada Revenue Agency the form that says you're separated (Form RC65). To find this form, see:

cra-arc.gc.ca (search for "Marital Status Change")

If your address changes, contact the Canada Revenue Agency to have your payments sent to your new address.

Crime Victim Assistance Program benefits

This is money the BC government pays to victims of crime to help them recover from injury and financial loss. If you've been physically abused or harassed, you can apply. Benefits cover things such as lost wages, medical expenses, damaged clothing or eyeglasses, changing locks, and counselling. Your partner doesn't have to be charged with a crime for you to get the benefits, but there must be a police report. To apply, call the Crime Victim Assistance Program:

604-660-3888 (Greater Vancouver)

1-866-660-3888 (elsewhere in BC)

Child or spousal support

This is money the court may order your partner to pay you if you separate or divorce.

Spousal support can be complicated and have timelines. Talk to a family lawyer or get information from Family LawLINE right away to see if you're entitled to spousal support. Call:

604-408-2172 (Greater Vancouver)

1-866-577-2525 (elsewhere in BC)

The Federal Child Support Guidelines say how much child support your partner must pay, based on the number of children and your partner's income.

To find out more, speak to a family justice counsellor or a child support officer at the Family Justice Centre. This service is free. Call Service BC and ask to have your call transferred to a family justice counsellor or child support officer close to you:

604-660-2421 (Greater Vancouver)

250-387-6121 (Victoria)

1-800-663-7867 (elsewhere in BC)

Civil damages

Civil damages are payments that a judge may order your abusive partner to pay you. To get this, you have to sue your partner in civil court. The money is for your pain, suffering, injuries, or loss of wages because of the abuse. If you want to apply, talk to a lawyer right away. There are time limits. See Legal help in *Who Can Help?*

Other options

You may be able to get Employment Insurance benefits or pension benefits (if you're eligible). Or you might ask for financial help from family and friends.

How is family property divided?



Property laws are complicated. There are important time limits. If you have questions about dividing family property, talk to a lawyer as soon as you can.

If you're married or have lived in a marriage-like relationship for at least two years (which makes you and your partner **spouses**), you have a right to an equal share of family property. Family property is everything owned by one or both spouses at the time you separate. The property usually includes the family home, cars, furniture, bank accounts, businesses, and pensions. It doesn't include property that one partner owned before the relationship started.

Courts will order that family property be shared unequally only if it would be "significantly unfair" to divide it equally.

If you and your partner lived together for less than two years, you usually share the property you own together. You might have to prove you have a right to it if your name isn't on the property, and there's no written agreement saying that you and your partner agreed to split it. You would have to show that you paid part of the expenses, or paid by looking after the property. For example, you looked after your children and your home so your partner could earn money to get the property. This is called the law of **constructive trust**.

Who's responsible for debts?



If you're married or have lived in a marriage-like relationship for at least two years, both spouses are equally responsible for family debts.

Family debts are any debts you or your spouse took on during your relationship, no matter whose name is on the debt. They also include debts either of you took on to take care of family property after you separated.

The court will order that debts be shared unequally only if it would be "significantly unfair" to divide it equally.

The people who you and your partner owe money to can get payment only from the partner who took on the debt. If you and your partner have joint debts, they may choose to try and get payment from only one partner.

If you've separated, consider this:

- Let all your creditors know you've separated.
- Cancel any secondary credit cards.
- Talk to your bank about any joint accounts. Reduce limits on overdrafts and credit lines to what you owe now. If you need credit, ask the bank to open a line of credit in your name only.
- Change the beneficiary of your investments, RRSPs, insurance, and your will if your partner is the beneficiary.
- Talk to a lawyer for legal advice.

