

Metro Toronto Chinese  
& Southeast Asian  
Legal Clinic

Trung Tâm Hướng Dẫn Luật Pháp  
Hoa-Việt-Khmer-Lào

法律援助中心 (服務華人及東南  
亞社區)

# **SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS**



Metro Toronto Chinese & Southeast Asian Legal Clinic  
180 Dundas Street West, Ste 1701  
Toronto, Ontario M5G 1Z8  
Telephone: 416-971-9674  
Fax: 416-971-6780  
[www.mtcsalc.org](http://www.mtcsalc.org)

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



## What is Ontario Works?

Ontario Works (OW) provides two kinds of help: financial assistance and employment assistance to people who live in Ontario and are in temporary financial need.

## How to Qualify for Ontario Works?

To qualify for OW, your family income and asset worth cannot be above a certain amount. These amounts depend on the size of your family.

## Examples of income sources:

- Employment income
- Boarder / Roomer income
- Company Pension/ Sick Benefits
- Foreign Pension
- Rental income
- Private Accident Sick Benefits
- Support income
- Ontario Student loans ( OSAP)
- War Veterans Allowance
- Old Age Security (OAS)
- Guaranteed Income Supplement (GIS)
- Ontario Guaranteed Annual Income Supplement (GAIN)
- Survivor benefits
- Employment insurance benefits (EI)
- Social Security – U.S.A.
- Superannuation
- training income
- private insurance benefits
- Workers Compensation (WSIB)
- Other income/Benefits

Assets are cash, bonds, debentures, stocks, certificates, the cash surrender value of a life insurance policy, interest in property, a beneficial interest in assets held in trust and available to the

benefit unit, and other property which can be readily converted into cash.

Some income and assets are exempt. This means that OW does not count them when they calculate your income and assets. Examples of exempted items include: part time income of dependent children in your household, child tax benefits, the home that is your principal residence, Registered Disability Savings Plans (RDSPs), registered education saving plan (RESP), tools, amounts received as compensation for pain and suffering, and/or expenses as a result of an injury to or death of a member of the benefit unit, up to a maximum of \$25,000.

It is important to note that OW can review any transfer of assets in the 3 years preceding your application date to determine your eligibility for OW to see if you unreasonably disposed of your assets to qualify for OW.

## What do I get from Ontario Works?

If you qualify to receive assistance, you will receive:

- a monthly benefit which includes the basic needs allowance for food or personal needs and shelter cost up to a maximum amount. The amount of benefits you received is calculated based on the size of your family, your marital status and the age of dependent children. The Ontario Works Regulations set out the social assistance rates.
- a monthly family drug card to cover the cost of prescription drugs for you and your family members in the household unit. You can bring the drug card to a pharmacy to get your prescription drug.

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



You can apply for additional benefits through your case worker based on need. Please refer to the other additional benefits section for more details.

## How to Apply

There are 3 ways you can apply:

### 1. By Phone:

#### Telephone application:

- In Toronto, you must call one of the application phone lines in your area. A caseworker at the application centre will take your information over the phone. In order to determine your eligibility, a caseworker will ask you to provide personal and financial details about yourself and each family member included in your application. This phone call takes about 30 - 45 minutes.
- If you do not speak English, you have to have someone who speaks English at your side when you contact the call centre. You will have to indicate to the call centre that you allow someone else to speak on your behalf or translate for you.
- If you appear to qualify for benefits, the caseworker at the application centre will schedule an in-person interview for you at an Employment and Social Services office for the area where you live. The caseworker will tell you what information to bring and where the office address.

**NOTE:** If you are not physically able to go to the Employment and Social Services office, tell the caseworker. The caseworker may be able to make other appointment arrangements for you.

### In-person interview

- A caseworker will finalize your application during an in-person interview. This interview usually takes place at your community-based Employment and Social Services office.
- If you have a spouse or dependent child 18 years or older living with you, they also need to attend the interview. The information you provided during the telephone interview or online application will be reviewed and verified.
- This caseworker will tell you about your obligation to participate in any activity which Ontario Works has decided will help you become employable such as attending language training courses or doing volunteer work
- You (and your spouse and dependent over 18 if applicable) will be asked to sign the application form and other required forms based on your situation.
- Once the application is completed, you will receive your benefits immediately

### 2. In Person:

To find the OW or Ontario Disability Support Program (ODSP) office that serves your address, enter your address, postal code, city, town, go to Ontario Social Assistance Office finder at:  
<http://appow.mcscs.gov.on.ca/OfficeLocator/index.aspx?lang=en>

Type in your address and click search. To find the address of a local office in Toronto, go to  
<http://www.toronto.ca/socialservices/contact.htm> to search by postal code.

If you are homeless, you may call the application centre or you can go to any Employment and Social Services to apply in person.

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



## 3. On-line Application:

Go on line to: <https://saapply.mcass.gov.on.ca> to apply on-line

### Step 1. Confirmation to assess if the online application is right for you

You will be asked a few basic questions to make sure this process is right for you. It will take you about 2-5 minutes to complete this step.

### Step 2. Eligibility

- you will be asked for some basic information about you and your family, such as any income received (e.g., from a job, child support), your assets (e.g., cash on hand, bank accounts, bonds, vehicles, jewellery). It will take you about 5-10 minutes to complete this step.
- You will then be told whether you may be eligible based on the information you give. This is just a guideline. Only a representative from the local office (see Step 4) can tell you if you are actually eligible.

### Step 3. Online process

- you have to provide more detailed information about your situation and your family. It will take you about 20-30 minutes to complete this step.
- At the end of this step, you can review all the information you have given and make changes and choose to send your information to apply and set up your appointment with a caseworker or abandon the application and the information will be deleted. The application can only be continued with an interview with a caseworker.
- A caseworker will call you within 3 business days to confirm that OW has received your online information, to arrange an appointment at the local office for an in-person interview. You will be told what you need to bring with

you. If you do not have a phone number, you will need to call your local office to arrange for an appointment.

### Step 4. In Person Interview

- After you submit your information, you will need to go to your local office for an interview to finalize the application.
- You will also need to bring your spouse (if you have one) and any children who are 18 or older to the appointment. The worker will verify the information you sent in online and finalized your application.
- Once the application is completed, you will receive your benefits immediately

If you do not speak English, you will have to bring someone, such as a friend or someone from a community agency who is over 16 years of age who can act as an interpreter so that you understand what the OW worker says to you and what documents you are signing. Please note that your children will usually not be allowed to act as your interpreter.

It is important that before you sign anything, you understand what you are signing. You can ask for a copy of any document you are required to sign so that you can take it home and review it before you sign.

Even if you do not have a permanent address, you can still apply. You can get a letter from a landlord who is willing to rent a place to you once you get assistance from OW and give it to your OW worker. OW also has a form you can give to a potential landlord to complete.

### What Information Ontario Works Needs

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



You will have to provide information about yourself, each member of your family and anyone else who lives with you and are included in your application. This information includes:

Identification such as:

- Birth Certificate or proof of Canadian Citizenship
- Social Insurance Number
- Ontario Health Card
- Immigration document (such as Record of Landing or Permanent Residence Card)

Income information such as:

- copies of pay cheques
- Employment Insurance stubs
- support payment details
- other proof of income

Assets information such as:

- updated bank books or bank records
- RRSP documents
- life insurance documents
- vehicle ownership papers
- property ownership information
- other asset documents

Accommodation information such as:

- lease and rent receipt
- landlord information
- property tax, home insurance records
- • heat, water and hydro bills

Other documents pertaining to:

- Separation or divorce
- Custody
- Life insurance policies
- Insurance compensation settlements
- Proof of debts

Keep copies of all the documents that you give to the OW worker. You can ask the worker to make a copy of any original documents that you submit.

## Where do I Call to Apply?

In Toronto, call the application centre phone line listed in the chart below for your postal code. The application centres are open Monday to Friday, 8:00 a.m. to 5:00 p.m. and closed on weekends and public holidays. There is a TTY line for persons who are hearing impaired. The number is 416-392-2823.

Your Postal Code	Application Phone Number
M1N	416-392-3213
M1K M1L M1M M1P M1R	416-392-2725
M1C M1E M1G M1H M1J	416-397-1771
M1B M1S M1T M1V M1W M1X	416-397-1010
M2H M2J M2K M2L M2M M2N M2P M2R	416-392-2811
M3B M3H	416-392-2811
M3A M3C	416-392-3421
M3J M3K M3L M3M	416-397-0185
M3N	416-397-9451
M4A M4B M4C M4J M4K	416-392-3421
M4E M4L M4M	416-392-3213
M4G M4H M4N M4P M4R M4S M4T M4VM4W	416-397-5100
M4X M4Y	416-392-5100
M5A M5B M5C M5E M5S	416-392-5100
M5G M5H M5J M5K M5L M5T M5V M5W M5X	416-392-2635
M5M M5N M5P M5R	416-397-5100
M6C M6G	416-397-5100
M6A M6B M6E M6L	416-397-0185
M6M M6N	416-392-6242

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



M6H M6K M6R	416-397-7900
M6J	416-392-2635
M6P M6S	416-397-0330
M8V M8W M8X M8Y M8Z	416-397-0330
M9L M9M	416-397-9451
M9R M9V M9W	416-392-6405
M9N M9P	416-392-6242
M9A M9B M9C	416-397-0330

## Multilingual Access Lines

For people who do not speak English, Toronto Employment and Social Services has a Multilingual access line to provide general information about Employment and Social Services and OW. The Chinese language direct line is 416-397-7383. For a list of other languages, go to <http://www.toronto.ca/socialservices/languages.htm>

## Participating in an Ontario Works Activity

While receiving OW benefits you are usually required to participate in employment-related activities. Family members, 18 years of age or older, are also required to participate.

Employment-related activities include:

- Pre-Employment Development programs that help you explore career options and set goals
- Volunteering
- Skills training
- Education / Upgrading classes
- Learning, Earning and Parenting (LEAP): a program for parents aged 16 to 25
- Employment placement
- Job search support from employment centres

For information about these and other activities visit :

<http://www.toronto.ca/socialservices/employmentservices.htm>

## Employment Services

Your caseworker will work with you to create a plan to help you reach your employment-related goals. This plan is called a Participation Agreement. It describes what activities you will be involved in and for how long. The Participation Agreement changes as you meet your goals or as your circumstances change.

Your caseworker may excuse you from participating in an OW activity if:

- you are caring for a child who is under school age
- you are 65 years of age or older, or
- you cannot participate due to health issues.

If you have health issues talk to your caseworker. Your caseworker may ask for documentation from your doctor. If your health problems are ongoing and substantial you may want to ask your caseworker to provide you with a medical application package to apply for Ontario Disability Support Program (ODSP) benefits.

If you find that you cannot do what you agreed to do in the agreement, you can ask for your Participation Agreement to be changed. Any changes though must be negotiated with your OW worker and each change should be put down in writing.

Within 30 days of your application for assistance, an OW worker will review your Participation Agreement with you. After that, an OW worker will review your Agreement with you at least once every 6 months.

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



If you stop an activity outlined in your agreement without notifying your OW worker, your OW assistance could be cut off or reduced for one month. If this happens again, then your assistance would be cut off or reduced for 3 months.

## Living with Someone

OW will check who you live with – if you are living with someone who is your spouse, OW will look at your combined income and assets to decide if you are eligible for assistance as a couple. Your spouse or partner could be of the opposite sex or the same sex. It does not matter whether you are legally married to each other or not. If you are living with a close family member, OW will ask you for proof of your relationship to that person. If the person you are living with is not your spouse and you have been living together for at least 3 months, OW will ask you for information to determine whether or not you are spouses. Sometimes, even if you have been living together less than 3 months, you will be asked for this information. Not co-operating could lead to the suspension of your OW benefits.

## Pursuing other Income

While receiving OW assistance, it is your responsibility to pursue any other income that you or your family members may be eligible for. This means that you must make reasonable efforts to pursue any income available to you. This income could include Employment Insurance benefits, Workers Compensation (WSIB) and child support. Your OW benefits could be reduced if you do not try to obtain income you are eligible for.

Support Payments and Ontario Works

OW expects you to make reasonable efforts to obtain financial support from:

- someone who is or was your spouse as defined by family law, and
- your child's other biological or adoptive parent, even if he or she has never been your spouse.

If you do not make reasonable efforts to seek support, your OW benefits could be suspended or reduced. The OW offices in Toronto have a Family Support worker located at Ontario Courts of Justice and the Family Support Unit. Their services are free and they provide services such as:

- answering your questions about pursuing support
- preparing support agreements
- pursuing support in court
- arranging parental tests
- locating individuals who may be responsible to pay support, and
- referrals to various agencies.

The contact information for the Family Support Worker at each local office is:

Malvern	416-338-7779
Kennedy	416-397-1273
Beaches	416-397-0287
Golden Mile	416-397-5061
Yonge Eglinton	416-397-1832
Metro Hall	416-392-2655
Wellesley Place	416-392-5111
High Park/Parkdale	416-397-7854
Lesmill	416-392-2813
Chesswood	416-397-9462
Lawrence Square	416-397-1605
York Humber	416-392-5427
The Queensway	416-392-6576
Attwell	416-392-6515

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



You are required to provide the worker with any information you have about your child's other parent to help them obtain a support order and enforce the order. Any money you receive as monthly support will be deducted from your monthly OW benefits.

## Reporting Changes

While receiving OW benefits, you must report any changes in your family and living arrangements or financial situation to avoid incurring an overpayment with OW because these changes might mean you receive more money than you are entitled to. Sometimes a change in circumstances means that you may be eligible for other services or additional financial benefits.

Changes to report include:

- Your address or phone number changes
- Your rent or other housing costs changes
- Your child(ren) schooling arrangements changes
- number of people in your family, and if you start residing with another adult
- You or a member of your family leaves Ontario for more than 7 days
- Changes in your financial situation such as starting a new job or begin to receive any other income you were not receiving before, support payments stop, opening or closing a bank account
- Your asset situation changes

Each month you will receive a Change of Information form in the mail. Use this form to report changes or talk to your caseworker to report any changes.

## Income Deductions:

Your eligibility for OW benefits is based in part on the amount and type of income you receive. Some types of income such as Employment Insurance benefits, rental income, and child support payments will be deducted from your assistance amount at 100%.

However, if you are working, you are entitled to an earnings exemption whereby only 50% of your net employment income will be deducted from your OW benefits. Also, you could be entitled to a child care cost expenses deduction. For licensed child care centres, you will be reimbursed the full amount you pay for child care costs. For unlicensed child care centres, the maximum child care deduction is \$600 per month per child.

## Proving You Still Qualify

When you are getting assistance from OW, they will ask you for information to prove that you still qualify financially. OW regularly reviews the files of people who are on assistance. Sometimes, these file reviews are part of what they call a Consolidated Verification Process (CVP). Your worker will contact you to make an appointment for you to come into the OW office to review your current situation. Your worker will also tell you what information you need to bring with you to the interview. It is important to attend these appointments in order to continue to receive OW. You have to bring an interpreter who is over 16 years old and not your child with you to the appointment if you cannot speak English.

These file reviews are in addition to the rule that you must report your income every month, and the rule that you must report any change in circumstances as soon as it happens. Some examples of a change in circumstances would be a



# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



change of your address, rent, or living arrangements.

When OW reviews your file for financial eligibility, they ask you for information and documents to prove that you are entitled to the assistance you are getting. They are also supposed to tell you if you are getting all the assistance you are entitled to.

They can get information about you from other government agencies you deal with, such as the Canada Revenue Agency, the Ministry of Transportation, or the Family Responsibility Office.

If you are supposed to participate in certain activities in order to get assistance — for example, going to school, work, or do a community placement — then OW can check with these places to confirm that you are doing so.

After reviewing your file, OW could decide that you are not eligible for the assistance you are getting and your assistance could be cut off or reduced. If OW decides that you have received more assistance than you were entitled to, they will set up an overpayment. They can then reduce the amount of your monthly assistance to get the overpayment back from you. The deduction they make from your monthly assistance is a small amount because OW is only allowed to deduct up to 5% of your monthly OW assistance to recover overpayments.

## **If Your OW Assistance is Reduced or Cut-off**

If you apply for OW benefits and your application is refused or you are receiving OW and your assistance is reduced or cut off completely, you have the right to appeal these decisions to the Social Benefits Tribunal (SBT). The SBT is

separate and independent from OW. It has the power to overturn or cancel the decision made by OW and make a new decision.

If you are refused OW assistance, you can appeal only if you completed an application. If you withdrew your application or did not finish it, you will not be able to appeal but you still have the right to make a new application.

The decision to refuse, reduce, or cut off your OW benefits must be sent to you in writing by letter. This letter is called a Notice of Decision. This notice should contain the decision and the reasons for the decision and should let you know that you can request an internal review of the decision if you do not agree with it. Sometimes, it is good to contact your worker after receiving a decision to see if you can provide information that is needed because the matter may be resolved without having to appeal.

If you are only told verbally about the decision but do not receive a Notice of Decision, you should call the OW office to request such a letter as soon as possible. Once you receive this Notice of Decision, you have 30 days to write to the OW office to ask for an internal review of the decision. **It is very important that you request this internal review because you cannot appeal to the SBT if you did not request this internal review.** You can contact your local legal clinic for assistance with your appeal.

The internal review should be requested in writing to the OW office that made the decision. You should include your name, date of birth and signature as well as the decision you want reviewed and the reasons why. A different OW worker than the worker who made the decision you are appealing will do the internal review. There are

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



rules about notices that are sent by mail. The Ontario Works rules assume that if a notice is mailed to you, you receive it 3 days after it is mailed. The mailing date should be stamped on the envelope by Canada Post. It might not be the same as the date on the letter. Keep the letter and the envelope.

## What Decisions Can Be Appealed

Not all decisions can be appealed to the Social Benefits Tribunal. You can appeal decisions about:

- being refused assistance,
- cancellation of assistance,
- the amount of assistance you are receiving,
- special diet allowance,
- reduction in assistance to recover an overpayment,
- community start-up and maintenance benefits, and employment and training start-up assistance,
- medically necessary transportation costs and certain health supplies,
- the appointment of a trustee to receive your cheque if you are 18 years of age or older.

You cannot appeal decisions about:

- discretionary benefits, such as funeral and burial expenses
- third party payments — for example, if you arrange for some of your assistance to be paid directly to your landlord,
- emergency assistance
- the appointment of a trustee to receive your cheque if you are younger than 18 years of age.

Even if a decision cannot be appealed, you can still ask for an internal review of the decision. In your request for an internal review, explain why the

decision should be changed and include any information that supports your request.

Under some circumstances, decisions which cannot be appealed to the SBT may be reviewed by the Decision Review Committee. Areas which the committee will review include eyeglasses benefits, employment related expenses such as transportation costs and referrals to or funding for training programs or other OW activities. You can make your request in writing to the committee and send the request to the Decision Review Committee c/o Appeals Review Unit, 111 Wellesley Street East, 4th Floor, Toronto, Ontario, M4Y 3A7. The Committee does not hold hearings – instead there will be a paper review done and you and OW will be sent a written decision.

If you receive a notice of overpayment and you are no longer receiving social assistance, you should get legal advice because you cannot appeal to the SBT.

If you are not sure whether a decision can be appealed, you should file an appeal anyways to ensure your appeal rights are protected.

## Appealing to the Social Benefits Tribunal

You must file your appeal to the SBT within 30 days of the date you receive your internal review decision by completing the SBT Appeal Form. You can obtain this form from SBT's website which is at <http://www.sbt.gov.on.ca>. You can also get the form from a community legal clinic or by calling the SBT. If you need an interpreter for the hearing, you have to make sure you indicate on the space provided on the appeal form that you need an interpreter and for which language.

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



You should get a decision on your internal review within 10 days of the date your request is received. If you do not get an internal review decision within the 10 days, you can still appeal the original decision. This appeal must be filed within 40 days of the date of your request for an internal review.

If you miss the time limit for appealing, you can ask for more time. You will have to explain why you missed the time limit when you fill out the appeal form. When you send in your appeal form, you should include copies of any decision letters you have received from the OW office such as the Notice of Decision, the internal review decision and a copy of the letter you wrote to request an internal review.

While you are waiting for the SBT to process and decide your appeal and you need money, you can apply for interim assistance. The Application for Interim Assistance is part of the SBT Appeal Form. If the SBT approves your request, the local OW office will have to pay you financial support while you wait for your appeal to be decided.

Since you cannot get interim assistance until you have filed your appeal with the SBT, it is best to make your request for an internal review as soon as you can.

If you lose your appeal, or you do not attend your hearing, you will have to pay back any interim assistance you have received. If your case is settled, try to get an agreement in writing that says you will not have to pay back the interim assistance. If you plan to withdraw the appeal, you should get legal advice.

## Preparing for Your SBT Hearing

Within 60 days of receiving your appeal form, the SBT must send a Notice of Hearing to you and to the OW office. The Notice of Hearing will give the date, time, and place of the appeal hearing. You must be given at least 30 days' notice. The Notice of Hearing might give you an appointment for a telephone hearing instead of an in-person hearing. If you prefer an in-person hearing, you have the right to object and request that your hearing be held in person. You must make this request within 15 days of receiving the Notice of Hearing. Explain why you do not want a telephone hearing. If you think that you would not get a fair hearing by telephone, you must explain why. The Notice of Hearing may also be for a written or paper hearing but only if you have agreed to this kind of hearing.

The Notice of Hearing will indicate the deadline to file any information you want the SBT to consider in your case. You will usually receive a report from the OW office which contains the reasons for the decision and any evidence and legal arguments they will be relying on for the hearing. OW has to give you these submissions within 30 days after it receives notice of the appeal.

Any documents that you want to use as evidence in your appeal must be filed at least 20 days before the hearing. You must file these documents with both the SBT and the OW office.

Keep a copy of everything you send in, along with proof of the date you sent it. If you send in any information by fax, get a report from the fax machine that shows the date the fax was sent.

At the in-person hearing, it is not necessary to have someone represent you but you have the right to be represented by legal counsel or other representative if you wish. The hearing is held in a hearing room at the SBT. In most cases, the

# SOCIAL ASSISTANCE IN ONTARIO ONTARIO WORKS

Metro Toronto Chinese & SE Asian Legal Clinic



hearing will be conducted and decided by one member of the SBT. At the hearing, you and any witnesses you bring have the chance to give evidence orally and use any documentary evidence you have submitted to the SBT 20 days before the hearing. OW may send a representative to the hearing. You and your witnesses may be questioned by the SBT member and the OW representative about evidence you give.

The member will send you a decision in writing by mail.

An SBT decisions can be appealed to the Ontario Divisional Court but only on questions of law. You should therefore get legal assistance with such appeals.

## Where to Get Help?

For legal advice and representation, you can contact a lawyer or a community legal clinic. To find the community legal clinic in your area, you can phone Legal Aid Ontario, their toll free outside Toronto number is 1-800-668-8258, in Toronto, call 416-979-1446 or check their web site at [www.legalaid.on.ca](http://www.legalaid.on.ca)

Other community agencies in Toronto serving the Chinese community:

### **The Cross-Cultural Community Services Association**

310 Spadina Ave, 3rd floor  
Toronto, Ontario M5T 2E8  
Tel: 416-977-4026

### **Centre for Information and Community Services of Ontario**

3852 Finch Avenue East, Suite 310  
Scarborough, Ontario M1T 3T6  
Telephone: 416-292-7510

### **SEAS**

603 Whiteside place  
Toronto, Ontario M5A 1Y7  
Telephone: 416-362-1375

### **WoodGreen Community Centre of Toronto**

835 Queen Street East  
Toronto, Ontario M4M 1H9  
Telephone: 416-462-3110

### **University Settlement Recreation Centre**

23 Grange Road  
Toronto, Ontario M5T 1C3  
Telephone: 416-598-3444

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Telephone: 416-971-9674

This booklet provides general information only. Each particular situation is different, and the law can change. If you have any legal problems, please contact a lawyer or local community legal clinic.