

Maintenance Enforcement Maintenance Collection Tools

FACT SHEET

This fact sheet explains the types of actions the staff of the Maintenance Enforcement Program can take to persuade a payor (the person who is supposed to pay support) to make maintenance payments, such as child support and spousal support.

The *Maintenance Enforcement Act* (MEA) gives the Director of Maintenance Enforcement and staff of the Maintenance Enforcement Program (MEP) the authority to collect money owed under a maintenance order or agreement. It is best for everyone if the paying person makes his or her payments voluntarily, but this does not always happen. The MEA gives MEP staff several tools to use to enforce maintenance orders.

Information/location request

MEP can demand the following information about the payor or the payor's spouse from anyone who might have this information, including banks, employers and other Yukon government departments:

- wages, salary and other sources of remuneration;
- Social Insurance Number;
- assets and liabilities;
- financial status;
- copies of income tax returns;
- location, address and place of employment;
- location, address and place of residence; and
- telephone number.

Voluntary payment arrangement

You can make a voluntary payment arrangement with MEP to pay your ongoing maintenance and/or arrears. This arrangement is a contract with MEP. If you do not make your payments as promised, MEP may take other action.

Garnishments

MEP can take money that is owed to you by sending a notice of garnishment to a source of income, such as individuals, businesses, and government offices. We may garnish employment income, your income tax return, GST, EI, disability or sickness benefits, pensions (including RRSPs), annuities, rental income, debts owed to you or funds held in court. We may also garnish the money in your bank account.

Credit bureau reporting

MEP may report your failure to pay your support to a credit reporting agency. This could affect your ability to obtain financing.

Liability of corporation

MEP may serve on a corporation owned by you notice of joint and separate liability. This means the corporation could be held liable for your maintenance obligation.

Sale of property

MEP may take and sell your real and personal property. This includes your house, car, recreational property and vehicles, and any beneficial interest you may have in a corporation.

Registration of liens on real and personal property

MEP may use the *Personal Property Security Act* or the *Land Titles Act* to register liens against your real or personal property. You may not be able to sell your property if there is a lien on it.

Default hearing

MEP may require you to come to court to explain why you are not paying your maintenance. If you do not supply the information requested, or you do not show up for court, a warrant may be issued for your arrest. If the court finds that you are able to pay, you could be put in jail for up to 90 days.

Motor vehicle sanctions

MEP can instruct the Registrar of Motor Vehicles to suspend, cancel or refuse to renew your driver's licence and your vehicle registration. If you are caught driving without a licence, you may be charged under the *Motor Vehicles Act* or the *Criminal Code of Canada*.

Federal licence denial

MEP can ask the federal government to cancel, suspend or refuse to renew any federal licences you may have including passports, aviation and marine licences.

MEP shares information with other maintenance enforcement programs in Canada, the United States and many other countries. This helps to make sure that people who owe money for family support can't avoid their obligations by moving away.

FOR MORE INFORMATION, CONTACT THE MAINTENANCE ENFORCEMENT PROGRAM

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