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## WELFARE BENEFITS DURING COVID-19

*By Madyson Powell and Thea McDonagh*

On April 2, 2020, Shane Simpson, Minister of Social Development and Poverty Reduction, announced a number of changes that impact individuals on provincial income assistance and disability benefits. Here is a summary of what the provincial government has released thus far.

### COVID Supplement

Recipients of income and disability assistance, comforts allowance or the seniors supplement who are *not* eligible for Employment Insurance (EI) or the Canada Emergency Response Benefit (CERB) will automatically receive an extra \$300 in April, May and June. This will happen automatically, and individuals do not need to apply for this benefit. The \$300 will be allocated per adult in the household.

### Employment Insurance and Canada Emergency Response Benefit Exemptions

EI and the CERB will be exempt from the Ministry's normal income deductions. Recipients of income and disability assistance who are eligible for EI or CERB will continue to receive their ordinary provincial benefits in addition to EI/CERB. Neither of these benefits will be considered earnings, nor will they be part of a recipient's allotted earnings exemption.

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### Bus Pass Program

There is a current province-wide suspension of BC Transit and Translink bus fares. Recipients of provincial disability assistance who have been receiving a bus pass will automatically have this converted to a \$52 per month transportation supplement starting on April 22. *(See Welfare Benefits, page 7)*

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## A LETTER FROM TAPS' EXECUTIVE DIRECTOR

The last time we sat down to put together a Taproot the world was a very different place, and like so many others we at TAPS have had to adapt to the new reality of the COVID pandemic. As the dust begins to settle, or rather as we settle into what feels like the new normal, we will continue to do the best we can to support our clients through this period of turmoil.



*TAPS advocate working remotely*

In this edition of Taproot, you will read about some of the big changes to residential tenancy and employment law introduced in response to the COVID-19 crisis, changes that have kept us very busy since the government first began to announce restrictions on how we live and work. And at TAPS we have had to change how we operate as well. In order to protect our clients and staff, we have limited our personal interactions and perform most of our work remotely. Above all, we have tried to continue providing services without interruption, making sure we are there for our existing and new clients, albeit in new and different ways.

As countries around the world began introducing restrictions, it became clear that similar restrictions would be coming to British Columbia, and that we would need to prepare. We knew people would need legal support navigating government benefits and entitlements, especially when the order to close bars and most restaurants would result in massive layoffs to some of the province's most precariously employed. To respond to this, we adapted our employment standards legal advocacy project (ESLAP) and began providing legal information and advice on employment insurance and how to access the patchwork of emergency benefits. With the courts closed and the majority of our litigation work on hold, staff lawyer Daniel Jackson was redeployed to help employment standards legal advocate Isabelle Dehler-Hyde, and together they have been responding to the numerous calls about employment matters we receive daily.

With the number of people being laid off, and significant holes in the federal benefits meant to address these layoffs, we also knew there would inevitably be an eviction crisis if government did not act before rent came due. TAPS joined with sister organizations around the province in immediately calling for a moratorium on evictions during the COVID crisis. And while our request was partially granted, the exceptions that allow landlords to continue to apply for evictions, and the fact that there is no clear plan for what to do with rent arrears when the crisis ends, mean our tenant legal advocates will be in high demand for many months to come.

Sadly, the need to limit gatherings and contact came at one of the worst times for our tax program: at the beginning of the busy tax season. We have had to cancel our Thursday tax clinics and move all of our tax preparation services to phone appointments. While we have not been able to see our clients face to face, our tax coordinator Sharifa Riddett has been doing her utmost to help people file their taxes every working day, and she will continue to do so until the time comes when we can safely restart the clinics.

As the crisis continues to evolve, we'll be posting all updates on our services to our website, [www.tapsbc.ca](http://www.tapsbc.ca), and I encourage you to reach out if you have any questions about how we continue to operate. To our devoted volunteers and supporters, we can't thank you enough for always being there for us, and we hope to see you all again soon when the time comes!

*Doug King*

# YOUR TENANCY DURING COVID-19

*By Hannah Mang-Wooley*

Renters are particularly vulnerable to displacement during the COVID-19 pandemic. We have compiled a summary of the announcements made by the provincial government regarding tenancies.

## Eviction Moratorium

No new eviction notices can be given, and existing eviction notices will not be enforced during the state of emergency. If your landlord thinks you pose an extreme risk to someone else's safety or property, they can apply directly to the Residential Tenancy Branch (RTB) for an expedited hearing asking for your eviction. You will be served with notification of the hearing.

If you were served with an eviction notice before March 30, 2020, and have applied to dispute the notice, you will still have to go through the arbitration process. An arbitrator will make a decision as to whether or not you will be evicted. However, if the arbitrator decides that the eviction will stand, you will not be forced to move out until the state of emergency is lifted. The only circumstance in which an existing eviction will be enforced is if the arbitrator has determined that you pose an extreme risk to the safety of others or the property and it would be unreasonable to make your landlord wait until the state of emergency is over.

## Orders of Possession

If your landlord has an Order of Possession, they will not be able to enforce it to make you move out until the state of emergency is lifted (except in extreme circumstances mentioned above).

## Rent Freeze

Your landlord cannot increase your rent during the state of emergency. If you were given notice of a rent increase that was going to take effect on April 1 or later, it will be set aside until the state of emergency has been lifted.

## BC Temporary Rental Supplement

A program to help with the cost of rent is available for the months of April, May, and June 2020. This consists of \$300 per

*(See Tenancy, page 4)*

## TAPS STAFF

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Taproot is published  
bi-monthly.

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(Cont'd from Tenancy, page 3)

month for households with no dependents and \$500 per month for households with dependents. Your 2019 household income must be under a certain amount (\$74,150 or \$113,040, depending on whether or not you have dependents), and you need to have lost at least 25 percent of your monthly income as a result of COVID-19. The application for the rental supplement is online and is administered through BC Housing. You only need to apply once and the money will be paid directly to your landlord.

### Consent to Enter

Your landlord now needs your consent to enter your unit for things like inspections, showings, and routine maintenance. Your landlord can enter in an emergency if it is necessary to protect someone's safety or property.

### Service of Documents

You can exchange documents with your landlord by email, letter mail, or, in some cases, leaving documents in your landlord's mailbox. No in-person service of notices or documents is allowed at this time. If you need help printing, scanning, or e-mailing documents, contact TAPS for assistance.

### Restriction of Common Areas

Your landlord is allowed to restrict tenants' and guests' use of common areas in order to protect against the transmission of COVID-19.

If you have any questions about these changes or believe your landlord has acted against these new rules, feel free to contact the TAPS tenancy project at 250-361-3521 or [tenancy@tapsbc.ca](mailto:tenancy@tapsbc.ca). ■



## TAPS' TAX PROJECT UPDATE

*By Sharifa Riddett*

TAPS' Thursday tax clinic has been closed since mid-March and will continue to be closed for the foreseeable future. We are, however, still able to complete and submit tax returns for people over the phone. Call TAPS at 250-361-3521 and leave a message for Sharifa. You can also contact Sharifa by e-mail at [tax@tapsbc.ca](mailto:tax@tapsbc.ca).

Due to COVID-19, Canada Revenue Agency has extended the tax filing deadline to June 1. However, if you are eligible for GST payments, you may not get your July 5 GST cheque on time if you delay filing your taxes until May.

Also in relation to COVID-19, the federal government has provided a one-time increase to the GST/HST credit amount. It is automatic, meaning you do not have to apply for it, as long as you have filed your 2018 taxes and are eligible for the GST credit. Those who are eligible for this extra amount should have received it on April 9.

If you have not received this extra amount, it may be because you have not yet filed your 2018 taxes. Don't worry, as you can file your 2018 taxes through the TAPS tax project or other community income tax service. Once you have filed your 2018 taxes, you should receive this extra GST payment. If you have any questions about this supplement, or if you have not received it and do not know why, please call the Benefits Enquiries line (1-800-387-1193) or phone the CRA directly (1-800-959-8281).

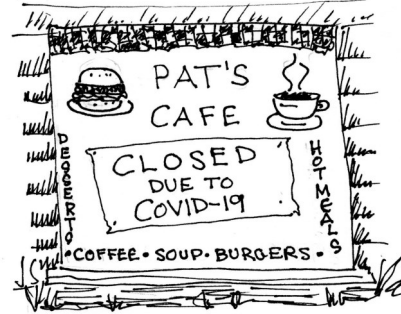
# EMERGENCY BENEFITS FOR WORKERS IMPACTED BY COVID-19

By Isabelle Dehler-Hyde

Over the last few weeks, there have been several announcements from the federal and provincial governments detailing benefits available to workers who have lost their employment income as a result of COVID-19. From the federal side, this includes the Canada Emergency Response Benefit (CERB); from the provincial side, the BC Emergency Benefit for Workers.

Let's start with the simplest one. The BC Emergency Benefit for Workers is a one-time, tax-free, \$1000 payment for BC residents who are unable to work due to COVID-19. At this point, there is very little information about this benefit or how to apply for it. However, our understanding is it will be available in May 2020 to any BC resident who is eligible for the CERB. The province has not stated whether this benefit will be considered exempt income for recipients of welfare and Person With Disabilities (PWD) benefits, so until they say otherwise assume that the BC Emergency Benefit for Workers will be clawed back from provincial social assistance cheques.

(See Workers, page 6)



## BECOME A TAPS MEMBER!

Want to support TAPS? Why not become a member! We are happy to waive the fee, so it doesn't have to cost you anything. You will get the Taproot mailed or e-mailed to you.

### Together Against Poverty Society Membership Registration 2020

**Together Against Poverty Society, 828 View Street, Victoria, BC, V8W 1K2**

Annual Membership Fees:  Unwaged \$5 (we are happy to waive this fee)

Waged \$20

Organization \$80

Method of payment:  Cash  Check  N/A

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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Taproot—TAPS' newsletter

>>>  by e-mail

by postal mail

*(Cont'd from Workers, page 5)*

Now let's talk about the CERB. The CERB is a \$2000-per-month benefit available for 16 weeks to anyone in Canada who has lost some or all their employment income due to loss of work, sickness, quarantine, caring for someone who is ill with COVID-19, or caring for a child due to school or daycare shutdowns. It is also available to anyone whose regular Employment Insurance (EI) claim will run out anytime between December 29, 2019, and October 3, 2020. It is available to people both eligible and ineligible for EI, as well as those receiving income from Canada Pension Plan, Old Age Security, Guaranteed Income Security, welfare, or PWD benefits. It is not available to anyone who voluntarily quit their job.

To qualify, applicants need a valid Social Insurance Number, must not have received more than \$1000 per month in employment income (while collecting CERB), and must have made at least \$5000 from employment, self-employment, or paternity leave benefits over the last year. When submitting your claim, you cannot have earned more than \$1000 in employment or self-employment income in the last fourteen days.

You can apply for the CERB online through either a Canada Revenue Agency My Account or a My Service Canada Account or by phone at 1-800-959-2019 or 1-800-959-2041. You should receive the first payment within 10 days of completing the application. To manage the huge demand for this benefit, applicants are being asked to apply based on their birth month:

<b>If you were born in the month of:</b>	<b>Apply for CERB on:</b>
January, February or March	Mondays
April, May, or June	Tuesdays
July, August, or September	Wednesdays
October, November, or December	Thursdays
Any month	Fridays, Saturdays, Sundays

The CERB will be replacing EI regular and sickness benefits until October 3, 2020. Here is where it gets a little complicated. If you applied for EI before March 15, 2020, you will continue to receive your normal EI benefits. If you applied for EI after March 15 and your EI application has been processed, you will be switched to the CERB for up to 16 weeks. If you have applied for EI since March 15 and your EI application has not yet been processed, your application will automatically move to the CERB and you will not have to send in a new application.

If you are still ill or without employment income after the CERB runs out, you can apply for EI benefits after October 3. You will have to meet the normal EI eligibility criteria, which includes having 420 to 700 hours of EI eligible work over the year prior to receiving CERB for regular EI benefits, and 600 hours of EI eligible work over the year prior to receiving CERB for EI sickness benefits. If CERB runs out and you are not eligible for EI, there are currently no other federal benefits available. If you are currently collecting EI benefits which will run out before October 3, 2020, you can apply for CERB once you've exhausted all your EI benefits. If your EI benefits will last beyond October 3, 2020, you are not eligible for CERB.

As this is a brand new benefit, there are still many unknowns. One question we are still left with is whether the CERB will be available to workers who have voluntarily left their employment due to fear of catching COVID-19 at work. Our best advice at this time is to remind you that you have the right to refuse unsafe work. If you think your workplace is unsafe, report your concerns

*(See Workers, page 7)*

*(Cont'd from Workers, page 6)*

to your employer. If the unsafe work conditions are not resolved, submit a complaint to WorkSafeBC. Remember that quitting your job in these circumstances may make you ineligible for the CERB and EI benefits.

More information:

Canada COVID-19 Economic Response Plan: <https://www.canada.ca/en/department-finance/economic-response-plan.html>

Canada Emergency Response Benefit: [https://www.canada.ca/en/services/benefits/ei/cerb-application.html?utm\\_campaign=not-applicable&utm\\_medium=vanity-url&utm\\_source=canada-ca\\_coronavirus-cerb](https://www.canada.ca/en/services/benefits/ei/cerb-application.html?utm_campaign=not-applicable&utm_medium=vanity-url&utm_source=canada-ca_coronavirus-cerb)

BC Emergency Benefit for Workers: <https://www2.gov.bc.ca/gov/content/employment-business/covid-19-financial-supports/emergency-benefit-workers> ■

*(Cont'd from Welfare Benefits, page 1)*

This will continue for as long as fares are suspended, and no action is required on your part.

### **Emergency Supplies Supplement**

The Ministry has enacted the emergency/disaster supplement for recipients who are impacted by COVID-19 and have unexpected costs as a result of the pandemic. Examples of unexpected COVID-19-related costs are needing to shop at a more expensive store in order to avoid public transit, or needing to purchase food that you may normally get for free but are unable to access due to COVID-19. You can contact the Ministry at 1-866-866-0800 to request this supplement.

In addition to financial benefits, the Ministry has temporarily waived the requirement to complete a work search before applying for or when receiving income assistance benefits. The Ministry has also temporarily suspended requirements related to file reviews and is limiting cheque holds wherever possible.

If you are having difficulties related to any of the above, you can contact an income assistance advocate via phone at 250-361-3521 or email at [IA@tapsbc.ca](mailto:IA@tapsbc.ca). ■



## **BECOME A MONTHLY TAPS DONOR!**

With your support, individuals and families living in poverty in our region will have access to critical legal advocacy and educational services. TAPS' services are unique in their design and delivery, and offer knowledge, empowerment and, in many cases, a new sense of hope.

Select a monthly amount that's affordable to you, and TAPS will automatically deduct it from your checking account each month. You'll never have to write a check, buy a stamp or find an envelope again.

Monthly donors receive the following benefits:

- Updates on TAPS programs
- Annual tax receipt for all your donations during the year
- Taproot delivered to your e-mail.

See the monthly donor form on page 8 of this newsletter.



## ABOUT TAPS

TAPS was established and registered as a society in 1989. We provide legal information and representation on issues relating to income assistance, provincial and federal disability benefits, residential tenancy, and employment standards to people in the Greater Victoria area. We also provide public legal education in these areas and on broader poverty issues.

You can reach us between 9:30 a.m. and 4:30 p.m., Monday to Friday, by phone at 250-361-3521 or in person at 828 View Street. The office is closed daily for lunch between noon and 1:00 pm and is closed to walk-in clients on Monday and Friday mornings.

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## Thank You for Supporting TAPS' Legal Advocacy!

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Date: \_\_\_\_\_

*Please debit my bank account (attach VOID cheque):*

\$10   \$25   \$35   \$50   \$100   Other amount \$\_\_\_\_\_ (please specify)

*I would like this donation debit to be processed through my account on the 25th of each month.*

Signature: \_\_\_\_\_

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*A tax receipt for your total monthly donations will be sent to you at the end of the calendar year.*

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