

TAPS

April/May 2010 Issue #72

Together Against Poverty Society

Security Deposits: It's Your Money

By *Thea McDonagh, Tenant Advocate*

The tenant advocates at Together Against Poverty Society (TAPS) often speak with tenants who have not had their security deposits returned to them after moving out of a rental home. Many of these people believe there is no recourse available to

them if a landlord decides not to return their money. But this is not the case; there is recourse. As tenant advocates, our job is to educate people on their rights and responsibilities as tenants. This article will focus on tenants' rights and responsibilities regarding security deposits.



of how many pets the tenant has. Note: A landlord is not obligated to accept pets and can put restrictions on the number, kind and size of any pet they do accept.

When do I have to pay my security deposit?

The security deposit is typically due when the tenancy

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Never!**

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How much can a landlord charge for deposits?

A landlord can charge no more than one half the monthly rent as a security deposit. The landlord can also charge the same amount as a pet deposit should the tenants have pets. The landlord can only charge one pet deposit regardless

Poverty? Me? Never!

By Andrew Patton

Andrew, they used to say, has it all. Tall, athletic, well educated, the kind of writer magazine editors wonder where to find. One year my articles grossed \$100,000. Not a bad life!

But I am now poor, very poor, haunted by poverty. I live in an old \$100 tent. Canada's renowned safety net provides me with just over \$300 a month on which to live. Last night it was 6 below. For the very life of me, for which I quite sensibly fear, I can see no way out.

I should add, since the standard perception of the poor, at least amongst those who have a two-car garage, is deranged, shiftless and addicted, that I am white, never drink, smoke or do drugs and, at 64, I still have a mind that could easily pass the exams to become, say, an RN nurse.

So what happened? How come poverty?



I crept timidly into poverty. I married a doctor at 40 and, because I owned a small farm and she made wads of money, I stopped working as a magazine writer and ran the farm. When the marriage ended, I was 52 and as far as journalism goes, out of the lasso. I was soon hospitalized with depression. While I was in that despair, my wife's sharp lawyer worked a deal that left me with nothing but the farm I had brought into the marriage. Soon, an even sharper realtor told me I could sell the farm and buy a business that would give me a steady income. That was a fabulous lie.

I was now broke. My GP, whilst treating me (ineptly and unsuccessfully) for depression advised me to take a Class I driver's license because "they always need truckers." Six months of looking at the world through a windshield led me to a suicidal black hole. As you can

see depression doesn't make you smart. As you can also see, it can make you prey to any professional on the make.

When confronted years later, the rascally realtor said: "Well, you had a mind of your own."

All I could

New Staff Member at TAPS

Hello, my name is Kelly Newhook and I am the new Executive Director of TAPS. I am very excited about joining this amazing team of knowledgeable staff, dedicated volunteers, long-time supporters and friends of TAPS. Since moving to Victoria from my home province of Newfoundland in 2000, I have known about the great work done at TAPS and the difference this organization has made in the lives of thousands of people in our community. I look forward to using my skills in social work and community development to contribute in a meaningful way to the future of this incredible organization.

say in reply was that, no, at the time I didn't. Have a mind of my own, that is.

Sixty—no money. No prospect of employment. Hospitalized for the third time with depression and this time for six months. A thoroughly good psychiatrist pulled me around and I began a dry-walling business. For two years I prospered. Then a non-work back injury paralyzed my leg.

We don't call it welfare any more. Nor social security. I forget what today's euphemism is and if I could remember it, they'd change it. However, here's the deal: \$375 for rent, \$235 to

(See Poverty? Me? page 7)

If They Can Do It in New Brunswick . . .

By Tricia Roche

New Brunswick now joins the other Canadian provinces that have adopted poverty reduction plans. Why don't we yet have one for BC?

Provincial poverty reduction strategies matter because they include measurable targets and timelines. It is not just a matter of promising to reduce poverty. These plans are about action.

In the New Brunswick plan, *Overcoming Poverty Together*, they specify their goal: by 2015, New Brunswick will have reduced income poverty by 25 percent and deep income poverty by 50 percent, and will have made significant progress in achieving sustained economic and social inclusion. They are going to reform social assistance, invest in early learning and childcare and develop a comprehensive housing strategy.

The New Brunswick plan is a start—it is not enough, according to our colleagues in New Brunswick who are concerned about who is left out of the plan. But they acknowledge the important beginning and the monitoring of poverty reduction that is now going to be possible in New Brunswick.

In BC, we have the opportunity to make an even better plan and ensure that all groups impacted by poverty are

included in the priority actions. TAPS is a member of the BC Poverty Reduction Coalition. Our plan would reduce poverty by one third within the government's current four year mandate and reduce poverty by 75 percent within a decade. Here are the action areas where this can be accomplished:

1. Provide adequate and accessible income support for the non-employed.
2. Improve the earnings and working conditions of those in the low-wage workforce.
3. Improve food security for low-income individuals and families.
4. Address homelessness and adopt a comprehensive affordable housing and supportive housing plan.
5. Provide universal publicly-funded child care.
6. Enhance support for training and education for low-income people.
7. Enhance community mental health and home support services, and expand integrated approaches

Eleven percent of all British Columbians live in poverty. Join the call for a BC poverty reduction strategy at bcpovertyreduction.ca. ■

Together Against Poverty Society

TAPROOT

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Green Lentils Forever

By G.R. Tomblin

Another dreary and drizzly day at Monster Mart.

Bob Nobuks hurried away from the damnable place, stomach growling.

As he slap-slopped down the puddled sidewalk, picturing a steaming bowl of green lentil soup, he noticed just ahead a strange-looking woman holding up a newspaper.

She stood in front of a bank, a two-wheeled shopping cart stacked with newspapers next to her. She wore a red paisley bandana around her graying blond hair, and a long, golden, paisley dress of some shiny material from underneath which peeked a pointy-toed, red suede shoe. As Bob drew nearer, her bright green eyes narrowed and studied him; her lips worked themselves into a weird sort of smile.

“Hard Times?” she said, in a rich contralto that Mozart himself might have considered for some sublime part in one of his operas.

Bob, who wanted nothing more at that moment than to eat, replied: “What?”

“Hard Times,” this ethereal creature repeated. “The only newspaper that speaks for the poor.”

“Really?” said Bob, “how much?”

“By donation...”

“Okay...er, here's a buck,” and he dropped a loony and a bit of other change into the little basket in front of her.

“Take care now,” sang after him an angelic voice as Bob, stuffing the paper into his jacket, hurried away.

Home at last.

As he entered his little room and locked the door, he promised himself never again to leave for

work without first eating something, even if only a single slice of toast and peanut butter.

After an extra large helping of green lentil and potato soup with a stale bran muffin, it was time to relax with something to read.

Ah, the newspaper Hard Times.

A glance over the articles was enough to tell him it was quite a left-wing paper (surprise-surprise!). But nothing indicated the organization that published it. No masthead, nothing. And none of the articles had bylines. Hmm!

Captioned photos in this 16-page thing depicted prominent politicians looking as ugly as possible while making the most outrageously vile pronouncements against the poor, the unemployed, and the homeless, as well as all activists of any stripe.

Though not particularly

(See Lentils, page 5)



Persons With Disabilities

TAPS has advocates who can help you apply for Person With Disability status (PWD) through the Ministry of Housing and Social Development. TAPS can also help you with an appeal if you have applied and been denied. Call TAPS at 250-361-3521 for more information. If you are at the appeal stage, be sure to get in touch with us as soon as possible after receiving your letter of denial and tell the receptionist you are calling about a disability appeal.

(From Lentils, page 4)

political, Bob enjoyed the paper.

But what really perked him up was the sidebar at the bottom of the last page:

WRITING CONTEST!

1st PRIZE!

SOMETHING REALLY GOOD!

So Bob Nobuks, the perennial hopeful author, wrote and wrote and re-wrote—what he thought would surely win him first prize in the contest.

Maybe it would be money—\$25?...\$10?

Heck, even a coupon for a burger and fries from someplace would do.

Well, he won first prize all right—a kilogram of green lentils! ■

The Good Food Box Program

By Geneva Hagen

One of my most poignant memories is of waiting in a grocery checkout line. Ahead of me stood a little man carrying a cardboard tray on which were lined up 30 packages of instant noodles and one package of wieners. His wizened appearance and obvious poverty made it clear that he planned to spend the next month subsisting on "salt soup"—instant noodles with a few slices of wiener in each bowl—with not a hint of fruit or vegetable.

That's what life is like for many low-income people in Victoria. There simply isn't enough money left over for food after the rent is paid. Both rent and food prices are going up, while welfare rates are not. Even if low-income people supplement their diet at the food banks or soup kitchens, high-quality nutrition is in short supply. Last winter I made sandwiches for 30 at an emergency night shelter. Each person got one slice of baloney and one slice of processed American cheese food product between two slices of white bread, accompanied by a cup of instant hot chocolate. That's all the shelter could afford with the \$30 that a neighbour had

donated to buy food.

Fortunately, the Good Food Box program offers an alternative to malnutrition. The Victoria program was born in October 2001, when Cindy L'Hirondelle and Ursula Watt of the Status of Women Action Group (SWAG) facilitated a gathering of low-income single women at the Fernwood Community Association. The women agreed that their number one need was to have more fresh fruits and vegetables in their diet.

The program has recently had to raise its prices, but still offers food for half of what you'd pay in a grocery store. They also offer an inexpensive organic option. Their secret is to buy in bulk, to buy food that is in season, and to buy directly from local farmers whenever possible.

The fruit and veggie boxes are

(See Good Food, page 7)



(From **Damage Deposit**, page 1)

commences. If the security deposit is not paid within 30 days of the start of tenancy, the landlord can serve the tenant with a notice to end the tenancy.

Can I use my security deposit to pay my rent?

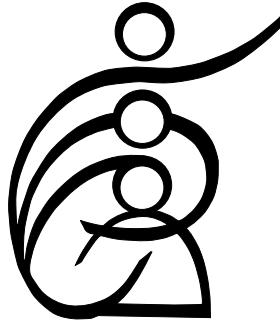
A tenant may use all or part of their security deposit to pay their rent **only** with the written consent of the landlord.

Do I have to do a condition inspection?

The condition inspection report outlines the condition of the rental premises before the tenant moves in and after they move out. It is how a landlord can prove if any damage was done to the unit by the tenant. If the tenant does not participate in the condition inspection either at the beginning of the tenancy or at the end they may extinguish any right to have their security deposit returned to them.

What if my landlord does not do a condition inspection?

A landlord must offer the tenant at least two different opportunities to do a condition inspection *and* must provide the tenant with a copy of the report within a reasonable time after the inspection is completed. If the landlord does not do either of these things, their right to keep the security deposit is extinguished. It is the landlord's obligation to perform the condition inspection. If your landlord does not do one with you, you may want to take some pictures of the condition of the



unit before you move in and after you move out in case there is a dispute in the future.

How do I get my security deposit back?

After the tenancy ends, the tenant must provide the landlord with a forwarding address in writing. After you have moved out and the landlord has received your forwarding address, the landlord has 15 days to either return your security deposit to you plus interest *or* make an application at the Residential Tenancy Branch to keep the security deposit. If the landlord does not do either of these things within 15 days and the tenant has not agreed in writing that the landlord can keep the security deposit, the landlord must pay the tenant double the amount of the deposit.

I had a landlord a year ago who didn't return my security deposit to me, can I still get it back?

A tenant has up to two years to make an application at the Residential Tenancy Branch to

TAPS' Volunteer Advocacy Program

TAPS is looking for volunteers to help clients apply for disability benefits through the Ministry of Housing and Social Development. Volunteer advocates also help clients with appeals. This is an opportunity to develop legal advocacy skills and to provide tangible, sustained support and assistance to people with disabilities. If you are interested in volunteering at TAPS as a volunteer advocate please contact Stephen at 250-361-3521 or at legaladvocate@tapsbc.ca.

have their security deposit returned to them.

What if I never got a written tenancy agreement from my landlord?

It is always recommended that tenants pay their rent and deposits by cheque or money order. However, if you have paid cash and have no tenancy agreement to prove what you paid, verbal agreements are still considered binding, and there may also be other ways to prove your tenancy relationship. Come into TAPS and the tenant advocates will do their best to help you get your money back.

If you have any questions about your security deposit or about your tenancy in general, contact Thea or John at TAPS at 250-361-3521. ■

(From Poverty? Me? page 2)

squander on groceries. If, however, you don't have a place to rent in a place like any city in Canada, where rents are \$500, you get \$75 instead of the full \$375. You are advised to go to a "shelter", a downtown location where there are addictions, untreated mental illness, hopelessness and a morning kick onto the street. Being poor downtown, even with good management, will see your money gone in two weeks. So it's two weeks of church basement dining. A tent, by comparison, is a great deal.

Could it happen to you? Yes. Absolutely. Pension funds evaporate. Work is impossible or vanishes. Even family is not always a bailout. Yes, it could happen to you.

Should this level of poverty happen to any Canadian (remember we are routinely cited as the best country in which to live in the world)? Well, you decide. ■

Taxes

TAPS is offering tax prep services to people on low incomes on Wednesday mornings, 9:30 a.m. to 11:30 a.m. No appointments. Drop-in only. Please note that at this busy time of year we are not able to guarantee that we can see everyone who comes to the office for taxes.

(From Good Food, page 5)

available in several sizes and costs. The \$6 box (actually a grocery bag) contains 12-15 pounds of produce; the \$12 box, 25-30 pounds, and the \$18 box, 40-45 pounds—as much as you can carry! The \$18 organic box is a bit lighter. You can also opt for an all-fruit box. Orders must be placed by the second Wednesday of each month. On the third Wednesday, boxes of local produce go out to community centres throughout Greater Victoria, to be picked up by customers.

Over a dozen community centres participate, and chances are one of them is near you. They include the Blanshard Community Centre, Fernwood Neighbourhood Resource Group, James Bay Community Project, Victoria Native Friendship Centre, Victoria West Community Y, Oaklands Community Centre, Beacon Community Services, Harrison Place, Kiwanis Village Society and Kiwanis House Programs.

People who can't afford to pay cash can volunteer for their box. Call 381-1552 ext. 172 or email goodfoodbox@fernwoodnrg.ca.

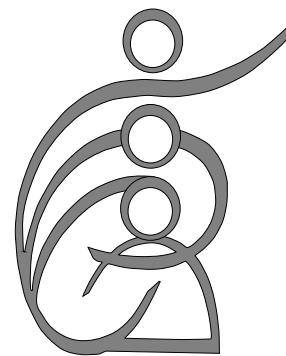
More information can be found at <http://www.thegoodfoodbox.ca>.

The full list of participating organizations and their contact information can be found at: <http://fernwoodnrg.ca/urban-sustainability/good-food-box>.

The Good Food Box program is not just for the poor. Because a greater number of participants helps to bring down the cost, people of all income brackets are encouraged to participate. ■

Write for the Taproot

Taproot welcomes articles from readers. Share your ideas, experiences, opinions or outrage with Taproot's vast readership. Articles should be 600 words or less. Please include your name and a way we can reach you (phone, e-mail, or mailing address). The next submission deadline is May 17th, 2010. Send submissions to TAPS (Attn: Heidi) at #302 - 895 Fort Street, Victoria, BC, V8W 1H7, or by e-mail to volunteers@tapsbc.ca.



Together
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Together Against Poverty Society

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

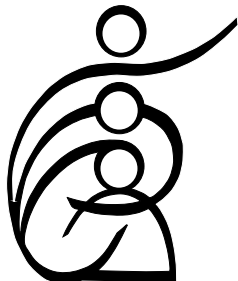
You can reach us between 9:30 a.m. and 4:30 p.m, Monday to Friday, by phone at 250-361-3521, or in person at #302 - 895 Fort Street. The office is closed daily for lunch between 12:00 p.m. and 1:00 p.m., and is closed to walk-in clients on Monday and Friday mornings.

Volunteer at TAPS

Front Desk Receptionist

TAPS is looking for a few people to volunteer on our busy front desk. One half-day shift per week. No experience necessary. Training is provided.

Call TAPS at 250-361-3521, contact us by e-mail at volunteers@tapsbc.ca, or drop by the office at #302 - 895 Fort Street.



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TAPS is funded by:

The Law Foundation of British Columbia

The Provincial Employees Community Services Fund

Province of British Columbia

and

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We also appreciate the support that our members give.

Become a Member of TAPS!

\$5.00 unwaged (may be waived)

\$20.00 waged

\$80.00 organization

**Donations are appreciated.
Charitable tax receipts provided.**

Taproot is mailed to members.

TAPS mugs for sale

White coffee mugs with the TAPS crest on one side and a quote from Mary Wollstonecraft on the other: "It is justice, not charity, that is wanting in the world. (1792)" \$9, or two for \$15.