

## OTHER PLACES YOU MAY FIND LEGAL HELP

### Consumer Rights

“What you Need to Know About Collection Agencies”

[www.cleonet.ca/items/586](http://www.cleonet.ca/items/586)

### Legal Aid Ontario

1 800 668-8258

[www.legalaid.on.ca](http://www.legalaid.on.ca)

Local contact here: \_\_\_\_\_

### Community Legal Education Ontario

416 408-4420

[www.cleo.on.ca](http://www.cleo.on.ca)

### Ontario Association of Credit Counselling Services

1 888 746-3328

### Bankruptcy

[http://strategis.ic.gc.ca/epic/site/bsf-osb.nsf/en/h\\_br01545e.html](http://strategis.ic.gc.ca/epic/site/bsf-osb.nsf/en/h_br01545e.html) (Government of Canada site)

### Office of the Superintendent of Bankruptcy

Ottawa

Tel: 613 995-2994

Toronto

Tel: 416 973-6486

Fax: 416 973-7440

Hamilton

Tel: 905 572-2847

London

Tel: 519 645-4034

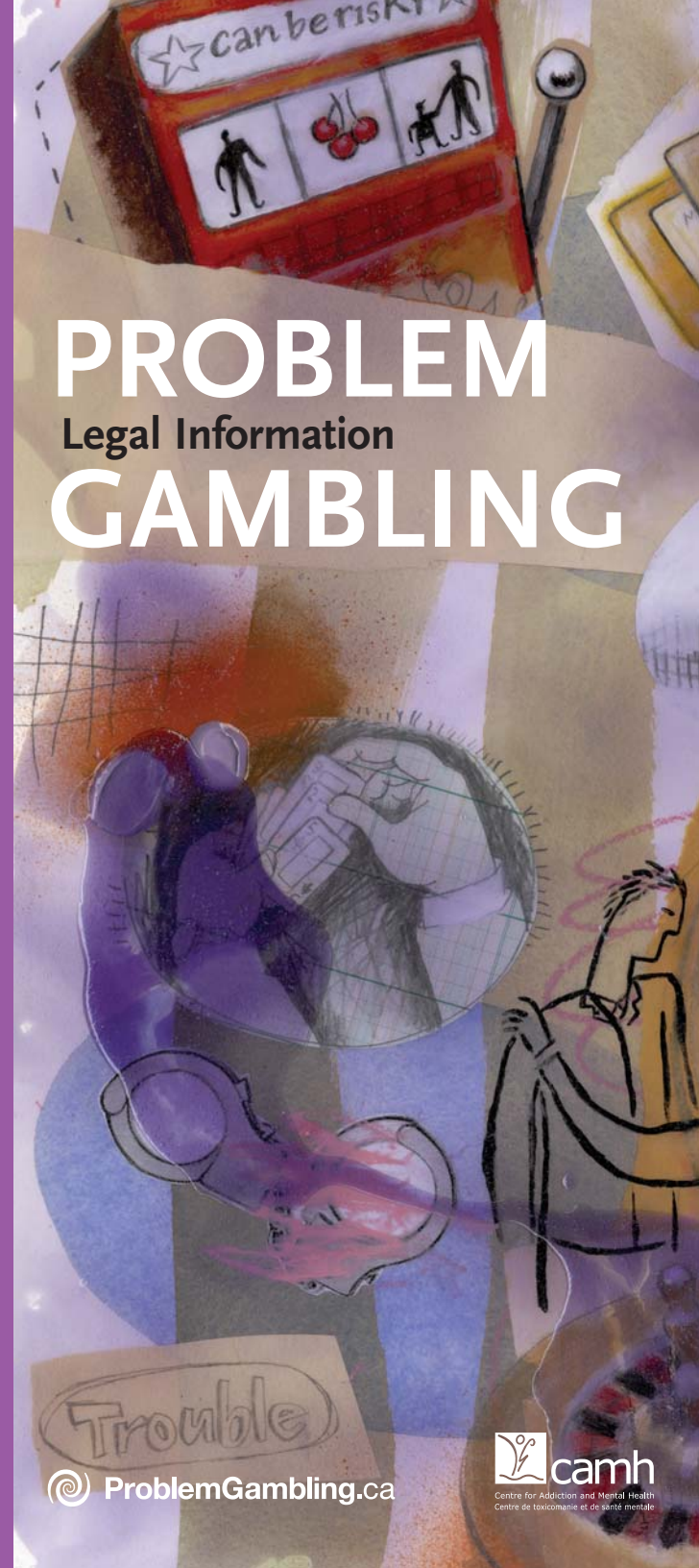
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Ontario Problem Gambling Helpline  
1 888 230-3505

 ProblemGambling.ca

 camh  
Centre for Addiction and Mental Health  
Centre de toxicomanie et de santé mentale



# Gambling and Legal Problems: Information for People who Gamble

This pamphlet offers information about questions commonly asked by people who have gambling problems. Some of the information you read here might be hard to understand. Please ask your counsellor to help you with this pamphlet, and to help you find the right kind of legal advice for your specific situation.

## Dealing with bankruptcy

Financial problems can be common for people who gamble. If you are facing severe financial hardship, you may be able to file for bankruptcy. When somebody declares bankruptcy, it stays on a credit record for six or more years and results in the lowest possible credit rating. This may make it difficult to obtain credit in the future.

There are other options to bankruptcy. These include:

- loan consolidation with a bank
- informal arrangements with creditors
- consumer proposal under the *Bankruptcy and Insolvency Act*
- credit counselling services.

One of these options may be good for your situation and help avoid bankruptcy. Your counsellor can help you find the agency that will help with your specific situation. Or, you can telephone credit counselling at 1-888-746-3328 to see which option makes the most sense for you. *All calls are free and confidential.*

## What if my spouse goes bankrupt?

If your spouse files for bankruptcy, a portion of your jointly owned (legally shared) assets may be sold or taken back. In this case, assets owned solely in your name are generally not at risk of sale or seizure.

## Can I claim bankruptcy if there is a legal financial charge against me?

To file for bankruptcy in Canada, you must have a minimum debt of \$1,000, and your income must be too little to pay your debts.

Filing for bankruptcy will not necessarily discharge all debts. If you owe taxes, Canada Customs and Revenue Agency (CCRA) can register as a secured creditor against real estate or personal property (such as furniture, cars, etc.).

If you have unpaid debts, your creditors may be able to garnish wages (take payments directly from your paycheque) or seize assets.

## What is fraud?

Fraud is intentional misrepresentation to deceive. Examples are buying things on someone else's credit card without their permission, forging someone else's signature for cash advances, depositing false cheques, etc. Fraud can happen against a family member as well as strangers.

## If I am charged with a criminal offence while receiving counselling (also called treatment), will I receive a lighter sentence?

Although courts have started to address problem gambling as an addiction, neither having an addiction nor an addiction treatment plan will help you avoid charges in the first place.

The courts will sometimes consider factors such as treatment for a gambling problem in making a decision in a legal proceeding. Participation in a treatment program alone may not lead to a sentence reduction. However, in some recent cases, people receiving treatment for gambling problems who also could prove they had other positive factors, such as a strong family life and genuine remorse, received reduced sentences.

## If I have a criminal charge pending, can I also be sued for damages?

You can be the subject of both a criminal and a civil proceeding at the same time.