

What is the Default Fee?

As soon as a maintenance order or agreement is filed with the Family Maintenance Enforcement Program (FMEP), we are responsible under the *Family Maintenance Enforcement Act* for monitoring and enforcing that order.

That means we have the authority to take certain actions to make sure the person who is

supposed to pay maintenance (called the payor) makes his or her maintenance payments.

In addition to these enforcement actions, we are also required by law to charge all payors a fee – called the Default Fee – if they miss or are late with two payments within the same calendar year.

How much is the Default Fee? Who does it go to?

Charged once a year only, the Default Fee is equal to one month's maintenance, to a maximum of \$400. The fee goes to the BC government, not to the person receiving maintenance (called the recipient), to help the government cover the costs of operating this program.

Payments to FMEP are used first to cover money owed to the recipient, and second to cover the Default Fee.

How does the payor know about the Default Fee?

After a payor misses or is late with one maintenance payment, we will send out an urgent notice telling the payor that he or she is now in default.

The notice tells the payor about the Default Fee, and asks the payor to fill out a Request for Review Form if he or she believes our records are incorrect.

If we do not hear back from the payor and the payor misses a second payment within the same calendar year, we will charge the payor the Default Fee.

We will send the payor a Default Fee Certificate, declaring that the payor now owes the Default Fee in addition to regular maintenance payments.

What if the payor has moved?

We will send the default notice to the latest address we have for the payor. Even if the payor

has moved, or if we do not have an address, we are still required to charge the payor the Default Fee.

Are there any circumstances where you won't charge the Default Fee? What if a payor's financial situation changes – through job loss, for example?

The Default Fee is a legal requirement. We must charge it whenever a payor defaults twice or more in one year, even if the payor's financial situation has changed. We will, however, make an exception if we determine that:

- the payor made the payment on time
- the payor's cheque was returned "NSF" due to a bank error

How can I get more information about the Default Fee?

For general information about the Default Fee and a variety of other topics go to our website fmep.gov.bc.ca or call InfoLine:

Metro Vancouver: 604 775-0796
Greater Victoria: 250 356-5995
Elsewhere in BC: 1-800-668-3637

For specific information about your case, sign into your web account on our website, or call an Enquiry Representative at one of our offices:

Lower Mainland Client Office
604 678-5670 or 1-800-663-9666

Victoria Client Office
250 220-4040 or 1-800-663-3455

Northern & Interior Client Office
250 434-6020 or 1-800-663-3933

For information about family justice issues and services, visit the BC Government's Family Justice website.

- the payor was receiving income assistance on the date the payment was due
- the court order or agreement requiring the payor to make maintenance payments ended or was changed to a different amount and/or a different due date, and we did not yet know about it.

Tips for Payors

- We asked that you send your payments to FMEP using online or telephone banking through your financial institution. See your Notice of Filing or go to our website for more information on this payment method.
- If you are unable to send your payments electronically, you can mail cheques made payable to the recipient to:

FMEP Payment Services
Box 9233,
Victoria BC V8W 9J1

- Please be sure to send your payments with enough time for them to be received at FMEP by the due date.
- Do not pay the recipient directly. You are required by law to send all maintenance payments to FMEP.
- We cannot change your maintenance order or agreement. If you are having trouble making your scheduled maintenance payments, you may need to obtain a new court order or agreement. In the meantime, we are required to make sure you pay the maintenance you owe now.
- If you have fallen behind in your payments, please contact us. We will work with you to develop a plan for paying the arrears in addition to making your ongoing maintenance payments.