

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 \$400.00. 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 the 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
- 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.

How can I get more information?

For general information about the Default Fee and a variety of other subjects, please:

Go to our website, www.fmep.gov.bc.ca; or

Call the FMEP Infoline:

Greater Vancouver: 604-775-0796

Greater Victoria: 250-356-5995

Elsewhere in BC: 1-800-668-3637

For more specific information about your case, please call an Enquiry Representative at one of our FMEP Regional Offices:

Greater Vancouver: 604-678-5670

or toll-free 1-800-663-9666

Greater Victoria: 250-220-4040

or toll-free 1-800-663-3455

Northern and Interior BC: 250-434-6020

or toll-free 1-800-663-3933

For information about family justice issues and services, visit www.ag.gov.bc.ca/family-justice.

Tips for Maintenance Payors

- Instead of mailing your payments, you can send payments to us through On-line Banking, Telephone Banking or ABM Banking. Please contact your regional office for details on how to set up this payment option.
- If you choose to mail your payments, be sure to allow enough time for them to arrive by the due date. (You may want to consider post-dated cheques.)
- Send your cheque or money order - made out to the recipient - to us at our Victoria office:
FMEP Payment Services
Box 5599,
Victoria BC V8R 6T7
- Always include your FMEP case number on your payment.
- Do not pay the recipient directly. You are required by law to send all maintenance payments to the FMEP.
- We cannot change your court 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, however, 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.