



# Family Maintenance Enforcement Program

# We Can Help

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The Canadian courts have long recognized that the financial responsibilities of parents to their children – and of one spouse to another – do not end when the parents or spouses separate.

The courts regularly award maintenance orders and file agreements that require parents to continue to provide for their families and spouses to continue to provide for their former partners.

Many do so willingly. Others, unfortunately, do not. In either case, the Family Maintenance Enforcement Program can help.

## Who We Are/What We Do

The Family Maintenance Enforcement Program (FMEP) is a service of the British Columbia's Ministry of Justice.

We are responsible under the Family Maintenance Enforcement Act for monitoring and enforcing all maintenance orders and agreements that are filed with us. That means we will:

- Calculate arrears, receive, record and forward payments to the person receiving maintenance (called the recipient), and
- Take action, if and when necessary, to try to ensure the person who is supposed to pay maintenance (called the payor) makes the required maintenance payments.

For additional information on the Ministry of Justice's family justice services, please visit: [www.JusticeBC.ca/en/fam](http://www.JusticeBC.ca/en/fam)

## Who Can Enrol

Anyone – a payor or a recipient – may choose to enrol in the FMEP. There are only two requirements:

- That you live in British Columbia; and
- That you have a valid maintenance order or agreement from Canada or elsewhere that can be enforced in B.C.

There are no fees to enrol in the FMEP.

### Our Clients

We recognize the importance of maintenance to families and children.

We provide a service for **both** recipients and payors to help ensure the terms of their maintenance orders are fulfilled, and we strive for a good working relationship with all our clients.

## What We Can Do

We know that many payors will never fall behind in their payments and enforcement action against them will never be necessary.

If a payor does fall into arrears, however, we have the authority to take a number of enforcement steps or actions (see Enforcement Action).

We will try to work with the payor to develop a plan for paying the arrears in addition to making ongoing maintenance payments.

## Enforcement Action

If enforcement is necessary, federal and provincial laws give us the authority to use a number of measures, depending on how much money is owing and what we know about the payor's current situation. We will choose the actions we think will have the best chance of success in each particular case.

### Payors

If your order is filed with the FMEP, it does not necessarily mean that you have a poor payment history. Many people enrol with us simply because it's easier to have us collect and track their payments.

Our enforcement options include:

- Requiring anyone who owes the payor money to pay it directly to the FMEP. This is called "attaching" income, and may be applied to virtually any income, including wages, pensions, income tax refunds or GST credits, workers' compensation benefits or rental income. We may also attach bank accounts or other assets;
- Requesting that the court order a payor to provide future security for support payments from any large source of funds, such as an inheritance; and
- Registering the order against any land a payor may own.
- Registering a lien against any personal property a payor may own (including a car, boat, trailer or manufactured home).

Our options also include:

- If the payor owes more than \$2,000.00 or more in maintenance, we may report the payor to a credit bureau. This may affect the payor's ability to qualify for a credit card or take out a loan.

## Enforcement Options continued -

- If the payor owes more than \$3,000.00 or more in maintenance, we may do any or all of the following:
  - Instruct ICBC to refuse to issue or renew the payor's driver's licence; or
  - Instruct ICBC to refuse to issue or renew the payor's annual vehicle licence, without which a payor cannot purchase vehicle insurance; or
  - Request the federal government to suspend, refuse to issue or renew the payor's passport and/or federal aviation or marine licence.
- If the payor owns all or a major part of a corporation, making the payor's corporation liable for the payor's maintenance payments.

### **Recipients**

We will do our best to make sure you receive your maintenance payments.

However, you should know that some payors make it very difficult for us to collect – even going to the extent of leaving the country to avoid paying maintenance. Others may have no income or assets, or may be receiving income assistance, which means it may take a long time to collect what is owed to you. But we will continue to pursue your payments as long as your maintenance order or agreement is enrolled with us.

## **Beyond Provincial Boundaries**

Court orders or agreements filed with us can also be enforced outside of British Columbia. We can request up-to-date information about a payor's location, employment and assets through a variety of federal and provincial computer databases, and we also have reciprocal agreements with all Canadian provinces and territories, the United States and several other countries – which means we can ask another province, territory, state or country to take enforcement action on our behalf.

## **To Enrol**

You may obtain an enrolment package by contacting a FMEP office by telephone or mail, downloading it from the FMEP website, or picking one up in person from:

- Provincial courthouses;
- Service BC offices;
- Family Justice Centres or Justice Access Centres; and
- Employment and Income Assistance Offices.

Enrolment usually takes several weeks after we receive your application form. Once your enrolment is complete, we will send you a Notice of Filing, stating that your case is now enrolled with the FMEP.

## **FMEP Offices**

To find out more about the FMEP or to receive an enrolment package, please call or write our enrolment office or the regional office nearest you:

### **Lower Mainland Client Office**

Box 80449, Burnaby, BC V5H 3X9

Phone: 604-678-5670

Toll-free: 1-800-663-9666

### **Northern and Interior Client Office**

Box 830, Kamloops, BC V2C 5N1

Phone: 250-434-6020

Toll-free: 1-800-663-3933

### **Victoria Client Office/Enrolment Office**

Box 5100, Victoria, BC V8R 6N3

Phone: 250-220-4040

Toll-free: 1-800-663-3455

**We are open from 8:30 a.m. to 4:30 p.m.  
Monday to Friday**

## **FMEP Website**

Further information on the Family Maintenance Enforcement Program can be found at: [www.fmep.gov.bc.ca](http://www.fmep.gov.bc.ca)

## **Additional Copies**

For additional copies of this brochure, please contact:

### **Director of Maintenance Enforcement**

Ministry of Justice

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***The BC government considers child support  
a serious obligation.***

***Maintenance payments are debts that must be  
paid like any other.***