

Maintenance Enforcement Program

Collection Actions

When payments are not made on court orders or agreements registered with the Maintenance Enforcement Program (MEP), collection action is taken. MEP has a variety of collection tools available. More detailed information on most of the following actions can be found on other MEP information sheets (see end of this sheet for information on how to order). Once MEP takes a collection action it can take up to 14 days to initiate its removal.

Wage Support Deduction Notice

MEP can require employers to make scheduled deductions from debtor wages to fulfill child or spousal support responsibilities. Wage support deduction notices (WSDN) require employers to send MEP a maximum of 40 per cent of debtor gross wages or salary.

If payments from WSDNs cannot reach MEP on or before the court-ordered due date, debtors should contact MEP to make payment arrangements to build a credit to avoid late penalties or interest charges.

Non-Wage Support Deduction Notice

MEP can collect funds payable to a debtor from bank accounts or other sources (e.g., mutual funds or contract fees). Non-wage support deduction notices are used to satisfy outstanding child or spousal support payments. They may be used to collect funds until arrears are paid in full or satisfactory payment arrangements are made with MEP.

Federal Support Deduction Notice

Federal support deduction notices are issued in cooperation with the federal government to collect funds payable to debtors from federal sources, such as income tax refunds, GST rebates, Canada Pension income and Employment Insurance benefits.

Writ at the Personal Property Registry

MEP can file maintenance orders with the Personal Property Registry as writs against debtors and their personal property, such as recreational or other vehicles. Once writs are filed, debtors may be prevented from transferring clear title to any property they wish to sell. Writs also allow MEP to seize assets, including certain kinds of retirement savings plans (e.g., RRSPs, LIRAs or other retirement savings vehicles), shares and bonds.

Registration against Real Property

MEP can register maintenance orders against property at the Land Titles Registry. Such registration can prevent debtors from re-mortgaging or selling property without first making payment arrangements with MEP. In some circumstances, MEP may force sale of real estate to satisfy support obligations.

Credit Bureau Reporting

MEP can report failure to pay maintenance to the credit bureau to be registered as a bad debt.

Motor Vehicle Restriction

MEP can restrict debtor access to motor vehicle services within Alberta. Services that can be withheld include access to vehicle registrations, licence plates, driver's licences and driver's abstracts.

Driver's Licence Suspension

MEP may suspend current driver's licences for debtors with arrears of more than 60 days. Advance warning is provided, giving debtors an opportunity to make payment arrangements with MEP.

Recreational Hunting and Fishing Licence Restriction

MEP can restrict debtors from getting provincial recreational hunting and fishing licences when there are arrears on the file.

Federal Licence Denial

In cooperation with the federal government, MEP can restrict access to passports, federal licences and permits. MEP can also cause existing passports and federal licences to be revoked.

Financial Examination Process

Debtors can be referred for financial examinations if they continue not to comply with their court order or if their financial disclosure is suspect. Through the examination process, MEP attempts to come to agreement with debtors regarding appropriate payment arrangements for support. If debtors do not appear or fail to participate in the examination process, MEP seeks an order to compel from the courts to compel attendance, records and answers to questions.

Default Hearing

If debtors have a proven ability to pay but have not complied with their support obligations, MEP can summon them to a default hearing, which is a court process held before a Master of the Court of Queen's Bench. The court can order payment arrangements or send debtors to jail for failing to comply with their maintenance obligations. If debtors do not appear at default hearings, the court can issue warrants for their arrest.

Piercing the Corporate Veil

Some debtors try to shelter assets or income from MEP by keeping them in company names. In these cases, MEP can apply for a court order allowing company property or income to satisfy debtor support arrears.

Seizure

MEP can seize debtor assets (e.g., vehicles) and sell them to satisfy child or spousal support arrears.

Seizure of Third-Party Assets

Some debtors may try to shelter assets or income in someone else's name to avoid paying child or spousal support. In these cases, MEP can apply for a court order allowing seizure of sheltered assets or income.

This document is part of a series of MEP information sheets that can be obtained in the following ways:

- MEP's website at www.albertamep.gov.ab.ca
- MEP's fax-on-demand service on the *MEP Info Line* by calling 780-422-5555 and using the catalogue number of the information sheet you wish to request

***Toll-free** service to all Government of Alberta phone numbers is available from anywhere in Alberta by calling 310-0000 and following the voice prompts