



GUIDE TO REPAYING AN OVERPAYMENT

If you are on Social Assistance and have an overpayment calculated against you, decide if you agree with it. If you don't agree with it, the first step is to ask for an Internal Review by the date listed in the overpayment decision letter. After that, you can appeal the creation of the overpayment to the Social Benefits Tribunal. You can ask Mississauga Community Legal Services for help with these steps.

The government will collect money from you for an overpayment if

- you agree with the reason and amount,
- you are no longer within time period when you can appeal it, OR
- you lost SBT your appeal.

WHAT CAN YOU DO IF YOU HAVE AN OVERPAYMENT BALANCE AND YOU ARE STILL RECEIVING SOCIAL ASSISTANCE BENEFITS?

If you are receiving Ontario Works or Ontario Disability Support Program benefits, you can speak to your caseworker about adjusting the recovery rate.

The maximum recovery rate is 10%.

Example

If you owe \$2,000 and you receive \$700 dollars a month, a 10% recovery rate will deduct \$70 a month until the \$2,000 is paid (about 2.5 years) as long as you are still receiving benefits. If your rate of recovery is 5%, the program will deduct \$35 a month. At that rate, you would pay \$2,000 back in about 5 years.

As a first step, calculate what your rate of repayment is. If your rate of repayment is 10%, you can contact your caseworker and ask them to reduce the rate of recovery to 5% a month. They may ask you additional questions about your situation.

Mississauga Community Legal Services has created this guide solely for informational purposes. It is not intended to be used as legal advice for any individual or specific legal problem. Should you have questions or need advice, please contact our legal clinic at 905-896-2050.

If they decide not to reduce your rate of recovery to 5% from 10%, you can file an Internal Review request about this decision. If that review continues to deny a reduction in the rate of recovery, you can appeal that decision to the SBT.

WHAT CAN YOU DO IF YOU HAVE AN OVERPAYMENT BALANCE AND YOU ARE NO LONGER RECEIVING SOCIAL ASSISTANCE BENEFITS?

- You can contact the collections staff at **the Ministry of Children, Community and Social Services (MCCSS)** to discuss setting up a voluntary repayment plan. This Ministry collects both OW and ODSP overpayments.
- You can pay off the total amount in full, or you can propose that you pay a low monthly amount. They may ask you for more documentation or more details about your personal situation.



MCCSS

1-888-346-5184 (Toll Free)

Mon to Fri, 8:30 a.m. to 5:00 p.m.

Have your member ID ready when you call.

- If you do not make an arrangement with the Ministry, they will contact the **Canada Revenue Agency (CRA)** and arrange to have any future tax credits paid directly to the Ministry.
- This means that, as long as you have an overpayment balance, any future tax refund balances, GST credits, Trillium benefits or any other credits will no longer be paid to you. The Ministry will apply that money to your debt.
- If the CRA is already withholding your refunds and other tax credits, you can reach out to them and ask what options you have for debt repayment.



CRA

1-888-863-8657 (Toll Free)

Mon to Fri, 8:00 a.m. to 8:00 p.m.

Have your Social Insurance Number and your most recent tax return ready when you call.