

Collection Actions

When payments are not made on court orders or agreements registered with the Maintenance Enforcement Program (MEP), collection action is taken. The 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. Once the MEP takes a collection action it can take up to 14 days to initiate its removal.

Wage Support Deduction Notice

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

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

Non-Wage Support Deduction Notice

The MEP can collect funds payable to a payor 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 the MEP.

Federal Support Deduction Notice

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

Writ at the Personal Property Registry

The MEP can file maintenance orders with the Personal Property Registry as writs against payors and their personal property, such as recreational or other vehicles. Once writs are filed, payors may be prevented from transferring clear title to any property they wish to sell. Writs also allow the 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

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

Credit Bureau Reporting

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

Motor Vehicle Restriction

The MEP can restrict payor 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

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

Recreational Hunting and Fishing Licence Restriction

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

Federal Licence Denial

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

Financial Examination Process

Payors 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, the MEP attempts to come to agreement with payors regarding appropriate payment arrangements for support. If payors do not appear or fail to participate in the examination process, the MEP seeks an order to compel from the courts to compel attendance, records and answers to questions.

Default Hearing

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

Piercing the Corporate Veil

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

Seizure

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

Seizure of Third-Party Assets

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

- The MEP has other Information Sheets, on a variety of helpful topics. To see them, visit the MEP's website at alberta.ca/mep
- To contact the MEP, phone 780-422-5555 or toll-free in Alberta at 310-0000.
- To view information about your MEP file, go to the MEP's website at alberta.ca/mep and select "MEP Accounts Online"