



Social assistance rules about couples

If Ontario Works (OW) or the Ontario Disability Support Program (ODSP) thinks that you live with a spouse, they will:

- look at the income and assets that both of you have, and
- decide if you will get assistance as a couple.

The amount of assistance you get as a couple is **less** than what you would get as two single people.

Rules about who is a spouse

OW or ODSP will decide that you are spouses if **any** of the following are true:

- You tell them that you are spouses.
- You are married to each other.
- The law says that one of you must support the other person or their child.

If you live together, OW or ODSP will also decide you are spouses if **all** of the following are true:

1. You have been living together for at least 3 months.
2. One of you supports the other or the two of you are “financially interdependent”.
3. You are “living together as a couple”, not as two single people.

Being financially interdependent

To find out if you are financially interdependent, OW or ODSP will ask questions like:

- Do you own things together?
- Do you have joint bank accounts?
- Have you borrowed money as a couple?
- Are one or both of your names on leases or bills?

Living together as a couple

Living together as a couple means that your relationship is like a marriage. To decide if you are living together as a couple, OW or ODSP will ask questions like:

- Do friends and family members think you are a couple?
- Do schools, doctors, or other organizations, know you as a couple?
- Do any children from another relationship treat the person you are living with as a parent?

It does not matter if you have a sexual relationship with each other. They are not allowed to ask about that.

Separated from your spouse

OW or ODSP will not see you as a couple if you and your spouse:

- have separated,
- are not living together, and
- do not plan to get back together.

If you are still living with your spouse, you need to show that you have separated. For example, you might have:

- a separation agreement

- a court order or papers showing that you are going to court
- bank or other financial records showing that you keep your money separate

You also need to explain why you live at the same address. For example, you might not be able to find another place where you can afford the rent.

If you are separated and OW or ODSP thinks you are a couple, you should get legal advice. See **How to get legal help and information** on [page 4](#).

Living with a close family member

If you live with someone who is a close family member, OW or ODSP will not ask you if that person is your spouse.

But they might ask you to show them proof of how you are related to each other. For example, you might show them birth certificates that prove how you are related.

If a close family member moves in with you, you must tell OW or ODSP right away.

Living with a roommate

OW or ODSP will ask you to fill out a questionnaire if:

- you have been living with someone who is **not** a close family member for at least 3 months, and
- you say that the person is not your spouse.

Based on your answers, they decide if you are spouses. They could decide you are spouses even if one of you is married to or separated from someone else.

If you do not give them the information they ask for, you will not get social assistance.

And, if someone moves in with you when you are on social assistance, you must tell OW or ODSP right away.

How to get legal help and information

For help dealing with OW or ODSP, or with appealing a decision, contact a community legal clinic.

To find your local clinic, visit Legal Aid Ontario's website at legalaid.on.ca/legal-clinics.

Or call them at **1-800-668-8258**. For **TTY**, use Bell's Relay Service at **1-800-855-0511**.

CLEO's booklet **Appealing a decision about social assistance** has more details about how to appeal, including important deadlines. You can read it online at cleo.on.ca/apir. Or, you can order it for free at cleo.on.ca.

For help writing to OW or ODSP to ask for an internal review of their decision, use one of CLEO's letter-writing tools.

For OW, go to stepstojustice.ca/ask-ow-review.

For ODSP, go to stepstojustice.ca/ask-odsp-review.



Visit stepstojustice.ca for more information about Income Assistance. This is general information for people in Ontario, Canada. It is not intended to be used as legal advice.

Vous pourriez avoir droit à des services en français devant les tribunaux ou auprès d'organismes gouvernementaux. Visitez justicepasapas.ca/droits-linguistiques-des-francophones.