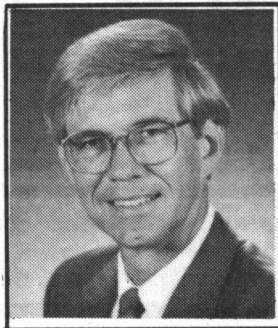


Restructuring Creates Job Losses



- Some Options!

By George Perdue,
B. Sc. P. Eng.

This time the recession seems to be producing a grassroots change in the way business is being conducted. Pools of people employed in jobs that previously were not affected are becoming the focal point of change.

Middle managers and "professionals" are finding that they are in little demand as the effects of global competition reach those who do not directly add value to a product or service.

In addition, cost cutting by reducing head counts and the associated costs of benefits, perks, and built-in job making is landing countless people on the outside looking in for jobs. Many of these people are finding income as a freelancer. In fact more than one third of people now productively earning an income are doing so as a sole practitioner. So, if you find yourself a casualty what do you do?

First of all try to realize that this is not a personal vendetta. This is a circumstantial situation.

The terms of the "dismissal" fall into two broad categories. This first is a fair and equitable termination, and the second is an unfair termination.

Any termination can be either a termination with just cause (say unacceptable performance) or with unjust cause (say not enough work).

If the termination is fair you would receive such things as a pension, a lump sum adequate to support your life style while you obtain new employment, help in seeking new employment, and perhaps contract work with the same firm.

Unjust termination can be challenged and often an out-of-court settlement is made since the company wants no bad publicity.

The settlement amount judged to be "fair" depends upon many factors such as term of service, amount of responsibility, salary level, age, and marketability.

Once you have determined the type of termination and the settlement has been accepted you can and should invest the package. Up to \$60,000 of the lump sum settlement can be rolled into an RRSP. If you have a vested pension you can roll it into an RRSP that you can manage (these may or may not be locked in.) Other remaining sums can be invested to provide income and tax relief.

In many cases both people and companies end up better off financially.

George Perdue is a Financial Planner, Business Consultant, and Partner in Money Concepts, Halton Hills. He can be contacted at (416) 873-1877.

Getting your landlord to do repairs

Do you rent a house or apartment which requires repairs? Have you asked the landlord to do the repairs without any results? What are your rights? What are the landlord's responsibilities?

If you live in residential premises within the meaning of the Landlord and Tenant Act, your landlord is required under that law to keep your rented premises in a good state of repair and fit for habitation. The condition of repair must also comply with health and safety standards, including local property by-laws. Even if you knew at the time you moved in that the premises were not in a good state of repair, the landlord remains responsible for repairs.

When the landlord refuses to carry out repairs, it is a good idea to first write a letter to the landlord saying what the problem is and asking that repairs be done. Keep a copy of any letters sent to the landlord. If the landlord still refuses, you could contact the by-law department at the Town of Halton Hills main office to request an inspection of your premises. (If you live in a basement apartment in a house, your situation may be different and you should obtain legal advice first.) If the level of repair does not meet the standard required under the property standards by-law, the inspector may issue an order requiring the landlord to correct the problem. If the landlord refuses to obey the order, the landlord may be taken to Court by the Town and may face a penalty.

If your premises are outside of the area covered by the Halton Hills by-law, you can contact the Maintenance and Standards Unit of the Ministry of Housing. You can file a complaint about the repair problems and request that a provincial inspector be sent out to do an inspection. If the level of repair is not at the level required by the provincial standard, your landlord

Halton Hills Legal Clinic

may be ordered by the Ministry to carry out the necessary repairs in a certain time. If he does not, he may be prevented from taking any increase in rent until the repairs are done.

You may also apply to your local Rent Control office for a decrease in rent based on poor maintenance and repair.

Under the Landlord and Tenant Act, you may apply to Court directly for an order requiring the landlord to do the necessary repairs. You may also ask for a reduction or abatement in your rent to compensate you for the period when the repair problems existed.

If you withhold rent because the landlord has failed to do repairs, you must be prepared for the possibility that your landlord may take you to Court for being in arrears of rent and may seek to evict you for being in arrears of rent and may seek to evict you for being behind in rent. If you withhold rent, therefore, you should be prepared to pay the full amount of rent owed into Court. Only if the full amount is paid into Court can you be sure that the Court will listen to your defence based on the landlord's failure to do repairs.

If, on the other hand, you have used part of the rent to do emergency repairs, you may file the receipts for the repairs with the Court and then pay the balance of the rent owed into Court.

For the trial, you should bring any inspection reports or orders from the by-law department or the Ministry of Housing, and pictures of the premises that show the repair problems and any letters sent by you to the landlord asking that repairs be done. You and your witnesses will also have an opportunity to testify. You should also be

prepared to ask the landlord questions to show that he refused to do repairs and what the repair problems are.

Finally, repair problems do not necessarily allow you to abandon the premises. If the premises are not livable, you can bring an application to Court asking the judge to declare the tenancy ended. Only then can you be sure that your responsibilities as a tenant have ended.

The Halton Hills Legal Clinic is located at 72 Mill St. in Georgetown and more information on the services it provides can be obtained by telephoning 877-5256.

Special police support unit

By Trish Tervit
Special

The Halton Regional Police Services board has approved development of a Halton support team to aid the provincial Special Investigations Unit its mandate.

The object of the support team will be to secure the scene where incidents take place so that the SIU can do their job when they arrive.

SIU director Howard Morton admitted to the board that his organization has its share of problems - mostly internal. He said there are too few investigators to check all the problems throughout the province.

The SIU is an agency that investigates serious police-related incidents when police are involved in shootings or when someone is hurt in a high speed pursuit.

The idea of a team to help the unit perform was originally proposed by Chief James Harding at the January board meeting.

The SIU will consist of Halton investigators and detectives as well as a member from the police association.

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