

Preventing and Intervening in Situations of Financial Abuse

QUÉBEC EDITION

Financial abuse is the most common form of elder abuse in Canada. Financial abuse refers to theft or exploitation of a person's money, property, or assets. Examples include:

- Misusing a Power of Attorney
- Stealing a senior's money, pension cheques, or possessions
- Committing fraud, forgery or extortion
- Sharing a senior's home without paying a fair share of the expenses
- Unduly pressuring a senior to:
 - Sell personal property
 - Invest or take out money
 - Buy alcohol or drugs
 - Make or change a will
 - Sign legal documents they do not understand
 - Give money to relatives, caregivers, or friends
 - Engage in paid work to bring in extra money



NICE

National Initiative for the Care of the Elderly
Initiative nationale pour le soin des personnes âgées

We care together

Ensemble pour le bien-être des aînés

www.nicenet.ca

HOW DO I RECOGNIZE FINANCIAL ABUSE?

Possible Signs of Financial Abuse Include:

- Changes in living arrangements, such as previously uninvolved relatives or new friends moving in, with or without a senior's permission
- Unexplained or sudden inability to pay bills
- Unexplained or sudden withdrawal of money from accounts
- Poor living conditions in comparison with the senior's assets
- Changes in banking patterns due to pressure
- Changes in the senior's appearance
- Controlling a senior's spending
- Confusion or lack of knowledge about financial situation and signing of legal documents
- Being forced to sign multiple documents at once
- Being coerced into a situation where you are over worked and underpaid
- Unexplained disappearance of possessions (lost jewellery or silverware)
- Changes in a senior's Power of Attorney and Incapacity Mandate
- Necessities of life denied or not provided by a senior's mandatory (food, medication, assistive devices)
- Denying a senior his or her right to make independent financial decisions

HOW DO I RECOGNIZE AND PREVENT FINANCIAL ABUSE?

Ask Yourself the Following Questions:

- Has anyone asked me to sign papers that I did not understand?
- Has anyone ever taken my money or things without asking?
- Has anyone helped me with my finances? Am I satisfied with how they handle my finances? Do I understand the investment statements I receive or do I ignore them?
- Do any of my close family members abuse drugs, alcohol, or gamble?
- Has any of my family or friends been convicted of criminal activity?

Do NOT Share the Following Information Over the Telephone or By Email:

- Personal information (your driver's license number, credit card information, passport information, date of birth, mother's maiden name, who you bank with, and how long you have banked with them).
- Your bank account information (your PIN), internet banking login information, password, access number or Social Insurance Number (SIN).
 - Banks will never ask you to confirm this information or ask for your SIN by telephone or email.

INTERVENING IN CASES OF FINANCIAL ABUSE

- If you get any mail or email that looks like it is from your bank, **do not** click on any links or call any telephone numbers in the email.
 - Instead, check with your bank if you are unsure about the email by calling the telephone number on the back of your bank card.
 - If you have access to the internet, most banks post information about scams on their website.

What Should I Do?

If you believe you are experiencing financial abuse, consider doing the following:

- Talk with someone you trust and respect.
- Make a realistic plan to protect yourself.
- Plan for an emergency including where you will go and what you need to pack.
- Seek free legal advice (contact your local seniors' organization to locate a lawyer or service).
- Contact your bank for advice on how to protect yourself. Ensure you have current information about your financial accounts and legal documents.
- Seek out additional support services by visiting your local community centre, health centre, your library, or the NICE website at: www.nicenet.ca

HOW CAN I INTERVENE & PROTECT MYSELF FROM FINANCIAL ABUSE?

- In an emergency, call **911**.
- Speak to your local police by calling **514-280-2222**.

How Can I Protect Myself from Financial Abuse?

- For your own financial security, ensure that your financial and legal affairs are up to date.
- Be aware of what is happening with your money and private property.
- Keep copies of everything you sign.
- Keep all valuables, financial and legal documents in a safe place. Tell someone you trust where to find the information.
- Open all of your mail personally. Review your bank and credit card statements.
 - If you find anything unusual, contact your financial institution.
- Do not let family members or anyone else pressure you into making financial decisions.
 - Remind family members that you have the right to make your own decisions and that right should be respected.
- Contact the local police if anyone, including a family member, forges your signature or uses your bank or credit card without your permission.

HOW CAN I INTERVENE & PROTECT MYSELF FROM FINANCIAL ABUSE?

- Family members and/or long-term guests who live with you should be contributing to major household expenses, such as rent, food and utilities.
- Contact a lawyer when lending money, transferring ownership of property, reviewing your will, and to assist with decisions regarding caregiving arrangements in the event that you will need help.
 - Ensure your financial arrangements are understood by all affected parties.
- Understand the meaning of both a Power of Attorney and Incapacity Mandate so that you are familiar with your rights (see the *Understanding the Legal Dimensions of Financial Literacy* pocket tool).
 - Carefully consider and name your Power of Attorney and mandatary so that in the event you are unable to make decisions, a trusted person or persons will be able to act on your behalf.
 - Family members should be familiar with a Power of Attorney and Incapacity Mandate and understand that they can be changed or cancelled.
 - You should have regular conversations with your mandatary about your financial affairs.

MISUSE OF POWER OF ATTORNEY OR INCAPACITY MANDATE

What If My Power of Attorney is Mismanaging or Stealing My Money?

- A Power of Attorney can only be enforced in Québec if you are of sound mind. Therefore, this gives you the power to cancel your Power of Attorney, and demand a full accounting, in the event that you notice your mandatary is stealing from you.
- You can demand a full accounting of your financial affairs at any time.
- If theft is involved, call your local police.

What If My Mandatary is Mismanaging or Stealing From Me?

- The Public Curator's Office has the power to intervene, investigate and protect incapable persons who are the victims of abuse or mistreatment.
- Anyone with knowledge of the abusive treatment of an incapable person, or who witnesses a situation involving a person who requires protection can call the **Public Curator's Office** and file a confidential report at 514-873-4074 or 1-800-363-9020 (toll-free).

Tips:

- Document everything.
- Keep copies of everything you sign and all your paperwork in a safe place. Tell someone you trust where the paperwork is.
- Go to your financial institution, local police, or the Public Curator (see contact information below) if you suspect abuse.
- Contact a counselling service agency for emotional support.

Montreal Police Service

If you would like to speak with a police officer about elder abuse, call: 514-280-2222 (for non-emergency calls only).

Sûreté du Québec:

Call anytime 24 hours a day, 7 days a week: 514-277-9860 (toll-free) or *4141 (from a cell phone).

Public Curator's Office

Call: 514-873-4074 or 1-800-363-9020 (toll-free).

Elder Abuse Helpline

Call: 1-888-489-2287 (toll-free) or 514-489-2287.

The Canadian Anti-Fraud Centre

If you want to report a fraud, or if you need more information, call: 1-888-495-8501 (toll-free).

How Do I Recognize When I am Being Scammed?

- If the offer being presented (prize money, free vacation, unsolicited loans, expensive vehicle offered at a significantly reduced price) sounds too good to be true, it likely is too good to be true.
- Never accept free money or low cost “street” items or get rich schemes.
- You should never have to pay money **up front** before you can receive your prize.
 - Legitimate contests do not require you to pay any fees to win a prize.

How Can I Protect Myself Against Fraud?

Phone Fraud

- Do not give out your credit card information or other types of personal or financial information over the phone.
- Resist the pressure to “act now”. If you are being pressured to make a decision about a big purchase immediately, then it probably is not a legitimate deal.
- If you are suspicious about the person you are talking to, **HANG UP!**

BE AWARE OF SCAMS AND FRAUDS (CONTINUED)

Email and Mail Fraud

- Never provide your PIN, banking passwords, or SIN, in an email.
- Check to see that you have received all statements and bills that you are expecting.
 - Carefully review all your statements and bills.
 - A missing statement could be a sign that a thief is taking your mail.
- Sign all credit cards and debit cards as soon as you receive them.
- Destroy or shred all your account statements and bills before you throw them away. This includes applications for credit you receive but do not use.

BE AWARE OF SCAMS AND FRAUDS (CONTINUED)

Health Care and Insurance Fraud

- Never sign blank forms related to health care, such as insurance claims forms.
- Make sure you are familiar with the services that a health care professional is providing to you.
 - Always ask what services will be billed and what you will be expected to pay for.
- Do not provide your insurance information to anyone who has not directly provided you medical services.
 - For instance, do not provide your insurance information to door to door sales people or telemarketers who tell you that your medical equipment services will be free.
- Keep accurate records of your visits to health care professionals as well as any equipment ordered by your doctor.

If you believe you are a victim of **identity theft** (when someone else pretends to be you) keep a record of all the information (the letters you receive, what exactly was said to any people you have spoken to). Contact **Equifax** at: 1-866-828-5961, for lost or stolen identification. Press 1 if you are a victim of identity theft. Press 2 to check your credit rating regularly to ensure your information is accurate. You can also contact **Trans-Union Canada** at: 1-800-663-9980. Also, contact your local police and credit card company.

This is one of the series of Financial Literacy for Older Adults pocket tools. For more information about NICE tools or related training events, please visit www.nicenet.ca

Disclaimer

You should not rely on this pocket tool for financial or legal advice. It provides general information only. NICE is not responsible for any use of the information other than for general educational/informational purposes and no claim can be made against NICE or any of its personnel for any such use.



**Status of Women
Canada**

**Condition féminine
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National Initiative for the Care of the Elderly
222 College Street, Suite 106, Toronto, Ontario M5T 3J1
Telephone: 416-978-2197 | Website: www.nicenet.ca