

# 7 Steps to Solving a Problem



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There are laws to protect us from being treated unfairly, but it still happens. When it does, we have to stand up for ourselves – but that isn't always easy. It's often hard to know who is right, what to do, if the problem is a legal one and what our options are.

This guide sets out seven steps to sorting out an everyday legal problem – such as a problem with your landlord, a co-worker, your ex or a business.

Not every problem is a legal problem. But this guide can still help you deal with problems that come up even if the law cannot.

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## Step 1. Understand Your Problem

Figure out exactly what your problem is. Describe it as plainly and briefly as possible.

### EXAMPLE

Michelle receives Employment Insurance (EI) because she cannot work. She recently got a letter from her landlord saying that he was evicting her because she wasn't paying her rent. Michelle had arranged for direct deposit of rent to her landlord but there was no money in her account.

Michelle called EI and discovered that her benefits had stopped. She thought this was a mistake. Michelle started trying to sort out her EI claim. She didn't get anywhere as she kept on having to call back. Michelle focused on solving the EI problem thinking it would solve her landlord problem. She did not address her eviction notice. Her landlord didn't know what was going on and started legal proceedings against Michelle.

Michelle didn't know what to do about the legal proceedings, so she went to a free legal clinic. At the clinic, the lawyer explained that Michelle needed to deal with the eviction as a separate problem. She told Michelle to explain to her landlord that EI was still sorting out her claim, and to ask him to stop court proceedings. In the end, Michelle agreed to pay a little extra every month to pay her arrears once her benefits started again, and her landlord stopped the legal proceedings.

### TIPS

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- *If you have many problems all connected to each other, a good approach is to break out and deal with each one separately.*
- *Try to look at your problem from an outsider's perspective. What you see as a problem might not actually be one. You may have misunderstood the situation, or the other party may not see it as a problem.*
- *Be calm and respectful to everyone involved.*

## Step 2. Know Your Rights

Find out your rights, responsibilities and options from reliable sources. If you've got correct legal information, you're in a better position to solve your problem.

### EXAMPLE

Alex was renting a bachelor suite for a one-year term. One day, out of the blue, the landlord knocked on the door and told Alex that he had to move out on the weekend because the landlord needed the apartment for a family friend. Alex was already stressed with school and now he might not have a place to live.

Alex wasn't sure if his landlord could legally do this. He did a quick internet search and came across the website [www.landlordandtenant.org](http://www.landlordandtenant.org). He found information on Eviction Notices and the *Residential Tenancies Act*. Alex learned that his landlord could only evict him if the landlord gave proper notice and only for reasons set out in the *Act*. He printed off the information and showed it to his landlord. His landlord left him alone after that.

## Step 3. Know What You Want

Decide what you want and make it clear to the other side – whether it's an apology, a refund, compensation or something else. If you don't know what you want, or what your choices are, then you should look up your rights or talk to someone with knowledge in the area (see Step 2!).

### EXAMPLE

Paul bought a necklace for his girlfriend at a national chain jewelry store. Two days later, she wore it for the first time, and it fell to pieces. Paul was so embarrassed! When he took it back to the shop, the store manager only offered to give him a new necklace or exchange it for something else. Paul was upset about the necklace breaking so he wanted to get his girlfriend something completely different. He told the store manager he would think about his options.

When Paul got home, he looked up the store's policies online. Although stores in Alberta don't have to give refunds, this company's written and advertised policy was that it would provide a refund if items were returned within 10 days of purchase. Paul printed off the policy, went back to the store the next day and asked for a refund. He told the manager that he knew he was entitled to one. The store paid up.

## TIPS

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- Don't just rely on information from friends and family. There are lots of legal myths floating around.
- Do a quick internet search. See CPLEA's tipsheet called "Is It Reliable?" for tips on accessing reliable information.
- Visit [www.cplea.ca](http://www.cplea.ca) as a starting point for legal information in Alberta.
- Visit your local library and ask the librarian for help.
- If you have responsibilities, or steps you need to take to help yourself, do it! If you don't do what you're supposed to do, it is harder to ask someone else to do what they are supposed to do.
- Even if the law doesn't protect you, don't give up. You may not have any legal rights but, if you negotiate confidently, you may still get what you want.



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## Step 4. Know Who To Speak To

Figure out who has the authority to solve the problem and speak directly to them.

### EXAMPLE

Nadia used to work with someone who said sleazy things to her and to some of her other co-workers. It didn't seem to bother some people, but it made Nadia feel very uncomfortable. Nadia tried to avoid him but their manager always scheduled them for the same shifts. She didn't know what to do.

One day, Nadia decided to stop by the company's Human Resources office. She went in and talked to the human resources manager. The manager told Nadia they could have an informal conversation about Nadia concerns. She also told Nadia what the procedure was if Nadia wanted to make a formal complaint. Nadia felt confident leaving the meeting: she had done something about the issue "off the record", and she knew the process if she wanted to deal with it "on the record".

### TIPS

- *If your problem is with an organization or company, ask to speak to the person in charge (such as the Manager or Executive Director).*
- *If your problem is with an individual, speak with the individual directly or with someone who has authority on their behalf (such as a guardian or a lawyer).*
- *If there is a process you must follow, ask for the details. The more you understand about the required process, the stronger your position.*

## Step 5. Communicate Clearly

Communicate in a way that makes the other party listen and not just ignore you in the hopes that you'll go away.

### EXAMPLE

Jonah has a tendency to get upset and lose his temper when he gets into difficult situations. He once shouted at a customer service representative when his computer broke. He hadn't really thought about what he wanted to say, and ended up yelling about some pretty irrelevant stuff. It wasn't his finest moment. And, it was the company's fault, not hers. Apart from being embarrassing and stressful, it also made things worse! Yelling and getting upset made it hard for Jonah to get his point across. And it made the customer service representatives less willing to help.

### TIPS

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- *Before speaking to someone, make notes of everything you want to cover during the conversation. During the conversation, check off your points. This will prevent you from forgetting anything and will also help you stay focused.*
- *At the end of the conversation, repeat back what you and other person have agreed upon, especially anything they have agreed to do and dates by which they have agreed to do it.*
- *Stay calm. Yelling never helps.*
- *Send a follow-up email or letter after the conversation confirming everything in writing. The more you have in writing, the more evidence you'll have if you need to make a complaint later.*
- *Have a friend review your notes or letter to make sure they make sense. Sometimes what's in our minds isn't what we have put down on paper.*
- *Refer to any laws that you know support your position. If you've received advice from someone, tell the other person.*



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## Step 6. Be Organized

Keep a record of everything you do to solve the problem. If you need to get advice or go to court at some point, having proper records will make or break your case.

### EXAMPLE

Sitara's daughter was sick and in and out of hospital for a while. Because her daughter wasn't well, Sitara tried to sort out her daughter's long-term illness benefits on her behalf.

Sitara quickly learned how important it was to be organized. When Sitara speaks to someone from the insurance company, she always asks for their name and makes notes of their conversation. At the end of the conversation, she always repeats back anything they have agreed to do and asks how long they think it will take. Sitara makes sure to follow-up with the same person to see how the claim is progressing.

By being organized and keeping proper records, Sitara doesn't get passed from person to person at the insurance company. And the insurance company deals with her concerns because they know she'll call back if they don't!

### TIPS

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- *Keep copies of all emails, letters, and other documents you send or receive about the issue.*
- *Write down the names of the people you've spoken to, the date of the conversation, what they said, what the next steps were supposed to be and when they were supposed to take these steps.*
- *Keep your records in a safe place (such as on your computer or in a file) and in an organized manner.*

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## TIPS

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- *Talk to a legal expert: call a local lawyer, talk to Legal Aid (if you qualify) or visit a local legal clinic for advice.*
- *Talk to organizations, social workers or other agencies who help people with the problem you have.*
- *Talk to your church leader, elder or trusted community leader.*
- *Contact consumer protection organizations.*
- *If you have an important deadline approaching fast, like a court date, don't delay getting help.*

## Step 7. Know When to Get Help

If you don't know what to do next, ask for help. Help from a professional – even to just confirm you're doing the right thing – will keep your stress levels down.

### EXAMPLE

Deshi is divorced and hasn't seen his son in a while. When he called his ex-wife, she said that she was marrying someone else and that Deshi couldn't see his son anymore. Deshi was really worried. He wasn't sure what to do so he went to the courthouse. The person at the information desk gave him information about legal clinics that help people with family law issues, such as child support and access.

## Useful Contacts

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For a list of resources to help you solve your problem, visit LawCentral Alberta at [www.lawcentralalberta.ca](http://www.lawcentralalberta.ca).