

Next Steps

- If you have received a Community Safety Order (CSO) or a Notice to Vacate and require a community support, please consult the Community Resources list.
- If you have received a CSO or a Notice to Vacate, consider also contacting one of the listed Legal Resources. Obtaining legal assistance may help you extend the number of days a Notice to Vacate has given you to move out of your property. It may also help you apply to the Court to change or void a CSO.
- The bottom line? The Safer Community and Neighbourhoods Act treats sex work as an unlawful activity, and this is harmful to sex workers. Pressure should be put on law-makers to change this.

THIS PAMPHLET WAS PREPARED BY STUDENTS AND DOES NOT CONTAIN LEGAL ADVICE. THE CONTENTS ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

Community Resources

Sex Workers of Winnipeg Action Coalition

Website: sexworkwinnipeg.com

Email: swwac@sexworkwinnipeg.com

Facebook: [SWWACwpg](https://www.facebook.com/SWWACwpg)

Twitter: [@SWWACwpg](https://twitter.com/SWWACwpg)

Legal Resources

Community Legal Education Association:

Law Phone-In & Lawyer Referral Program

204-943-2305 (Winnipeg only)

1-800-262-880 (Outside of Winnipeg)

Legal information & referrals.

Phone Hours: Mon-Fri, 9:00am-4:00pm

Legal Help Centre

202-393 Portage Avenue (2nd floor Portage Place)

204-258-3096

Legal information & referrals.

Drop in: Tuesday & Friday, 1:00pm – 4:30pm

Legal Aid Manitoba

100-287 Broadway | 204-985-8500

Drop in Application Centre:

Monday & Tuesday, 12:30pm – 4:00pm

Wednesday & Thursday, 1:30pm – 4:00pm

Who Grants CSOs?

Manitoba Justice

Public Safety Investigations

204-945-3475

Community Safety Orders (CSOs)

What is a CSO and how can they impact sex workers?

What is a Community Safety Order?

A Community Safety Order (CSO) is the result of a longer process. First, a complaint is made by another community member to the director of Public Safety Investigation at Manitoba Justice. When a complaint is received, it may be investigated, it may be resolved through informal actions, or a CSO may be granted.

A complaint is made by someone who believes: (1) their neighbourhood is being negatively affected by activities on/near the property in question; or (2) that the property is being used continuously for one of the "specified uses" listed under the **Safer Community and Neighbourhoods Act**, which includes "prostitution and activities related to prostitution".

What happens when a CSO is granted?

When a CSO is granted, a notice and a copy of the order is posted on the property, and another is served to the owner. A CSO orders the owner to take steps to stop the activities and will ban tenants from continuing that activity. These steps may include ordering those involved in the activity to leave for a period of time, terminating the tenancy agreement, and/or closing the property for up to 90 days.

- Ignoring a CSO may result in a \$500 fine per day.
- If you remove/deface a CSO, you can face a fine up to \$2,500 and/or 3 months in prison.
- If you enter a property closed by a CSO, you can face a fine up to \$5,000 and/or six months in prison.

What is a Notice to Vacate?

The owner of the property (your landlord) may give you a "Notice to Vacate" if a Manitoba Justice investigation occurred regarding activities at your residence.

The notice is a piece of paper that will include:

- the words "notice to vacate"
- the date
- the property address
- your name, with "and any other occupants"
- the number of days you have to move out of the property (ex. 5 days)
- it may inform you that your tenancy agreement has been terminated because you have breached section 73 (duty not to disturb others) and/or section 74 (duty not to impair safety or interfere with rights) of the Residential Tenancies Act
- it may state that an investigation was done that found unlawful activities (listed in the Safer Communities and Neighbourhoods Act) were taking place at the property

Sex Work & The Safer Communities and Neighbourhoods Act

The power to grant a CSO against a property is given to Manitoba Justice by the **Safer Community and Neighbourhoods Act**. The Act lists certain activities at a property that justify making a complaint (which could then result in a CSO being granted). One of the unlawful uses listed is "**prostitution and related activities**".

This means that even though sex work is not illegal in Canada, the Act treats it like it is. Granting a CSO because sex work is taking place at a property is harmful to sex workers. Having an in-call space for clients to come to is a safer alternative for sex workers than going to properties they are unfamiliar with.

What can you do if you receive a CSO?

The Director must apply to the Court for a CSO, and the owner of the property can challenge the application before the CSO is made.

After a CSO is issued, residents of the property can apply to the court to change or end the CSO. The court will do this if it is satisfied that the drug-related activities at the property have stopped and are unlikely to continue.

Unfortunately, due to the possibility of fines, the tenant should not ignore the CSO.