

Bankruptcy

Your frequently asked questions, answered.



We've answered common questions you may have after filing bankruptcy. Please review this FAQ, and if you still have questions, contact the bankruptcy administration team.

Questions include:

- Why are my creditors still contacting me?
- How long does it take for wage garnishment to stop after filing bankruptcy?
- How do I make up a missed payment?
- Does bankruptcy include student loans?
- Does my Trustee have access to my credit report?
- How do I fix errors on my credit report?
- Why are my debts still showing on my credit report?
- Can my bankruptcy payments change once I file?
- I surrendered my vehicle, and it hasn't been picked up yet. What should I do?
- Does Grant Thornton file my taxes each year that I'm bankrupt?
- Why can't I electronically file my income taxes?
- Can I apply for a credit card or a loan?
- How do I get a copy of my Discharge?
- I can't reach the bankruptcy administration team. What should I do?

Why are my creditors still contacting me?

In our experience, most creditors respect the insolvency process and stop collection activities once we notify them about your file. It can take up to six to eight weeks for creditors to stop contacting you. If a creditor continues to make collection attempts, contact the bankruptcy administration team.

If a creditor wasn't listed on your Statement of Affairs, they may be unaware of the bankruptcy. In that case, provide the bankruptcy administration team with their name and account details so the creditor can be added to your list and notified.

How long does it take for wage garnishment to stop after filing bankruptcy?

Once we file your bankruptcy with the Office of the Superintendent of Bankruptcy (OSB), a stay of proceedings takes immediate effect—stopping all collection activity. However, because payroll, the garnishing creditor, and the court must be notified of the bankruptcy and the stay, it may take several weeks for the garnishment to end and several months for garnished funds to be returned.

How do I make up a missed payment?

Contact the bankruptcy administration team to reschedule.

Does bankruptcy include student loans?

If you've been out of school—part time or full time—for at least seven years, your student loans will go away in your bankruptcy. If it's been less than seven years, student loans will not go away in your bankruptcy, and you'll be responsible for paying the loans and any interest accrued until it's paid in full.

Grant Thornton can't confirm your last date of attendance. If you're unsure, contact your student loan lenders as this is dependent on the exact date in their records.

Does my Trustee have access to my credit report?

Your Trustee or any one at Grant Thornton, cannot access your credit report on your behalf. You must reach out to the credit bureaus for a copy and provide an accurate creditor list to your Trustee.

You'll learn more about credit reports and rebuilding credit during your second counselling session.

How do I fix errors on my credit report?

Bankruptcy stays on your credit report for six to seven years (14 years for second bankruptcies) after your discharge. If you find errors on your credit report before or after discharge, you're responsible for contacting the credit bureau and filing a dispute or requesting an investigation. To do this, complete and submit the appropriate forms—available on their websites—along with any supporting documents.

Canada's two credit bureaus—TransUnion and Equifax—must provide a free copy of your credit report once per year upon request. You can download the request forms from their websites:

<https://www.transunion.ca> or <https://www.consumer.equifax.ca>.

Why are my debts still showing on my credit report?

Credit bureaus will remove the debt from your credit report when you complete the terms of your bankruptcy. If you don't complete your bankruptcy, the debts stay on your credit report, and your creditors can resume collection activities.

Can my bankruptcy payments change once I file?

Your bankruptcy payments depend on your income and assets, not your total debt. Government-set income guidelines, based on household size, determine how much you pay during bankruptcy. These amounts can change if your income or non-discretionary expenses change. This is why you must report income and expenses monthly. Your trustee will adjust payments if needed and will always discuss changes with you first to set an amount you can afford.

I surrendered my vehicle and it hasn't been picked up yet. What should I do?

The creditor will contact you to arrange pick-up, but this process often takes weeks and may depend on the number of missed payments. If you've stopped making payments and the bank has not picked up the vehicle, contact the bankruptcy administration team, and we'll reach out to the creditor on your behalf.

Does Grant Thornton file my taxes for each year included in my bankruptcy?

No. We only file your incomes taxes for the year you filed for bankruptcy and, if you haven't already filed, the previous year. You're responsible for filing taxes for all later years.

Why can't I electronically file my income taxes?

If you're still in bankruptcy or your Trustee hasn't finished administering your file's estate, the Canada Revenue Agency (CRA) will place a hold on your online tax account. You'll need to complete your taxes on paper and file them by mail.

As part of your bankruptcy, you must authorize your Trustee to file your tax returns on your behalf. Log in to your CRA My Account and confirm authorization when prompted by CRA or your Trustee. The instructions for this process are attached at the end of this document.

Can I apply for a credit card or loan?

Yes, as long as you disclose your bankruptcy to the lender when you apply for credit over \$1,000. Any debt you acquire after your filing date is considered "post-bankruptcy" debt. You're responsible for maintaining its payments, and the lender decides whether to approve the credit.

How do I get a copy of my Discharge?

You'll receive your Certificate of Discharge or Court-Ordered Discharge by mail once you've completed all required duties. If you lose it and need another copy, contact the bankruptcy administration team.

I can't reach the bankruptcy administration team. What should I do?

We work hard to provide everyone with the care and quality of service they deserve, but please understand that our call volumes are high. If you leave a voicemail, a team member will return your call by the next business day.

If you have additional questions about your bankruptcy, please contact us at:

1-855-747-2647 or cibu-bk-admin@doane.gt.ca