



# MICROBOARDS

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Parent

# OUR FAMILY

- Southwestern Ontario
- Two daughters, Natalie (32) & Rachelle (30), Son in Law Jordan.
- Natalie has a developmental delay & requires 24/7 support
- Moved into her own home November 2020
- 4 Support Workers & 1 Granny Flat Live-In for overnight support.
- Started our Microboard (SOWWN – Spread Our Wings With Natalie) February 14<sup>th</sup>, 2019
- Currently filter payroll & Passport Funding through SOWWN, ODSP cannot be filtered yet.



# WHAT IS A MICROBOARD?

Definition:

Consists of small (micro) circle of family members and friends who join with a person to form an incorporated not-for-profit organization. Essentially a self-directed support organization.

# WHY ESTABLISH A MICROBOARD?

- Microboards provide additional informal supports to people with disabilities, and enhance and facilitate future planning and financial security.
- Microboards encourage self-determination and personal empowerment of persons with disabilities.
- Additionally, it is reassurance that the person is supported as primary caregivers age and pass away, as well as supports any siblings who may feel isolated or that they have to do everything alone.

# WHAT CAN A MICROBOARD DO?

## **A Microboard can assist a person with a disability with:**

- Planning his or her life
- Brainstorming ideas
- Advocating for what they need
- Monitoring services and ensuring they are safe
- Connecting to his or her wider community
- Doing fun things together

## **People with disabilities and their families form Microboards to:**

- Administer individualized funding arrangements
- Employ or contract with support workers
- Carry liability insurance
- Receive and manage income and disability supports
- Support trustees of trusts for which the individual is the beneficiary
- Support the plan holder(s) of the RDSP for which the individual is the beneficiary (which may include the individual)
- Own & maintain property such as the home of the person with a disability (we consulted lawyers as to whether or not this would be beneficial)
- Advocate for additional supports and resources

# HOW IS A MICROBOARD ESTABLISHED?

A Microboard is established by federal or provincial incorporation, which includes the filing of articles of incorporation and by-laws to guide its operation. At least five or more persons – either family members or non-family members – must be named to the Board of Directors. Directors should be persons who know and care about the person, and who may already form part of his or her personal network.

# SHOULD WE START A LEGAL ENTITY AROUND OUR RELATIVE WITH A DISABILITY?

- First, think through all the following questions. Don't rush this phase, as it is essential to the long-term success of the entity and a good life for the person with a disability.
- Do we really need an incorporated entity, or would our family, circle of friends, or personal support network be enough for our relative's needs, now and in the future?
- What do we want the entity to do, now and in the longer-term future?
- Who of our relatives and friends would be willing and able to be directors? How well they know our relative with a disability? What gifts and abilities will they bring? Do they represent various ages, abilities and interests?
- Can we handle the work of incorporation or do we need to engage a lawyer?

# WHOM COULD WE ASK TO BE DIRECTORS OF OUR INCORPORATED ENTITY?

- Family & friends who are committed to knowing the individual or getting to know them better over time. Not necessary to have expertise in a specific area of disability, as relationships are the most important part of a Microboard.
- We hired a facilitator to help start this process, formalize meetings, keeping records, etc.
- But far more important for an entity for personal empowerment and support are those who really know and respect the focus person through spending good time together and "deep listening" to what are most important in their lives. Directors who share the values of the focus person and her/his family can use their legal powers to ensure that all available resources are responsibly used to support a good life.
- The focus person and some family members may certainly be directors of an incorporated entity. It is good to plan for 4-5 other directors who are of different ages, abilities and interests and can bring various skills and connections to their roles. No individual who is currently paid to support the focus person can be a director.



# RESPONSIBILITIES FOR UPHOLDING MICROBOARD

- Develop by-laws and submit within a year of incorporation
- Board members must follow the rules outlined in said by laws
- Hold an AGM (Annual General Meeting) and a register of members.
- File an annual return (this is not an income tax return). The **annual return** is a legal document that basically notifies **Corporations** Canada that the company is still active. Must be done within 60 days of corporation's anniversary date. Cost is \$12 and done online at Corporations Canada. Can subscribe to an email for a reminder when it is time to file.

# STEPS TO INCORPORATION

Remember the reason we incorporate is for the microboard directors to legally be able to advocate on behalf of the person regarding health, their future, and to be the employer to support staff we had to incorporate. It is important to note that we incorporated federally.

## **First:**

Choose a name for the Microboard. Once chosen, do a Nuans name search to ensure that the name is available. To do this, go to the government website - <https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs07447.html> and click on the link under "Nuans name search report".

From here we chose the option "order a report yourself" -> "Order a federal report".

**Step 1** – enter your proposed name of corporation

**Step 2** – enter corporate name details

**Step 3** – enter your email address

**Step 4** – payment of \$13.80 / name search. (we searched two potential names)

**Step 5** – you will receive two emails. One is a Nuans Transaction Receipt for your payment. The other email contains your Nuans number if name is approved. What this number does is reserve your name for 90 days.

# STEPS TO INCORPORATION

## **Second:**

The actual incorporation, go to the government website, Corporations Canada. <https://corporationscanada.ic.gc.ca/eic/site/cd-dgc.nsf/eng/home>.

Under “I want to...” click “Incorporate Business”. We incorporated online, and the cost to do so for a not for profit is \$200. Under the header “How much it costs” click the button incorporate.

**Step 1** – Corporate Name & Contact Information.

**Step 2** – Articles of Incorporation

**Step 3** – Review answers, Print, Sign & keep these papers for your records.

**Step 4** – Registered office & directors. Here it will ask again for your corporation name, address of registered office (we used parents house) and directors of corporation. Initially we just made parents & sister director but have since gone back and added all members of microboard as directors. This allows each member of the microboard to have a vote at meetings.

**Step 5** - Review answers, Print, Sign & keep these papers for your records.

**Step 6** – Reminder notices (cannot entirely remember what this entailed)

**Step 7** – Payment of \$200 when doing it online.

***Once incorporated, you have a year from your date of official incorporation to hold an AGM (Annual General Meeting) and to submit your corporation bylaws.***

# STEPS TO INCORPORATION

## Costs to consider

- Incorporating costs **\$200 plus \$13.80/name search**
- Insurance for microboard directors **\$1078 plus 8% tax per year**. Since our payroll is filtered through the SOWWN it is incredibly important for all of our directors to be insured.
- Corporation annual filing **\$12/year paid to Corporations Canada**
- Lawyers: ensuring microboard has been set up properly, ensure person living in house & employees are treated properly under Employment Standards Act, contracts between all parties, ensure granny flat is set up properly regarding payment & compensation, that it is legally supporting for both parties. **\$1350**

***Your lawyers fees may or may not be this much. We chose to run payroll through the Microboard which led to more meetings with the lawyers regarding contracts, compensation, etc.***

- Bank Account & QuickBooks
- Payroll Liabilities **CPP – match, EI – x1.4, Income Tax– what has been deducted, WSIB category for support staff \$1.51/\$100 (again only if filtering payroll through Microboard)**

# REFERENCES & RESOURCES

- Vela Canada <https://velacanada.org/>
- Pooran Law <https://pooranlaw.com/>
- Microboards Ontario <https://www.microboardsontario.com/>
- Ontario Adult Autism Research & Support Networks  
<https://www.uoguelph.ca/oaar/microboards.shtml#q3>

Thank you,

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