

# FACELAW

ONLINE LEGAL DIRECTORY

38 PAGES

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FACELAW

The Right Choice For All Your Legal Needs



## What Are Long Term Disability Benefits?

BY Ben Azimi

## The Faces Of Sexual Abuse

BY Charles E. Gluckstein

## Registering A Business In Canada

BY Maryam Jamshidian

## Mehrieh And Iranian Divorce

BY Elena E. Mazinani



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MAY2022

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**WE** are a directory of Lawyers, Paralegals and Immigration consultants, striving to bring together the best professionals in the legal field.

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In today's fast paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier.

Finding an experienced lawyer, paralegal or immigration consultant ("Legal Professional") to assist you with your legal matters should be no different.

Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.

Facelaw.ca is a website which connects those looking for a Legal Professional to assist them with a legal matter (or those just wanting to get some preliminary legal advice) with an experienced Legal Professional in the appropriate field of law.

The Legal Professional will help guide you through the complex legal landscape and will provide the appropriate and professional legal advice.

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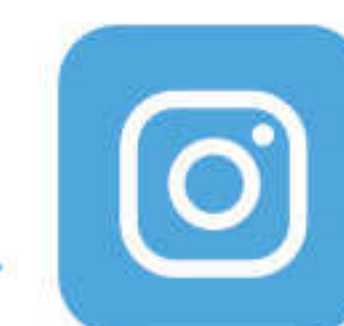


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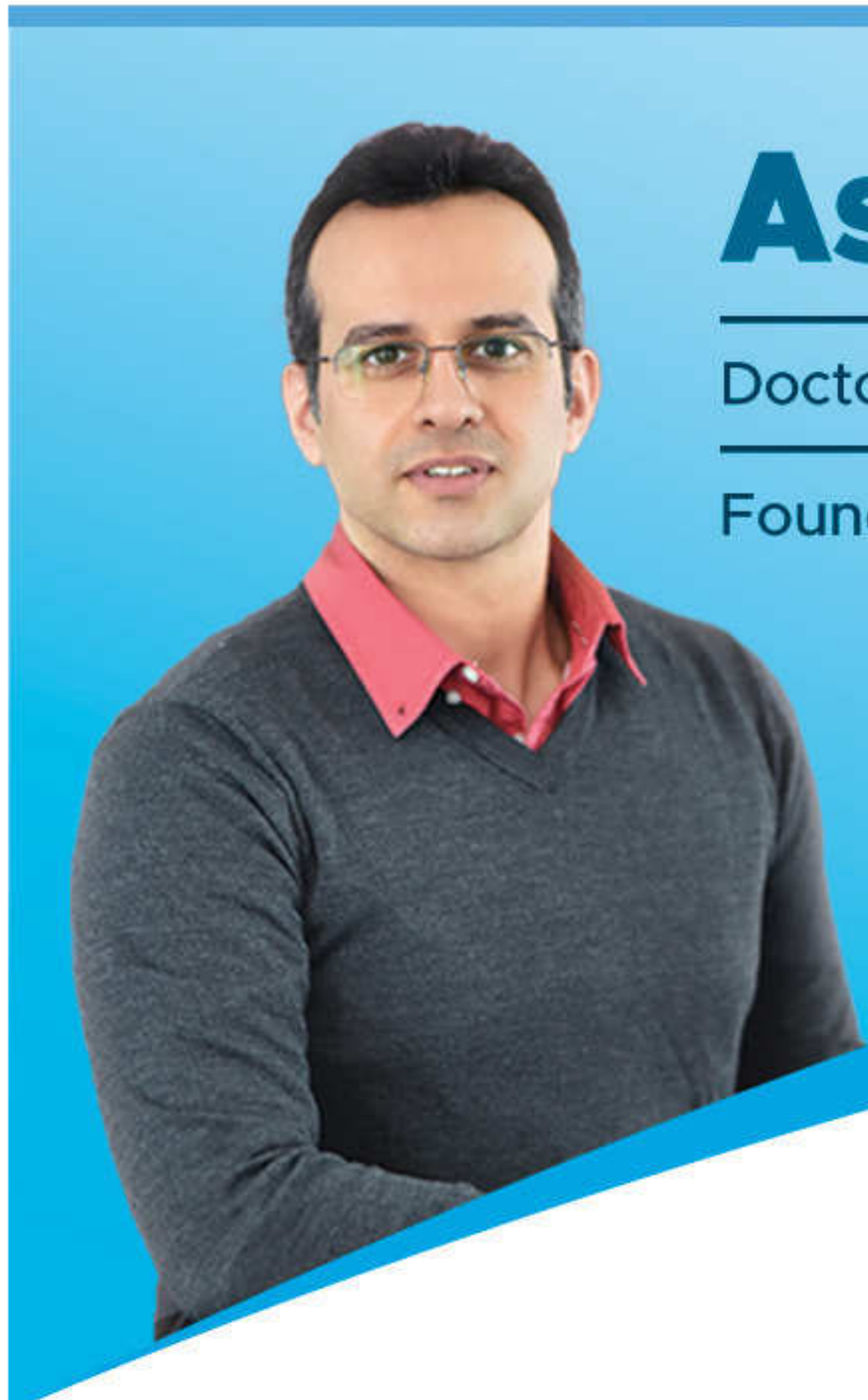
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## Ashkan Anvari

Doctor Of Business Administration (DBA)

Founder Of The Facelaw Platform

# WHAT IS A STARTUP?

## Becoming Acquainted With The Facelaw Startup & Our Goals.

### WHAT IS A STARTUP?

### What type of businesses Can we call a “STARTUP”?

The term “startup” has its roots in San Francisco, California. It is a newfangled company that offers an innovative solution to a problem and, in today’s world of technology, we are continuously seeing more and more startups. Some people consider startups a new culture for expressing innovative ideas and generating creativity. Today, especially among young adults, there is a lot of talk about newly established businesses and startups. Many people have new ideas in mind that they think they can transform the world with.

Startup refers to a business that has never had a similar model before, which can mean that the startup was first a business established by individuals or corporations. However, it should be noted that the definition of a startup is not limited to just a business. Startup also stands for “start up company”, which means a newly established corporation. This includes new companies that have been created as a result of entrepreneurship, and have been formed by creating new, creative and sustainable solutions to meet a need in society.

In most cases, these businesses and corporations are set up by experienced professionals, who are fully aware of all the necessary information and knowledge in their

field, such as what goals to set, what services to provide and how to provide them, and so on. It is important to understand that balancing the ultimate goal and its implementation from the outset can be effective in the growth or failure of the business.

Facelaw is a startup built to tackle legal problems in Canada and the United States, in which the majority of the population consists of immigrants, both newcomers and those who immigrated, but neither of these categories are fully knowledgeable and well versed as to the legal issues of the country. This can sometimes lead to legal complications that may reach the courts or dispute settlement councils.

As the courts and dispute resolution centers become more crowded, the pressure on society will increase. As there is an increase of legal complications due to the lack of basic legal knowledge and competency from the general public, the work force will waste time, energy and resources that can be spent on the development of society on small and large conflicts between people that could otherwise be easily resolved. Furthermore, there will also be a waste of expenditure on issues that, had the parties been first made aware of the rules and regulations, might be spent somewhere else, which could have potentially improved the business or living standards of individuals. This is directly related to the economic growth of countries and the quality of society.

The Facelaw platform intends to raise the level of legal knowledge of the community by providing the most up to date relevant information through the Internet and digital marketing and social media platforms, with the help of lawyers, paralegals, immigration consultants, and other legal consultants. For example, when a person does not have information about the inheritance laws of his country or has little knowledge about the legal issues pertaining to his property, they will definitely face legal problems. Therefore, with a platform like Facelaw, you can search and find a lawyer, paralegal, or an immigration consultant who has sufficient knowledge in that particular field (with any language, cultural background and nationality that suits your needs), read their articles about the relevant issues, listen to their podcasts, watch their videos or participate in their webinars and seminars for free.





You can even ask these advisors questions so that in the future you will be better prepared should you face legal issues.

If necessary, you can arrange to retain the services of lawyers, paralegals, or an immigration consultants, or to better tackle your legal concerns. These services provided by Facelaw will prevent time from being wasted on finding these advisors in newspapers and websites, as they can all be found in the Facelaw directory.

We became a bit familiar with the unique aim of the Facelaw startup, in that it is the only legal directory to include services such as:

- A website with professional search capability and extensive content;
- Active social networks with useful content;
- Dedicated e-magazines and print magazines of legal issues in English and Persian;
- Digital/Internet radio and television;
- Free seminars and conferences with qualified professionals;
- IOS and Android applications; and...
- Extensive advertising at the provincial and national levels.

Facelaw's main goal is to reduce the problems and violations resulting from lack of legal information by raising the legal knowledge of society to create a safer, more sustainable environment, which is certainly one of the goals of the government too.

In order to create a culture of teaching legal issues and applying the laws and regulations in our daily life, it is better to use the services of lawyers and legal advisers when important decisions are being made. Having a lawyer or paralegal, or an immigration consultant, by your side ensures that you take the right path without making mistakes that could potentially create legal complications in the future.

We will continue to carry out the strong mission of our startup and we ask you, the general public, to introduce this platform to your friends and acquaintances so that everyone can become familiar with this platform and increase their general legal knowledge. If you are a lawyer, paralegal or an immigration consultant, we ask you to join us in this special endeavor to help your community to create a better world.

**Dr. Ashkan Anvari**





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## ► Ali Ahmari Moghaddam

We believe that clients should feel welcome and comfortable every time they walk into our office. Our law firm also works hard to make sure that clients are involved in all aspects of their case. We take the time to educate clients about their legal matter so that they are well informed about all aspects of their particular case.

## Why Choose Us?

- CLIENT-FOCUSED SOLUTIONS AND RESULTS
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- WOMEN'S EMPOWERMENT AND SUCCESS
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# Mehrieh & Iranian Divorce

Canada is a multicultural country and Canadian courts must sometimes recognize foreign legal and religious agreements.

The Iranian Islamic marriage contract known as a “Mehrieh” (also known as “Mehr” or “Mahr”) and the legal question of whether it is valid and enforceable in Canada has been dealt with in many family law cases in Ontario.





Whether the Mehrieh payment is enforced and the exact manner of its enforcement (whether it is separate from or part of the usual division of assets) is determined on a case by case basis in accordance with the terms of the Mehrieh and the surrounding circumstances. There are many cases in Ontario that have dealt with this issue.

## Validity in Ontario

### Formal Requirements

To be valid in Ontario, a Mehrieh Agreement must:

- ▶ be in writing, signed by both parties and witnessed; and
- ▶ cover issues that comply with the Family Law Act.

Typically, the terms of the Mehrieh are specified on the parties' marriage certificate, in which case it is usually witnessed and signed.

### Setting Aside a Mehrieh Agreement

A determination that a Mehrieh is valid under Islamic law is not indicative of the issue in Ontario. In other words, just because the Mehrieh is enforceable under Islamic law does not automatically mean that it is enforceable under Canadian law. Courts must still apply the general contract validity principles to specific cases to determine whether the agreement is enforceable. There have been family law cases in which the Mehrieh was set aside or found to be non enforceable.

## Interplay with Equalization & Spousal Support

### Equalization

The court has held that the Mehrieh could either be considered excluded property under s. 4(2)(6) of the Family Law Act, or it may form part of the division of assets for married spouses, also known as "equalization". In other words, depending on the exact terms of the Mehrieh, the amount of the Mehrieh payment will either be considered an asset for the wife (meaning that the wife must equalize it with the husband) or the Mehrieh is to be paid separate and apart from equalization.

### Spousal Support

Any amount payable under a Mahrieh is not considered a replacement for spousal support.

## Conclusion

The Courts in Ontario have consistently determined that Mehrieh agreements are valid and enforceable as marriage contracts, provided they otherwise conform to basic formal validity requirements.





# What are long term Disability Benefits?

Most common questions and their answers



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### What are long term disability benefits?

Long term disability benefits provide financial assistance to covered employees or self employed individuals whose disability prevents them from working. Although there are some general aspects of these benefits, outlined below, the details are always set out in the employee's insurance policy.

### Who is eligible for long term disability benefits?

A person is eligible to receive long term disability benefits if they: are covered under a disability insurance policy; were actively employed when they became unable to work due to disability; have a medical condition that makes them unable to perform the regular duties of their own job or the duties of any job; be disabled for at least three months or more; and meet all other requirements under their insurance policy.

### Who has disability insurance?

Some employers have group insurance plans for their employees which provide them with workplace benefits such as short term disability benefits, long term disability benefits, life insurance, medical and dental benefits, and vision benefits.

It is also possible for someone to have an individual disability insurance plan. To obtain one, it is necessary to enter into a contract with an insurance company, through a broker, and pay premiums. They are most common for self employed individuals and business owners.





## What is a long term disability?

Someone is qualified for long term disability benefits if they are totally disabled. There are two tests used to determine whether someone is totally disabled. First, the individual is assessed as to whether they can perform the duties of their own job or occupation (i.e. their pre disability job). The period of time in which this test is applied – sometimes called the “own occ” period – usually lasts two (2) years.

Second, the individual is assessed as to whether they can perform the duties of any job or occupation for which they are reasonably suited (i.e. that they are qualified for based on their education, experience and

training). The period of time in which this test is applied – sometimes referred to as the “any occ” period – begins when the own occ period ends.

The point in time in which the first period turns into the second is known as the change of definition.

Therefore, long term disability is not defined in terms of specific medical conditions but in terms of how, and the extent to which, a medical conditions interferes with one’s ability to work.

Two terms are used: restrictions and limitations. A restriction is an activity that the doctor has advised one to refrain from doing.

A limitation is an activity that one cannot do because one lacks sufficient physical/mental capacity.

Some medical conditions that can restrict or limit an employee from performing job duties and so lead to an extended absence from work include chronic pain (e.g. arthritis), orthopedic injuries (e.g. broken leg), brain injuries (e.g. concussion), psychological illnesses (e.g. depression) and chronic illnesses and conditions (e.g. multiple sclerosis).

The insurer may conduct surveillance (e.g. online searches) and medical review (e.g. having a medical consultant review the employee’s medical records) to investigate the claims of disability.







### How does one apply for Long term disability benefits?

An application for long term disability benefits is a process that is started when the employee completes and submits the application forms. The employee can obtain the application forms from either their employer or insurance company.

**There are three different forms:** one that the employee completes; one that the employer completes; and one that the attending physician completes.

It is the employee's responsibility to arrange for everyone to fill in the forms and to submit them.

### If an employee's claim is approved, What are the parties' rights & duties?

If an employee's claim has been approved, the parties have a number of ongoing obligations.

**An employee's duties are set out in their policy but generally include that the employee must:** make reasonable efforts to recover (meaning that they be under the care of an appropriate physician and take the treatment recommended by the physician); make best efforts to participate in a rehabilitation program and a gradual return to work; make best efforts to obtain other benefits; advise of changes in their income; and advise of any changes in their health.

**An employer's duties include:** to act in good faith (such as by providing forms and filling in their sections); to respect the employee's right to privacy; and to accommodate the employee who seeks to return to work.



## What are an employee's Options if their claim Has been denied?

If an employee's claim has been denied, he/she can seek to appeal the insurer's denial.

An appeal means that the employee is seeking to have the insurer's decision reviewed and overturned. There are two main kinds of appeal. An internal appeal is a process that involves appealing the denial to someone higher in the hierarchy at the insurance company.

It is less independent in that the decision maker is the same entity as the one who made the initial denial.

An external appeal is a process that involves appealing the denial to someone independent of the insurance company.

Usually, this entails commencing a lawsuit in court. Sometimes, the employee's policy provides that the appeal must be made through arbitration rather than court.

There are deadlines for appealing. The deadline for an internal appeal is set out in the employee's insurance policy. The deadline for an external appeal is always two (2) years from the date of the insurer's denial of.

If the employee misses the applicable deadline, they are not able to appeal.

## How can an employee's Claim be denied?

An employee's claim can be denied at any stage and for many reasons. A claim can be denied sometime during the application phase, and benefits can be terminated after an employee has already received them for a period of time.

Reasons for why an insurer might deny an employee's claim include: that the employee's illness or disability is excluded from coverage; that the insurance policy is null and void because the insurer discovered that the employee misrepresented or failed to disclose material facts in his/her insurance application; that the employee failed to pay insurance premiums; etc.





# The Faces Of Sexual Abuse



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## ● CONTENT WARNING:

This blog discusses some of the most sensitive topics in our society today, including sexual assault and abuse. We understand that these realities may be difficult for many people to discuss. We encourage you to care for your safety and well being. If you ever feel unsafe, please call 911.

If you were asked to picture the face of someone who has experienced sexual abuse or a sexual assault, who would come to mind?

You may think of well known cases of institutional sexual abuse that have come to light in recent years. Perhaps the face of a celebrity who has bravely shared their own story would flash before your eyes. Or you may not be able to picture anyone's face clearly at all but instead, you would draw on media portrayals and popular culture to envision someone a stereotype in the abstract.

Sadly, often without knowing it, many of us could probably picture the face of someone near and dear to us. Statistics suggest that every one of us likely knows multiple people among our family members, friends and/or acquaintances who have suffered or will suffer from sexual violence at some point in their lives whether they have disclosed it or not.

And, distressingly, your own image may be the one that appears in your mind's eye.

Knowing there are so many faces we could picture when doing this exercise speaks to how pervasive sexual violence is in our society. But despite its prevalence, sexual abuse and child sexual abuse are still very much secret crimes that remain a secret because many people simply do not want to talk about them.



In this series of blog posts, I want to encourage more people to start talking (or at least thinking) about this most personal of all personal injuries. In these posts, I will debunk some frustratingly persistent myths about sexual abuse and sexual assault and try to demystify the process of civil litigation for survivors. Whether or not you have personally experienced this kind of violation, I hope we can all come to understand our collective responsibility better to create an environment that supports survivors of sexual violence and affirms their choice to find their path to recovery and healing.

## Who Are The Survivors?

It is extremely important to know that anyone can experience sexual abuse at any point in their lives. Although statistics suggest that people within certain demographics are disproportionately likely to suffer sexual abuse or sexual assaults, no one is immune to the risk of this kind of violence.

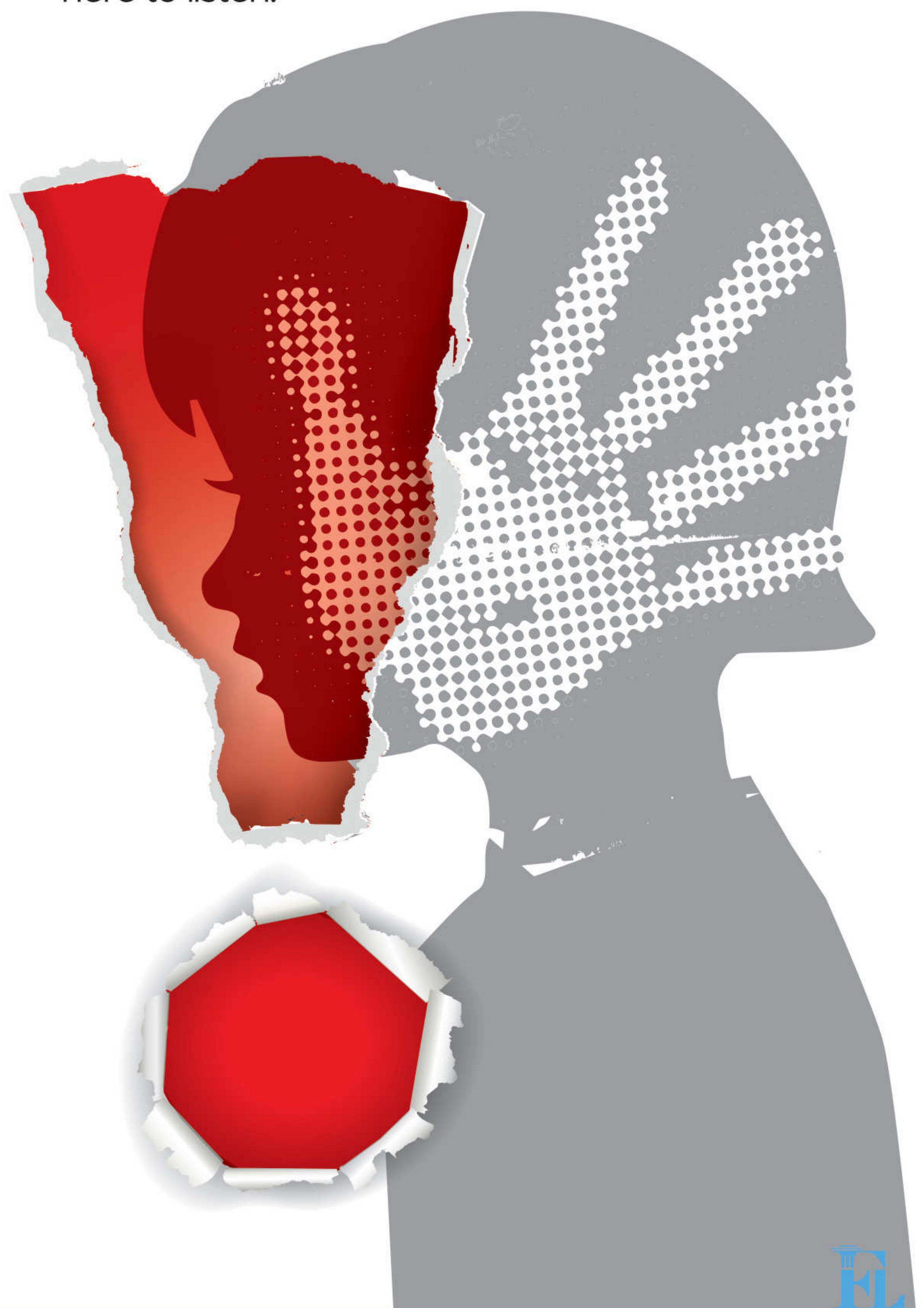
In my practice, most of my clients are adult survivors of childhood sexual abuse. This is not entirely surprising as nearly 70 per cent of reported sexual assault and abuse occur to people under the age of 17. Statistics about children who have been sexually abused suggest that one in four girls and one in six boys will be sexually abused before 18 years. Overwhelmingly, children who have suffered sexual abuse know their abuser, and younger children often experience abuse from family members or other close caregivers. Members of vulnerable or marginalized communities, including the disabled, Indigenous or racialized people, LGBTQ2+ individuals, the elderly, or people receiving institutional care, are more likely to suffer from sexual abuse or sexual assaults in their lifetimes.

It's estimated that for every 100 sexual assaults, only six are ever reported to the police.

While survivors have many valid reasons for declining to report these crimes to the police, the discrimination members of these vulnerable or marginalized groups have experienced in their lives can further discourage them from trusting authorities to help them.

Every person faces their own personal challenges in life that we may never know about. It is incumbent on all of us to be kind to each other so that we do not add to these challenges.

If you or someone you love has been sexually abused and don't know where to turn for help, please contact Gluckstein Lawyers, and we will be here to listen.





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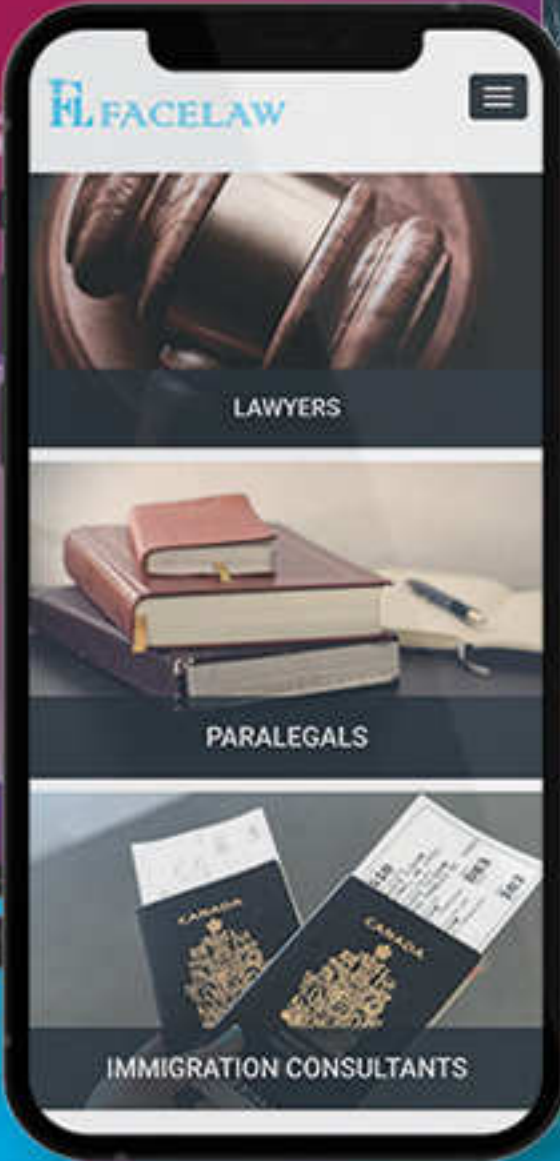


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# Registering A Business In Canada 🇨🇦



Before you decide on a  
Business structure, here  
Are a few issues to think  
About:

How easy is it to set up and operate?

- What are the tax advantages and disadvantages?
- What are the potential legal liabilities?
- How easy will it be to liquidate the business?
- Do you plan on raising more equity capital as the business grows?
- What are the regulations to keep the business structure active?
- How much record keeping is required?
- What happens to the business upon the death of the owner?





## Type of the Business:

In Canada you can run a business as a sole proprietorship, partnership, and corporation.

As a corporation, your business is a legal entity on its own, separate from you or any shareholders, and is seen almost like an individual under the law.

You may choose to incorporate your business at the federal or provincial level, if you plan on expanding outside of your province in the future, you'll want to incorporate federally.

## How to incorporate a business Federally

Incorporating a company federally is a four step process.

### ■ Step 1:

Name your corporation

### ■ Step 2:

Create your articles of incorporation

### ■ Step 3:

Establish the initial registered office address and first board of directors

### ■ Step 4:

Submit and pay the fee





## Step 1: Name your corporation

Every incorporation must have a name that legally determines and identifies it. The first step to incorporating is deciding on how you want to name your corporation.

Your corporation can have either a corporate:

- word name, made up of letters and symbols; or
- numbered name, for example, 12345678 Canada Inc.

A numbered name is the simplest way to name your corporation because the Canadian government assigns the number.

You can use a different name to conduct business. With a word name, you have the legal right to use it across Canada once Corporations Canada approved your name.

## Step 2: Create your articles of incorporation

This step establishes the structure of your corporation. If you are incorporating a small business, consider choosing basic incorporation. This basic incorporation can enlist available pre packaged

- pre determined articles of incorporation (you can amend them later, as needed)
- one or two classes of shares
- a maximum of 10 directors
- an assigned, numbered corporate name.

Alternatively, you can customize your articles of incorporation to suit your specific business needs. In this case, choose custom incorporation and specify:





- your corporate name
- your share structure and any restrictions on share transfers
- your corporation's number of directors
- any restrictions you might want to set for your business or business activities
- any other provisions.

### Language of the articles

Your articles of incorporation can be in the official language of your choice. They can be:

- in either official language (English or French)
- in both official languages (English and French)
- bilingual (using both official languages equally).

## Step 3: Establish the initial registered office address and first board of directors

Every incorporated business must have a registered office address and a board of directors.

The registered office is where you must keep your corporate records and where official documents will be served on the corporation. Choose an address where you will be sure to receive any legal of the corporation.

You also need to decide who will make up your corporation's board of directors. Check the Director requirements to make sure your directors meet the eligibility criteria. When you incorporate, you have to disclose each director's first name, last name, address, and indicate whether or not they are a resident Canadian.

## Step 4: Submit and pay the fee

The fastest and simplest way to submit your incorporation application and pay is through our Online Filing Centre.

Reference:

<https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs06642.html>





# ONLINE SEMINARS



Facelaw has the technological ability to conduct various seminars for the community in order to increase awareness in the legal field. As well, Facelaw conducts private seminars for businesses to educate them in the different areas of law. This has the power to inspire businesses to tackle new projects and to advance their level of knowledge within the law. For these seminars, the speakers will be the direct members of Facelaw who are licensed professionals like that of lawyers, paralegals and immigration consultants.

Depending on the nature of discussion, the seminar may be led by one or more professionals.

These seminars will take place in North America. Some will be provided for free and others will require the purchase of a ticket. Facelaw will have all the details including prices, dates, and topics of discussion available on our website for your ease of reference.





Facelaw provides the opportunity for the public to read about the member's legal experience, their desired field of law and their current contact information. This unique feature will allow people to learn more about the background and professional work of the members of Facelaw.

Within the seminars, you will have a direct connection with the speakers by having the ability to ask questions during the seminars. The speakers will also provide their contact information so that you can contact them for further legal information and clarification. In doing so, Facelaw will provide a special discount to those who attend the seminars. Please visit our website for further details regarding the discounts. The highlights of each seminar will be displayed on Facelaw's website so that the public can determine if the topics, location, professionals among other details are of interest to them.

Facelaw values education and community and maintains these values at the core of all of its efforts. As a result, Facelaw will have business networking events in which all Facelaw members who are experienced professionals in the legal field will have the opportunity to meet and learn from one another. This will allow them to advance their current expertise and to better serve the public as their legal knowledge will be up to date and expanded.








# AFSHIN YAZDANI

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He is the founder of Yazdani & Associates Immigration Firm as well as YLG – Yazdani Law Group.

He received a Master's degree in Canadian Common Law at York University, and graduated from Osgoode Hall Law School in 2016.

He obtained his Certificate of Qualification from the National Committee on Accreditation (NCA).

He is the author of several articles on matters pertaining to Public International Law, Dubai Property, Arbitration Law, and Canada Immigration Law.

Mr. Yazdani is the only lawyer in Canada with an immigration consultant diploma and three law degrees. His high-profile and celebrated cases have attracted international attention, and he is frequently consulted as an immigration expert by journalists, government and non-governmental organizations (NGOs) on matters pertaining to immigration law and policy. He recently was a television host in a biweekly show known as "Canadian Immigration from Law's Point of View".

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*YLG Empowers Individuals  
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Afshin Yazdani is a skilled advocate, trusted advisor, international barrister and solicitor with more than 20 years experience in the legal field. His career has taken him to great heights from being a law professor in Iran and the United Arab Emirates to growing Canada's largest Iranian-Canadian immigration law firm. After a six year stint in Dubai, UAE, Yazdani immigrated to Canada in 2012, where he received an immigration consulting diploma in Montreal in 2013.

In the same year, he founded Yazdani and Associates Consulting in Toronto, Ontario with primary focus on providing business and immigration consulting services to international companies. He became a regulated immigration consultant (ICCRC) member in 2016 and subsequently, he worked as an international lawyer and senior consultant for WWICS, Toronto branch - Canada's largest Indian immigration organisation with more than 20 branches worldwide, averaging about 25 000 Canadian visa applications annually.

After completing his postgraduate studies in Canadian Common Law at Osgoode Hall Law School and Ryerson Universities in 2018, he identified a need to represent the new generation of young, ambitious, individuals and entrepreneurs to realise their dreams in Canada and hence the concept of Yazdani Law Group (YLG) was born in 2019.

Yazdani actively participates in client cases, having advocated and consulted hundreds of successful cases and mentors a stellar team of over 200 employees with associate business in Tehran, Shiraz, Los Angeles, Toronto and Vancouver, to achieve their objectives in complex cases ranging from refugee hearings to angel investor visas, while maintaining an active and robust litigation practice to effectively resolve problems.

Afshin Yazdani has been certified as a distinguished 2021 member of Lawyers of distinction. The father of one holds a bachelors and masters degree in law from Iran and master's degree in law and an immigration consulting degree from Canada, and was the former member of the Iranian Bar and former practitioner in the united Arab Emirates. He is currently is currently a member of Ontario Law Society. As part of his astounding portfolio, Yazdani is also a regular columnist having written Canadian immigration articles for specialised publications such as Lawyers Daily, one of Ontario's most read legal publications by Lexis Nexis, was the producer of the 24-episode TV series Immigration to Canada from a Law Prospective and was featured in Law Times.







# Dr. Naser Abedi



The Law Office of Dr. Naser Abedi was established in 2001 as a law firm operating from the Greater Toronto Area, Ontario, Canada and primarily practicing Family Law, Immigration Law, Business Law, and Wills and Power of Attorney. Our firm maintains many affiliates in other key areas of law, as well.

Our firm prides itself on its track record of expertise, dedication, and ethical responsibility. Our clients are very satisfied with their experience at our law firm, because we pay attention to the needs of our clients and provide friendly, honest, compassionate, and trustworthy legal representation. Nothing demonstrates this more than the fact that a great quantity of our clients are based on repeat representation and referrals from past clients.

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FACELAW

In this section of Facelaw you can access useful legal information, and articles you may wish to read that have been published by our members, comprised of lawyers, paralegals and immigration consultants. The intent of Facelaw is to provide a platform to educate the public and to provide a medium for legal needs to be properly addressed pursuant to the laws of Ontario.

The blog is sectioned into different legal topics in which information is provided from different professionals. Facelaw strives to provide you with a wholesome perspective so that you can be guided by different professionals in order to make the best possible decisions involving your legal matters. In doing so, if you have questions you can directly contact the professionals with the information provided on Facelaw. The professionals can help answer your legal questions and guide you in the right direction with respect to your legal matter.

Facelaw has provided an easy access search function that with a simple keyword search you can locate useful information on the legal topic you require information about. We are grateful that we have connected with these professionals to compile valuable resources to share with the public to ensure that you are provided quick and accurate guidance and information.





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Ario legal services is owned by Rihana Lajevardi, a licensed paralegal in good standing with the Law Society of Ontario.

With over 7 years of experience in the legal segment, Rihana is proud to offer professional and reliable legal services to all clients. She speaks Farsi and English and offers services in both languages.

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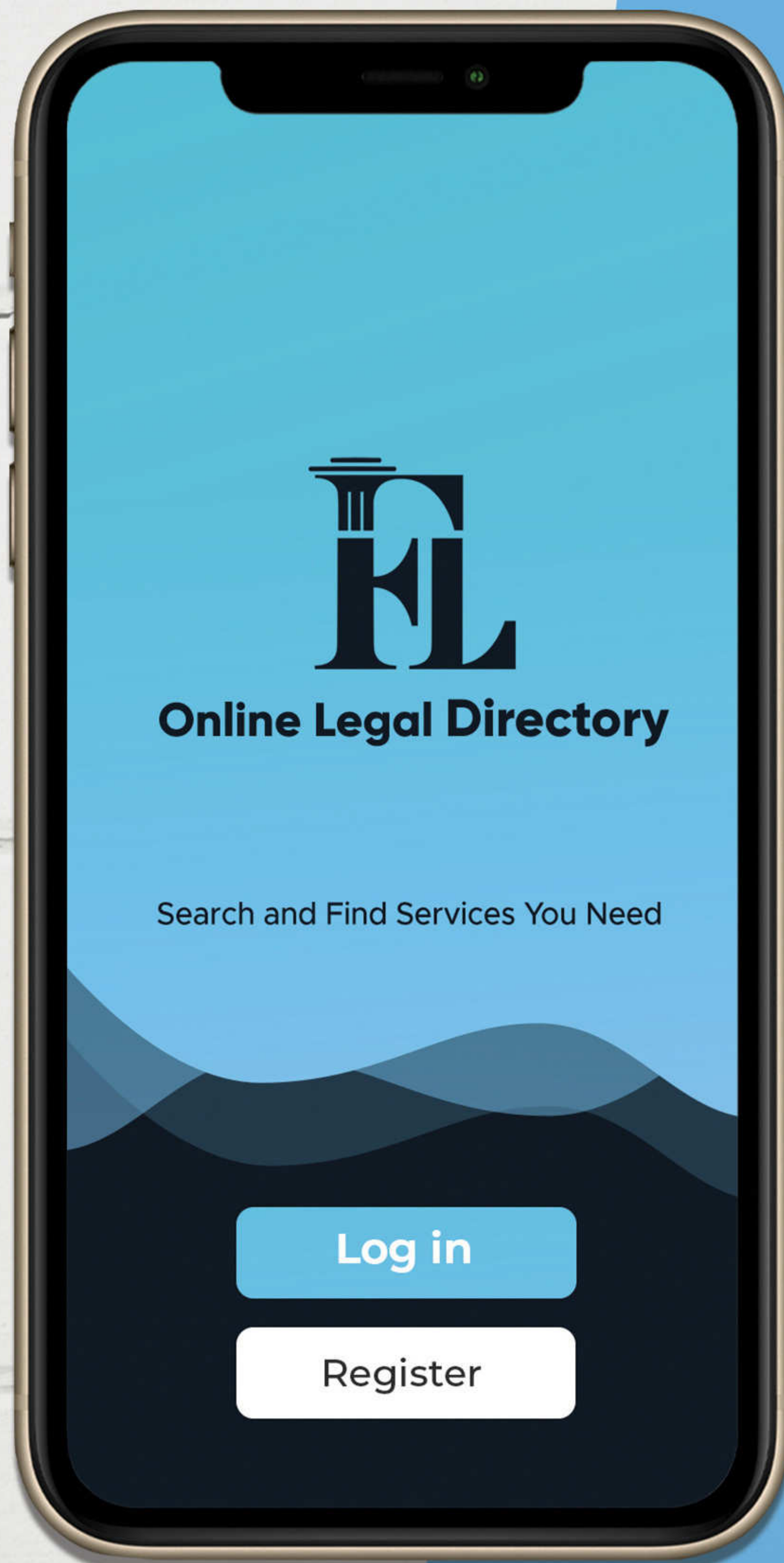
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