

**DEPUTATION TO THE CITY OF TORONTO SUBCOMMITTEE ON
THE PRESERVATION OF AFFORDABLE RENTAL HOUSING
NOVEMBER 20, 2019**

My name is Melissa Goldstein and I have been leading the Parkdale Neighbourhood Land Trust's Dwelling Room Preservation Policy Working Group. For the past nine months, we have been working to identify policy and program solutions to preserve the city's supply of affordable housing, and our research and recommendations will soon be available in an upcoming report.

Toronto is losing affordable housing to landlords who are both capitalizing on and contributing to escalating rents across the city. As market rents continue to skyrocket, landlords are finding ways to force their existing tenants to move out so that they can charge new tenants higher rents. Tenants with the lowest rents are most vulnerable to being pushed out because raising those rents to current market levels is where landlords can make the most profit. With tenants being pushed out of their homes by predatory landlords, we are seeing a loss of affordable housing and an increase in homelessness.

The recommendations in this staff report are encouraging, however there are a few modifications that need to be made if this effort is going to be effective:

1. The scope here is far too narrow to adequately address the issue: As you're hearing here tonight, N12 and N13 evictions are simply two of the many methods that predatory landlords use to get their tenants to leave.

Whether it's offering to pay tenants to leave, or bullying and harassing tenants until they leave voluntarily, there are many legal and illegal methods that predatory landlords are using to get tenants to vacate their units, and all of them need to be addressed. City staff must be directed to examine all kinds of evictions and efforts to force tenants to leave and to address predatory landlord behavior that can result in eviction.

The first set of recommendations in number one needs to be changed to reflect this broader scope.

2. The proposed Advisory Group is important and we don't want its role limited to the matters recommended in the staff report. An effective solution will require intersectoral collaboration, and must be developed through intersectoral collaboration. And a single workshop is inadequate for dealing with such a complex issue. Instead, we want the Advisory Group to be involved in meaningfully working with City staff on the substantive changes to City processes, policies, programs, data collection and monitoring and tenant support that staff are being tasked to work and report on.

3. The City and Advisory Group should explore changes to the RTA to stop predatory eviction and not just to address the misuse of N12 and N13 notices.

4. Efforts to address predatory landlord behaviour need to be adequately resourced to be effective. Staff should be directed to identify what resources are needed for these efforts to be effective.

While changes to the provincial Residential Tenancies Act would improve this situation significantly, there is a lot the City can do as well.

The issues we're experiencing here are also happening in cities around the world.

Just to give you an idea of some of the things other cities have done to address predatory eviction, in New York City, the City created the New York City Tenant Support Unit which targets neighbourhoods where there is a high risk of tenant displacement. Tenant Support Unit specialists proactively go door-to-door informing tenants of their rights, documenting and case managing tenant issues related to harassment, repairs and eviction, and make referrals to legal support.

The City created the Tenant Harassment Prevention Task Force (TPHT), a collaboration of City agencies, departments and the State's Attorney General, which investigates complaints from tenants, community groups and elected officials and brings enforcement actions - including criminal charges - against landlords who harass tenants by creating unsafe living conditions through illegal construction.

New York City also shares a considerable amount of data through open data, which enables community organizations, universities and non-profits to develop their own solutions.

The nonprofit Association for Neighbourhood and Housing Development (ANHD) has created the Displacement Alert Project,² which comprises a number of comprehensive data tools that proactively identify buildings that are facing a rising risk of tenant displacement and enable community groups, decision makers, and local residents to take strategic steps to prevent eviction. The tools include a monthly members-only document that flags buildings with a high displacement risk to help organizers know which buildings to prioritize for outreach and organizing *before* speculation has put tenants at risk of harassment and displacement.

In San Francisco, the City's Department of Building Inspection administers the Code Enforcement Outreach Program, where non-profit organizations are contracted¹ to work with City inspectors, existing non-profit agencies, landlords and tenants to facilitate code enforcement and compliance and provide tenants and landlords (especially those who are low-income and/or don't speak English) with better access to education and enforcement support. The program supplements the work of City inspectors and builds the capacity of the Department of Building Inspection by contributing non-English language skills, experience working with people experiencing poverty and mental health issues, and community relationships that inspectors don't necessarily have. The fees and penalties the City captures for code violations are used to help fund the program.

Experiences in Toronto and in other cities have demonstrated that municipal-level solutions are possible:

What we need is a proactive system that ensures that tenants at risk of being pushed out of their homes are reached and provided with the appropriate support well in advance of efforts by landlords and property owners to push them out. The proactive aspect is key: by the time tenants reach out for help, it's usually way too late to prevent their eviction. This means a fundamental change in how tenant support services are currently delivered. An effective solution requires collaboration and coordination among different government divisions, non-profit agencies, and community groups.

The Dwelling Room Preservation Policy Working Group has developed a proposal that we hope will be considered by the City as it moves forward with the recommendations of this staff report. The details will be included in our upcoming report, but basically what we recommend is:

1. The creation of a City of Toronto Tenant Support Unit: a dedicated unit within Shelter, Support and Housing Administration that is mandated to coordinate an inter-sectoral approach to preserving low end

¹ City and County of San Francisco, Department of Building Inspection (2016). "Request for Proposal for Code Enforcement Outreach Program." http://mission.sfgov.org/oca_bid_attachments/FA44364.pdf

of market housing affordability and providing tenant protection/support to prevent eviction and homelessness.

2. The creation of a City of Toronto Affordable Housing & Tenant Support database that compiles affordable housing and tenant data from relevant City departments (and other available sources); data protocols that facilitate the inter-divisional collection and sharing of relevant data; and data collection tools to facilitate the collection of data from City staff, front-line workers, and the public.

4. Community proactive eviction prevention and tenant support program: A city-funded program that funds legal clinics and other community agencies to operate coordinated, local proactive eviction and tenant support services. Buildings identified as at high risk of tenant displacement would be provided with support proactively, so that tenants receive the support they need early enough so that they can prevent eviction. This program could be integrated with a program similar to San Francisco's Code Enforcement Outreach Program, where community organizations are contracted to partner with the City to facilitate the enforcement and compliance of by-laws and permit requirements and provide low-income tenants and their landlords with better access to services related to proper residential building maintenance and occupancy issues. The services would be delivered through a collaboration of service providers and would deliver tenant education, tenant organizing support and legal support in a proactive, site-specific manner at the building-level, and would be supported by City staff. The program would be supported by a Community Rental Housing & Tenant Support database & data tools, which would function as an early warning system, identifying sites at risk of tenant displacement and predatory landlord behaviour and triggering a response from the local Proactive Eviction Prevention team. Data tools, like mobile apps, would facilitate the collection and entry of the data into the database by members of the public, housing workers, and Proactive Eviction Prevention staff. The City of Toronto Tenant Support Unit would be responsible for the administration and coordination of the program and facilitating the relationship between the delivery organizations and the relevant City divisions.

5. Tenant support community of practice: An intersectoral (and potentially multi-jurisdictional) group designed to facilitate the sharing of knowledge among parties involved in tenant support and proactive eviction prevention as part of a process of addressing challenges and continuously evolving better solutions.

6. Community Rental Housing & Tenant Support database & data tools: A database that collects data from Tenant Support workers, housing workers, tenant support organizations, the City Tenant Support Unit, and the general public and produces useful data tools to support proactive eviction prevention efforts, better support tenants, and build capacity among tenants and communities to prevent eviction.

7. Ongoing tenant support training for tenant support workers.

The Subcommittee on the Protection of Affordable Rental Housing is a good forum for bringing the community together to address other issues related to the loss of affordable rental housing. We would like Councillors to use this forum to ensure that the Housing Plan is implemented in a concrete and meaningful way and to pursue other changes and initiatives that will also protect the City's affordable housing stock, including: a city-wide small sites acquisition program, legalizing multi-tenant houses, and addressing policy gaps in our existing bylaws regulating rental housing demolition and conversion.