



Centre for Equality Rights in Accommodation
Centre pour les droits à l'égalité au logement

December 8, 2020

Planning and Housing Committee PH19.6 – RentSafeTO (Apartment Building Standards): Colour-coded Rating System, By-law Amendments, and Program Updates.

Dear Members of the Planning and Housing Committee.

CERA has been working to advance the right to housing and rights-based housing policy in Toronto and Ontario for over 30 years. We were founded in 1987 by a small group of Ontarians who were deeply concerned about issues related to housing and tenants' rights. We work directly with tenants across Ontario facing housing-related human rights violations, including a lack of access to safe, secure, well-maintained, and healthy housing. I am writing to share some of the experiences we have heard from tenants who are struggling to obtain and maintain habitable housing.

At CERA, we work directly with tenants experiencing numerous and ongoing concerns with housing that does not meet basic standards of adequacy and habitability. We routinely hear stories about heating and cooling issues, pests, unsafe and unhealthy conditions in rental units and common areas, maintenance and repair issues, and overall cleanliness. We also hear tenants express frustration with inadequate enforcement of property standards and maintenance requirements, and a general lack of awareness of the RentSafeTO program and landlord obligations under this program. Finally, tenants have reported challenges with navigating various complaints systems.

In addition to the above, we know that the burden of inadequate and uninhabitable housing is not shared equally among tenants across the City. Over 40% of families living in apartment buildings are low-income, and one in ten Toronto tenants live in housing in need of major repairs¹. A recent report from Social Planning Toronto found that the proportion of buildings with maintenance, repair and safety issues is related to the age of a building, with older buildings more likely to be in need of major repairs.²

¹City of Toronto. *RentSafeTO (Apartment Building Standards): Colourcoded Rating System, By-law Amendments, and Program Updates*. November 24, 2020..

² Social Planning Toronto. *Spaces and Places of Exclusion: Mapping Rental Housing Disparities in Toronto's Racialized and Immigrant Communities*. November 2020.

https://d3n8a8pro7vhmx.cloudfront.net/socialplanningtoronto/pages/2414/attachments/original/1605553111/Exclusion_report_FINAL_for_web.pdf?1605553111

This statistic is alarming as three quarters of Toronto apartment buildings were built prior to 1991 and almost half were built prior to 1971.³ More than 500,000 Torontonians live in high-rise apartment buildings that are more than 35 years old.⁴

In light of the above, we have the following recommendations.

We support the City taking steps to implement the Apartment Building Rating System (ABRS) as part of the larger RentSafeTO program. With regards to the proposed color-coded sign requirements being considered today, we recommend the City fully implement the feedback received during public consultations and include clear and prominent language on the signs explaining how tenants can have issues relating to the habitability of their housing addressed by the City. It is not enough for tenants to be made aware of the results from an audit under the ABRS, they must be provided with opportunities to work with the City to hold their landlords accountable.

While we are pleased to see the design of the ABRS included opportunities for consultation with tenants, we urge the City to align the implementation of this system with their commitment to the progressive realization of the right to housing and continuing to meaningfully engage with tenants across the City during the implementation of the steps being recommended today. Ongoing opportunities to participate and lead efforts to monitor and evaluate the ABRS system for tenants directly affected by inadequate and uninhabitable housing must also be established and supported. We also recommend the City support ongoing interdivisional and external engagement initiatives with people with lived-experience, tenant advocacy groups, and legal clinics.

Finally, the ongoing implementation of the RentSafeTO program must be viewed within the larger context of the decades long adequate and affordable housing crisis. When tenants are faced with limited supply of affordable and adequate housing, they may have no choice but to live in uninhabitable housing. While we support the steps being taken today to protect existing adequate housing, these steps must be part of a larger effort, including intergovernmental and interdivisional efforts to increase access to adequate and affordable housing.

Thank you,

Centre for Equality Rights in Accommodation.

³ Ibid.

⁴ Supra note 1.