

## City Council

### Notice of Motion

MM28.5	ACTION			Ward: All
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**Immediately Reinstating a Province-Wide Residential Eviction Moratorium to Prevent Further Homelessness - by Councillor Gord Perks, seconded by Councillor Kristyn Wong-Tam**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Planning and Housing Committee. A two-thirds vote is required to waive referral.*

### Recommendations

Councillor Gord Perks, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council request the Government of Ontario to work with the Attorney General to suspend and immediately order a comprehensive moratorium on residential evictions and to stop the processing of applications, notices, hearings and enforcement of evictions to prevent further homelessness.
2. City Council request the Government of Ontario to immediately establish a Province-wide residential emergency rent subsidy to prevent tenants from falling into homelessness.
3. City Council request the Government of Ontario take the following actions to mitigate the rising number of homeless persons in Toronto:
  - a. identify Provincially-owned space which could be made available for emergency homeless shelter this winter and, should City staff request these sites on a short-term basis, immediately provide them for this use;
  - b. require municipal governments receiving Community Homelessness Prevention Initiative funding to build new shelters that provide sufficient capacity to accommodate their local homeless populations;
  - c. immediately expand funding to create new supportive housing units in the City of Toronto to transition people experiencing homelessness from shelters to permanent housing;
  - d. create a specific funding stream for shelter services in Toronto that is responsive to sudden increases in demand for services, and in recognition that many people from underserved municipalities are accessing Toronto's emergency shelter system; and

e. provide equal rent scales for Ontario Works/Ontario Disability Support Program recipients regardless of what type of housing they reside in.

## **Summary**

In the midst of COVID-19 and an affordable housing crisis, keeping people adequately housed is critical not only to the City of Toronto's post-pandemic recovery, but also to prevent further pressure on our shelter and respite system.

As municipalities do not have the legal authority to issue moratoriums on residential evictions, we once again must turn to the Province of Ontario as they are the only level of government with the jurisdiction to enact such legislation. They rightly did this during the first pandemic lockdown from March 17 to July 31, 2020, but the moratorium expired after the first state of emergency in Ontario was lifted.

Since the moratorium on residential evictions was lifted on August 1, 2020, thousands of tenants have been served notice for eviction mostly for non-payment of rent. As the COVID-19 lockdown shut down the economy, many of Ontario's working families are struggling with precarious employment, significantly reduced hours and income or complete job loss.

At its September 30, 2020 meeting, City Council requested that the Province immediately reinstate the residential eviction moratorium for tenants. Subsequently we have repeated this request several times without any success. As Councillors, who have repeatedly advanced motions to City Council to have homelessness be declared an emergency since 2017, we watch with dismay as the housing and shelter crises deepens in the City and Province.

Despite growing homeless, multiplying encampments, months of community protests and political pressure from the Official Opposition, the Government of Ontario was unmoved by the growing humanitarian crisis in homelessness.

All the while, the Landlord and Tenant Tribunal continued to quicken its process of eviction applications through digital hearings, by telephone and teleconference, leaving many vulnerable tenants confused and others unable to respond if they did not have access to a telephone, high-speed internet or the technology that enables it.

Since the Landlord and Tenant Tribunal reopened in August, they have processed over 14,000 applications for evictions. The digital eviction hearings are focused on speed and the clearing of the backlog and not on the principle of ensuring access to justice. Resulting in evicted tenants living in immediate homelessness and other tenants simply leaving their homes when an informal notice of eviction is given.

On January 12, 2021 with the second wave of COVID-19 ripping through the Province, Premier Ford renewed the state of emergency stay-at-home order but did not reinstate the anticipated moratorium on residential evictions.

Two days later, in a press release the Province finally confirmed it issued a second moratorium on residential evictions, but the wording of the emergency order was so confusing with parts retracted that it left many tenants further vulnerable. The Province did specify that an expedited eviction order from a judge or Landlord and Tenant Tribunal would still be allowed in "urgent situations."

This new moratorium on residential evictions does not halt the notices, applications, hearings or enforcement of evictions. The legal loopholes are dangerously enormous and must be closed immediately. Failing to do so will leave thousands upon thousands of tenants homeless all the while the Premier insists that they stay in the home which he legally took away.

### **Background Information (City Council)**

Member Motion MM28.5