

Review and Considerations for a Housing Commissioner Role or Function

Date: June 27, 2022

To: Executive Committee

From: City Manager

Wards: All

SUMMARY

Housing is a central focus for the City of Toronto as it is for municipalities across Ontario and Canada. With the adoption of the HousingTO 2020-2030 Action Plan ("HousingTO Plan") in 2019, Toronto established a blueprint for action to improve housing outcomes for residents across the housing continuum. From the provision of emergency shelters and homelessness services to managing the social housing system, the City is working with other governments to provide supportive housing and associated wrap-around assistance such as for mental health and addictions, ensure more affordable rental housing development, deliver long-term care and advance other policies and incentives related to improving the quality and affordability of housing.

Toronto Housing Charter

With the adoption of the updated Housing Charter, and the implementation of the HousingTO Plan in 2019, the City committed to further the progressive realization of the right to adequate housing and to work towards a human rights-based approach to housing. City Council also directed the City Manager to report back with options for the role or function of a Housing Commissioner that would independently assess the implementation of the Charter and the HousingTO Plan and ensure that the City, within its legislative authorities, programs and policies, was taking concrete actions to combat systematic housing discrimination and address systemic hurdles in the housing system.

External Experts' Review

In response to City Council's direction, the City Manager engaged external expert consultants to inform this report's options and considerations. Fiona Crean, the City's former Ombudsman, and Maytree Foundation were retained to consider the national and international human rights context of the progressive realization of the right to housing, review governance models with consideration of Toronto's governance and intergovernmental context and consult persons with lived experience on homelessness and housing instability, legal and human rights experts, elected officials, public servants, academics, and housing service providers. The consultants' findings are included as Attachment 1: Crean and Maytree's Report on a Toronto Housing Commissioner.

Crean and Maytree's report summarized their research, community engagement, analysis and findings, and outlined opportunities for the City to establish the role or function of a Housing Commissioner. Their recommendations include:

- Create a locus of accountability to advance the progressive realization of housing as a basic human right;
- Focus housing policy development and delivery of services through a human rights lens;
- Ensure evidence-based monitoring, using data that are disaggregated by race, gender, age, income, and other variables to determine the impacts of policies and programs on the rights of residents with lived experience of housing precarity and homelessness;
- Provide advice to Council from experts and community members with lived experience and expertise in a human rights-based approach to housing;
- Enable an “all of government” approach with expertise in a human rights-based approach to housing;
- Create opportunities for intergovernmental dialogue on a human rights-based approach to housing that benefit from expert input;
- Develop systems competencies and performance metrics on the human rights-based approach to housing for the public service; and
- Deliver a robust human rights learning and development program to equip public servants dealing with housing.

This report recommends a number of related actions to achieve these objectives and criteria identified by the consultants' review which leverage the assets of Toronto's governance system including the role of Council, the public service, Accountability Officers and City agencies and corporations.

Toronto's Accountability Framework and the Federal Housing Advocate

In considering Toronto's options, Crean and Maytree reviewed Toronto's Accountability Framework, including the legislative powers provided to Accountability Officers through the *City of Toronto Act, 2006 (COTA)*. Crean and Maytree also reviewed the mandate of the Federal Housing Advocate, named in February 2022, which is to monitor and assess the implementation of the National Housing Strategy, analyze research on systemic housing issues within federal jurisdiction and consult members of vulnerable groups with lived experience of precarious housing.

Early engagement and advocacy regarding a Housing Commissioner for Toronto emphasized a role independent of the municipal government, which could only be a position created by the Province, similar to the role of the Ontario Ombudsman for all Ontario municipalities, except Toronto. Later engagement and advocacy focused on the importance of an independent role, which could be similar to the City's Accountability Officers. It is worth noting that the Federal Housing Advocate does not report to Parliament in the manner that accountability roles do, but rather reports directly to a Cabinet Minister, thus is not an independent officer.

Also worth noting is that Crean and Maytree's report found that several informants, stakeholders and advocates have the view that without federal legislative change and

corresponding funding and support, the City's ability to take the kind of action on a human rights-based approach to housing that is desired, is significantly challenged.

A Complex Housing System

Central to the City Manager's considerations of a Housing Commissioner role or function was a review and analysis of the complexity of the City's context within the broader housing landscape, inclusive of federal, provincial and municipal roles and responsibilities. Toronto's housing system operates in an intricate arrangement of legislative frameworks, authorities and roles for all three governments and for-profit and non-profit sectors. Without the investments and involvement of federal and provincial governments, the City is unable to adequately deliver the diversity of services required to support a growing number of precariously housed and homeless people in Toronto and across the region. Further, the City's ability to achieve its ambitious housing goals, including those in the HousingTO Plan which are estimated to be \$27.7 billion to implement over 10 years, is dependent on the support of its intergovernmental partners.

Progressive Realization of the Right to Adequate Housing

The City of Toronto is legislatively responsible for ensuring equity of access for the aspects of the housing services that are within its jurisdiction and mandate. However, the City continues to meet the housing needs of residents even where that responsibility is conditional on the funding and policy tools provided by other orders of government. For example, following the 1990s realignment of provincial-municipal responsibilities, which transferred a number of housing functions to municipal governments, Toronto provided shelter to the precariously housed, maintained social housing units, and created new affordable and supportive housing opportunities without adequate intergovernmental funding. More recently, with an increase in evictions during the pandemic, the City supported Torontonians through the Toronto Rent Bank. Crean and Maytree's report recognized these actions as part of the City's leadership towards furthering the progressive realization of the right to adequate housing.

Role or Function of a Housing Commissioner

Overall, Crean and Maytree note that a single action, individual or office may not be an effective way to advance Toronto's objectives outlined in the Housing Charter. The City Manager's review of their findings also confirms that a suite of actions delivered in concert with each other is more likely to achieve Council's goals. The City Manager is therefore recommending actions for impact across the City's governance system, including by City Council, City divisions, agencies and corporations, and Accountability Officers, to ensure a robust approach is taken to integrate a human rights-based approach to housing for the City.

Crean and Maytree identified that a locus of accountability is required to oversee the recommended actions, and their options include consideration of the appointment of a Housing Commissioner external to the City's Accountability Officers and the public service. The City Manager has identified that an appointment outside the public service could create confusion between the role of the Housing Secretariat to lead housing system planning and the roles of Deputy City Managers and the City Manager to ensure

delivery on Council's housing priorities. The City Manager also considered the role of Toronto's Ombudsman who has legislatively enshrined oversight for investigating issues of fairness, including with respect to housing.

The City Manager recommends the Deputy City Manager, Community and Social Services serve as the locus of accountability to implement the recommendations in this report that are direct to the public service, and that Council also request the Ombudsman to consider the recommendations in Crean and Maytree's report for further review to make recommendations directly to Council. The City Manager has had preliminary conversations with the Ombudsman, and the Ombudsman has provided a letter to the City Manager which accompanies this report as Attachment 3.

To strengthen the expertise of the public service and support Council's decision-making, it is recommended that Council create a new Council advisory body which could provide direct advice to Council from community members with lived experience of housing instability, as well as academics and advocates with expertise in human rights related to housing. Such a body would be independent of the public service and enable a range of voices and expertise to advise on the progressive realization of the right to adequate housing. Advisory Committees such as Aboriginal Affairs, Confronting Anti-Black Racism, and Accessibility have a strong record of strengthening the City's ability to apply an equity and human rights lens to all aspects of City operations.

In addition, as recommended by Crean and Maytree, the City Manager recommends strengthening the City's capacity to achieve its goals by engaging specific training on applying a human rights lens to housing to supplement the existing City human rights training available to staff and management. Training on a human rights-based approach to housing for City staff in divisions, agencies and corporations, as well as the recommended independent assessment of the City's progress on meeting the Toronto Housing Charter principles, will enable the City to continue to be a leader among municipalities when it comes to furthering the progressive realization of the right to adequate housing as recognized in international law.

In summary, the City Manager recommends City Council consider:

- Establishment of a new Council advisory committee to provide advice from those with lived experience of housing instability and those with expertise in a human rights-based approach to housing.
- A request to the Toronto Ombudsman to consider the findings of this report and identify resources or structure required for their Office, including a potential role of Deputy Ombudsman, Housing, to focus specifically on housing by leveraging the role of the Office to undertake systemic reviews, investigations and provide independent advice to City Council.
- Ongoing independent evaluation through performance metrics and disaggregated data, leveraging the City's Data for Equity strategy, of the City's progress towards the Toronto Housing Charter goals and progressive realization of the right to adequate housing.
- Enhanced training for staff involved in housing policy development in relevant City divisions, agencies and corporations on a human rights-based approach to housing, applying a human rights lens to housing policy development and

developing a greater understanding of the progressive realization of the right to adequate housing.

- Collaboration with and a request to the Federal Housing Advocate to focus on systemic housing issues in Toronto.

Together, these recommendations provide an opportunity for City Council to continue its focus on collaborating with other governments, applying a whole-of-government approach as required by the Toronto Housing Charter, and implementing multiple pathways to achieve the actions identified in Council's request for the City Manager to consider the role or function of a Housing Commissioner. Implementing these recommendations is key to informing the federal policy landscape and ensuring that changes to the housing system considered by the federal government come with adequate funding and appropriate legislative levers required by Canadian municipalities.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council direct the City Manager, in consultation with the Deputy City Manager, Community and Social Services and Executive Director, Housing Secretariat to report to City Council by the end of Q1 2023 with a proposed Terms of Reference for a new Council Advisory Committee to support the City's goals set out in the Toronto Housing Charter and HousingTO Plan for the progressive realization of the right to adequate housing, within its jurisdiction.
2. City Council request the Toronto Ombudsman to consider this report and Attachment 1: Crean and Maytree's Report on a Toronto Housing Commissioner, and report to City Council in 2023 with their review and recommendations related to the resources and structure required for their Office to focus on investigations and reports related to systemic housing discrimination and systemic hurdles in the City of Toronto's housing planning and service delivery roles, including consideration of a dedicated Deputy Ombudsman, Housing.
3. City Council direct the Deputy City Manager, Community and Social Services, in consultation with the City Manager, Ombudsman and new Council Advisory Committee referenced in Recommendation 1, if established, to develop an approach including possible procurement of external expertise, to provide Council with independent assessments of the City's progressive realization of the right to adequate housing outlined in the HousingTO 2020 – 2030 Action Plan at the halfway and end points of the 10-year Action Plan.
4. City Council direct the Executive Director, Housing Secretariat, in consultation with the Deputy City Manager, Community and Social Services, to procure and implement a program of human rights training on housing for senior leaders and policy staff in housing-related City divisions, agencies and corporations listed in Section D of this report to enhance the City's capacity to apply a human rights lens to housing policy

development and service delivery, and support the City's Toronto Housing Charter objectives.

5. City Council request the Mayor to send a letter to the Federal Housing Advocate requesting that the impact of federal policies and programs and a review of systemic housing hurdles experienced by Torontonians be a priority focus for that Office.

6. City Council direct the Executive Director, Housing Secretariat, in consultation with CEO of Toronto Community Housing Corporation (TCHC) and CEO of Toronto Seniors Housing Corporation (TSHC), review the role and function of the Office of the Commissioner of Housing Equity (OCHE) during the two-year interim period where the OCHE will report to both housing corporation boards, considering its original mandate when it was created by TCHC, its transformation over time including the creation of the TSHC, and report back to City Council and the Boards of TCHC and TSHC in 2024 on the results of the review.

FINANCIAL IMPACT

This report recommends Council to direct the Deputy City Manager, Community and Social Services, in consultation with the City Manager, the Ombudsman and a future Council Advisory Committee, to develop an approach to provide an independent assessment of the City's progressive realization of the right to housing outlined in the HousingTO 2020 – 2030 Action Plan. There are no financial impacts on the 2022 budget arising from this recommendation, as funding for the procurement of external expertise to support the independent assessment, if required per Recommendation 3, in the current year will be accommodated within the Council Approved 2022 Operating Budget of the City Manager's Office. Funding for the procurement pursuant to this recommendation in 2023 and future years will be requested through the 2023 and future budget process by the City Manager's Office, as required.

This report also requests Council to direct the Executive Director, Housing Secretariat to procure and implement a program of human rights training related to housing, for senior leaders and policy staff in housing-related City divisions, agencies and corporations listed in Section D of this report to enhance the City's capacity to apply a human rights lens to housing policy development and service delivery and support the City's Toronto Housing Charter objectives. This is a multi-year initiative extending beyond 2022, and considerations for additional staff support that may be required to continue to implement this recommendation will be made by the Housing Secretariat in future years through the 2023 and future budget processes. There are no financial impacts on the 2022 budget arising from this recommendation as the funding for this can be accommodated within the Council Approved 2022 Operating Budget of the Housing Secretariat.

Funding for any required resources for the Toronto Ombudsman, as stated in Recommendation 2, will be recommended by the Toronto Ombudsman to City Council directly through the Toronto Ombudsman's 2023 and future year Operating Budget processes.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

EQUITY AND RECONCILIATION IMPACT STATEMENT

Both the City Manager's Office and the external consultants, Crean and Maytree, relied upon the expertise of City staff from the Indigenous Affairs Office, Confronting Anti-Black Racism Unit, and Equity and Human Rights Unit during the course of this work, including for engagement approaches and to develop the analysis and recommendations presented in this report.

Indigenous Affairs Office

In 2017, the City of Toronto joined other Canadian municipalities such as Winnipeg, Edmonton and Vancouver, in establishing an Indigenous Affairs Office. Embedded within the City Manager's Office, the Indigenous Affairs Office is focused on assisting City divisions in their work with First Nations, Inuit and Métis peoples and all urban Indigenous communities. Through their engagement, the Indigenous Affairs Office provides coordinated leadership on Indigenous affairs and supports City staff in advancing reconciliation. Notably, the Indigenous Affairs office led the development of the City's first Reconciliation Action Plan over three years with an extensive engagement process, which was adopted by City Council in 2022.

Confronting Anti-Black Racism Unit

Also in 2017, the City established the Confronting Anti-Black Racism Unit within Social Development, Finance and Administration Division to advance the Toronto Action Plan to Confront Anti-Black Racism ("CABR Action Plan"). The CABR Action Plan is designed to respond to priorities identified by Toronto's diverse Black communities and structure broader cultural change within the Toronto Public Service. The Confronting Anti-Black Racism Unit releases annual work plan priorities in collaboration with City Agencies, Boards, Commissions and Divisions to track, evaluate and report on the status of the actions.

Human Rights Office

The City of Toronto's Human Rights Office exists within Toronto's government to ensure institutional accountability regarding human rights. The Human Rights Office supports all members of the Toronto Public Service, members of Council and the public with neutral, confidential advice and assistance related to human rights issues. The Human Rights Office works to embed equity as well as prevent and address racism, harassment and discrimination through methods including coaching, training, mediation and investigation to structure a workplace free from discrimination and harassment, and supports employees through the accommodation process with their management.

In 2021, the Toronto Public Service launched its "Toronto for All" program to develop skills and understanding that contribute to its collective and individual commitment to human rights, reconciliation, accessibility, anti-Black racism, 2SLGBTQ+ inclusion and removal of barriers to achieve equitable outcomes. This program requires that City staff take mandatory "Human Rights 101" and "Accessibility 101" courses to advance their professional development and apply their learnings to their work.

A Human Rights-Based Approach to Housing

The adoption of the recommendations in this report will enable progress on a key priority in the HousingTO Plan intended to tackle systemic hurdles in the housing system in Toronto. Good quality, safe, adequate and affordable housing is an important determinant of health and can improve the social and economic status of an individual. Good quality, affordable housing is also a cornerstone of vibrant, healthy neighbourhoods and supports the environmental and economic health of the city, region, and country as a whole. The HousingTO Plan seeks to address the housing needs of over 340,000 low-and moderate-income households by 2030, including those from equity-deserving groups such as Indigenous Peoples, Black and other racialized residents, seniors, women, and members of the 2SLGBTQ+ community. The HousingTO Plan ultimately seeks to end chronic homelessness and address housing inequity and instability. Advancing the recommendations in this report will contribute to the application of a human rights lens to the City's housing policies and programs with an anticipated positive equity impact on persons who face discrimination in the housing system.

DECISION HISTORY

In December 2019, City Council adopted a renewed Housing Charter and the HousingTO 2020 – 2030 Action Plan. At that time, City Council requested the City Manager report back with options for the role or function of a Housing Commissioner to:

- Independently assess implementation of the revised Toronto Housing Charter and the HousingTO 2020 – 2030 Action Plan; and
- Ensure that the City, within its legislative authorities, and through implementation of various programs and policies, is taking concrete actions to combat systematic housing discrimination and address systemic hurdles in the housing system.

The recommendations in this report respond to that direction.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.5>

In October 2020, when considering the Tenants First report, City Council directed the City Manager to consider the investigation and process review functions of the Office of the Commissioner of Housing Equity (OCHE) in the City's development of the future Housing Commissioner role or function, with a focus on aligning roles between these two offices, if appropriate. This report responds to that direction in Section E below.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX17.2>

COMMENTS

A. Toronto Housing Charter and HousingTO 2020-2030 Action Plan

The City's HousingTO Plan is informed by a human rights-based approach to housing and, with its implementation, will support the progressive realization of the right to adequate housing in Toronto. One strategic action identified in the HousingTO Plan

concerned the establishment of a role or function of a Housing Commissioner. The HousingTO Plan was built on a significant amount of engagement from residents and stakeholders, with many emphasizing that change in Toronto's housing landscape must come from a perspective of human rights and dignity, one that values all Torontonians having a safe and affordable roof over their head.

Additionally, City Council endorsed a human rights-based approach to housing in the 2019 Toronto Housing Charter ("Charter"). The Charter recognizes that adequate and affordable housing is a fundamental human right enshrined in international law.

Through the Charter, the City adopted a human rights-based approach to housing that is rooted in the following principles:

- All residents have a right to a safe, secure, affordable home in which they can live in peace and dignity and realize their full potential.
- All residents have a right to housing that is maintained in a state of good repair.
- All residents have a right to housing that is accessible and takes into account the specific needs of historically disadvantaged and marginalized groups.
- All residents have a right to housing that respects and takes into account their expression of cultural identity and way of life.
- All residents have a right to a home that is part of a complete community with equitable access to a range of opportunities to live, work, learn, and play.
- Regardless of whether they rent or own a home, or are homeless, all residents have an equal stake and voice in Toronto's future and to effective participation in decisions and policies affecting their communities and their housing.
- All residents have a right to equal treatment with respect to housing, without discrimination contrary to the Ontario Human Rights Code and to protection against arbitrary requirements that result in discrimination based on membership in groups protected by the Code or on homelessness or housing status.

Implementation of the HousingTO Plan and the City's actions to deliver new housing, manage the social housing system and ensure safe shelters are guided by the principles in the Charter. Staff regularly report to City Council on the delivery of the HousingTO Plan, with the most recent report in November 2021.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH29.6>

B. City Manager's Review

With the adoption of the HousingTO Plan and revised Charter in December 2019, City Council asked the City Manager to report back on the role or function of a Housing Commissioner to:

- independently assess implementation of the revised Toronto Housing Charter and the HousingTO 2020 – 2030 Action Plan; and
- ensure that the City, within its legislative authorities, and through implementation of various programs and policies, is taking concrete actions to combat systematic housing discrimination and address systemic hurdles in the housing system.

While the Charter's principles guide the City's approach to housing, including the HousingTO Plan, the housing system is a complex arrangement of legislation,

authorities and roles for all three governments and for-profit and non-profit sectors. At times, these responsibilities are interdependent and require cooperation and coordination. Within the City of Toronto alone, several divisions, agencies, and corporations touch on housing and require coordination. The Housing Secretariat is the City's housing lead and is responsible for housing policy and strategy and implementation of the HousingTO Plan, a role that has been strengthened through including Housing Stability Services under this division and focusing the City's Shelter, Support and Housing Administration on shelter and support services. In addition, the context for housing service delivery in Ontario is unique in comparison to all other provinces and territories, with roles and responsibilities shared between the province and local governments.

Early on, the City Manager determined that there are few jurisdictional examples to apply to the establishment of what could be the first municipal Housing Commissioner's function in Canada. While the federal government had indicated they would appoint a Federal Housing Advocate when they adopted the National Housing Strategy in 2016, at the time Council directed the City Manager to undertake this work, the Federal Housing Advocate had not yet been appointed.

As the first municipality in Canada to consider such a role or function, the City Manager's Office retained external experts in governance, accountability, housing and human rights to gather objective insights and provide recommendations with due consideration to the City's governance context. Crean Consulting and Maytree Foundation were retained for this work. Fiona Crean (Crean Consulting), the City's first Ombudsman and a human rights expert, was retained to undertake a governance and jurisdictional review. In partnership with Crean, Maytree Foundation, a private foundation focused on poverty reduction and systemic change, was retained to undertake engagement with housing stakeholders, residents with lived experience, service providers who support these residents and others to better understand the systemic hurdles experienced by Toronto residents in the housing system.

C. External Experts' Review

Crean and Maytree's report, Attachment 1 to this report, outlines their research, community engagement, analysis and resulting recommendations. Their findings are summarized below.

Housing as a Human Right

While Canada has not legislatively enshrined the legal right to housing, in 1976 the Government of Canada ratified the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), which articulates the commitment to the progressive realization to adequate housing as a fundamental human right. More recently in 2019, the Government of Canada legislated the *National Housing Strategy Act*, which enshrines a housing policy declaration to “further the progressive realization of the right to adequate housing.” In the province of Ontario, the *Ontario Human Rights Code* recognizes individuals have a right to equal treatment in housing without discrimination and harassment.

Crean and Maytree note that the City of Toronto has committed to implementing the *United Nations Declaration on the Rights of Indigenous Peoples* and has endorsed the *International Decade for People of African Descent*, both of which demonstrate the City's approach to addressing social and economic rights. In conjunction with the Toronto Housing Charter, these commitments demonstrate the importance of taking an anti-racist and equity-seeking approach to the progressive realization of the right to adequate housing in Toronto. However, case law has not recognized the right to housing, though non-discrimination in housing is enshrined in human rights legislation. Additionally, federal, provincial and municipal funding formulas for housing do not recognize this commitment.

Toronto's Housing System exists in an Intergovernmental Context

Crean and Maytree's review highlights that in Canada, all three orders of government have responsibility for various aspects of the housing system. At times, these responsibilities are interdependent and require cooperation and coordination. Within the City of Toronto alone, many parts of our government touch on housing and require coordination. The Housing Secretariat is the City's housing lead and responsible for housing policy and strategy, implementation of the HousingTO Plan, and the lead on the delivery of new supportive and affordable housing.

Table 1: Role of Governments in Housing

National	Provincial	Municipal
<ul style="list-style-type: none"> • Funding • Policy • National Housing Strategy • Office of the Federal Housing Advocate and National Housing Council 	<ul style="list-style-type: none"> • Land-use planning legislation (Planning Act) • Rights and obligations of tenants and landlords (Residential Tenancies Act) • Funding frameworks for housing and homelessness services (Housing Services Act) • Cost-sharing partner (e.g. Canada-Ontario Housing Benefit) 	<ul style="list-style-type: none"> • Housing policies within provincial framework • Housing programs (cost-sharing with province and federal governments) • Delivery of housing and homelessness services • Infrastructure to support Toronto's housing system • Land-use planning policies and zoning • Enforcement (e.g. of property standards)

Additionally, several City divisions, agencies and corporations impact housing development, policy, regulation, funding, service delivery and support Torontonians to navigate housing support services including:

City Divisions

- City Manager's Office
- City Planning

- Concept 2 Keys
- Corporate Real Estate Management
- Environment and Energy
- Housing Secretariat
- Municipal Licensing and Standards
- Office of the Deputy City Managers and Chief Financial Officer and Treasurer
- People and Equity
- Senior Services and Long-Term Care
- Shelter, Support and Housing Administration
- Social Development, Finance and Administration
- Toronto Building
- Toronto Employment and Social Services
- Toronto Public Health

City Agencies and Corporations

- CreateTO
- Toronto Community Housing Corporation
- Toronto Seniors Housing Corporation

The complexity of the housing system using a City of Toronto's lens is depicted in Attachment 2 and includes not only City divisions, agencies and corporations, but also the numerous provincial ministries and federal departments that form the complex housing landscape that impact Torontonians across the housing spectrum. Within a broader intergovernmental context, the City of Toronto is bound by statutes and legislative frameworks with funding contingencies and policy levers from both the Government of Canada and Province of Ontario that affect the level of influence the City has on decisions regarding service delivery and the provision of housing programs.

As outlined in Crean and Maytree's report:

- The Government of Canada has established a national housing policy declaration through the 10-year National Housing Strategy and provided corresponding federal funding and federal-provincial cost-shared programs. Further, it is Canada's first statute to commit to the progressive realization of an economic, social and cultural right under the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).
- The Province of Ontario has established housing and planning-related legislative frameworks and holds responsibility for housing-related policies and programs. Further, the province is a cost-sharing partner through the National Housing Strategy including the Canada-Ontario Housing Benefit.
- The City of Toronto, its agencies and corporations have established housing policies, programs, services and infrastructure that support Toronto's housing system. This includes local land use planning, emergency shelter beds, multi-tenant houses and long-term care homes. The City's responsibility for shelters and affordable housing has provincial government requirements and funding dependencies, including funding support from the Government of Canada through various programs such as the Rapid Housing Initiative, the Reaching Home program, and the National Housing Co-Investment Fund.

The City's HousingTO Plan acknowledges the intergovernmental complexity of meeting the housing and shelter needs of Torontonians, which is estimated to cost all orders of government a total of \$27.7 billion to implement. At its May 2022 meeting, City Council reiterated its requests of other governments to provide a required \$13.5 billion in outstanding investments. City Council also approved a specific 2023-2024 Housing Recovery and Resilience Plan which focuses on the goal of creating 4,000 supportive and affordable homes in the next two years. Achieving this will require one-time capital funding and ongoing operating investments for wrap-around supports and portable housing benefits. Investing in supportive housing in particular achieves shared government outcomes by reducing overall costs (i.e. healthcare and justice systems) and reducing chronic homelessness. The complexity of the system also requires interventions at preventing homelessness in the first place, which is largely dependent on various provincial and federal systems such as income support. Accordingly, in May 2022 City Council also reiterated requests that the Province of Ontario address the adequacy and structure of social assistance.

Crean and Maytree note in their report that the City of Toronto is responsible for ensuring equity of access for the aspects of the housing system that are within its jurisdiction and mandate. However, the City is attempting to meet residents' housing needs in a context of conditional funding and policy tools provided by other orders of government. This, for example, has been the situation since the realignment of provincial services and the transfer of the housing service system to municipalities in the late 1990s. Toronto has continued to provide shelter to the precariously housed, maintained social housing units, and created new affordable and supportive housing opportunities, often without commensurate levels of funding. Without the support of federal and provincial partners, the City is unable to adequately deliver the diversity of services provided to a growing number of precariously housed and homeless people, which ultimately impacts our ambitious housing goals.

Toronto's Housing and Human Rights Legislative and Policy Context

Crean and Maytree note that without federal legislative change and corresponding funding and support, Toronto's ability to make the kind of progress on the matter of housing as a human right that a number of informants, stakeholders and advocates identified is significantly challenged. Further, as many policy areas which inform human rights in housing remain within the provincial government's jurisdiction, the City must have adequate resources and intergovernmental capacity and leadership to be able to collaborate effectively with the provincial and federal governments. The consultants also identified a gap in the public service's understanding of research and literature related to a human rights-based approach to housing and limited expertise in this area.

Despite interjurisdictional constraints, the City has been a leader in initiating several programs to support Toronto's housing system. For example, the City in partnership with the Neighbourhood Information Post, established the Toronto Rent Bank to provide low-interest loans to Toronto residents who are behind on their rent or in need of support with a rental deposit. Historically, the Toronto Rent Bank has provided low-interest loans but pivoted in the COVID-19 pandemic to respond to the needs of low-income households by converting the program from a loan to a grant through a pilot and freezing all Rent Bank loan repayments. Through a 5 million dollar investment in the

program, the Toronto Rent Bank supported 1,717 households to stay in their homes in 2021.

Federal Housing Advocate

While there is no legislated right to housing in Canada, the federal government is taking action towards furthering the progressive realization of the right to adequate housing that is recognized in international law. The Government of Canada announced in 2019 that a Federal Housing Advocate role would be created within the Canadian Human Rights Commission, under the *National Housing Strategy Act*, to independently monitor the implementation of the federal government's housing policy and to further the key principles of a human rights-based approach to housing. The first Federal Housing Advocate was appointed in February 2022. While there are few early learnings on the work of the Office to date, the review recognized that the structure and appointment of this Office provides some insights for Toronto.

The Office's mandate includes monitoring and assessing the implementation of the National Housing Strategy, analyzing research on systemic housing issues within federal jurisdiction and consulting with members of vulnerable groups with lived experience.

The Federal Housing Advocate:

- is appointed for a three-year term;
- reports to the Minister of Housing and Diversity and Inclusion;
- is situated within the Canadian Human Rights Commission;
- receives funding from the Canada Mortgage and Housing Corporation; and
- submits an annual report on their findings to the Minister.

While housing advocates have called for the City to create an independent Housing Commissioner, modelled on the role of the Federal Housing Advocate, the review highlights that the Federal Housing Advocate is not an independent officer who reports directly to Parliament. The Office of the Federal Housing Advocate receives its funding from the public service and its annual report must be tabled and responded to by the Minister in Parliament. The City Manager notes that Toronto's Accountability Officers are independent of the public service and report directly to City Council.

Accountability Models

The consultants' and City Manager's review did not yield any direct parallels for the type of role or function a Housing Commissioner might play that would fit within Toronto's governance framework. However, a literature and jurisdictional scan was conducted to explore other independently appointed commissioners or advocates in municipal, provincial, federal and international contexts for the City's consideration. Aside from the Federal Housing Advocate noted above, other examples include the Government of Ontario's Child Advocate and the French Language Services Commissioner that have since been integrated with the Ontario Ombudsman's mandate. Prior to their integration, these roles were independent and reported to the Ontario legislature on behalf of children and French constituencies respectively. Further international case studies from

Spain, Argentina, Finland, Australia and the United Kingdom highlight the different roles that Ombudsman offices, strategies, and constitutional frameworks can play in the right to housing.

Toronto's Accountability Framework

The consultants' review acknowledges that Toronto has an existing, robust Accountability Framework that is underpinned by provincial legislation (*COTA*) and enshrined in the *Toronto Municipal Code, Chapter 3, Accountability*. The City has four Accountability Officers: Ombudsman, Auditor General, Lobbyist Registrar and Integrity Commissioner. Each officer has their own mandate and resources to conduct their work. No other municipality in Ontario has a similar framework; the Ontario Ombudsman's jurisdiction includes all municipalities except Toronto.

Most relevant to considering any potential role or function of a Housing Commissioner within the City's existing governance framework, is an understanding of the mandate of Toronto's Ombudsman as the statutory authority who conducts investigations and protects the public from unfairness and maladministration. The Ombudsman is given the power of investigation through *COTA* to address systemic issues and can compel witnesses, enter premises, seize documents and present investigative reports with recommendations to City Council.

Since its Office was established in 2008, Toronto's Ombudsman has undertaken many housing-related investigations and reports, and has influenced systemic changes for Toronto, including with respect to building permits, cold weather drop-in respite services and the City's below-market rent program. Further, the City's social housing provider, Toronto Community Housing Corporation, has been the focus of several Ombudsman reports that have notably investigated tenant complaints, evictions based on rent arrears and the priority transfer processes. The consultants' report includes findings from research and input from consultations that may suggest that additional outreach, education and communication on the existing role of Toronto's Accountability Officers, particularly the Ombudsman, may support some of the objectives of a Housing Commissioner by leveraging existing functions in Toronto's governance structures.

Recent Reviews of Toronto's Accountability Framework

In reflecting on Crean and Maytree's findings, the City Manager noted that in 2015, City Council requested the City Manager to report on the possibility to appoint a single person as both Integrity Commissioner and Lobbyist Registrar at the end of the Council Term. This direction was intended to limit overlap between the roles and maximize resource availability for the Accountability Officers. The City's Accountability Framework is unique with complex administrative and legislative functions. Lorne Sossin, a former City Integrity Commissioner, was retained by the City Manager to conduct a review of the Accountability Offices and recommended to Council that the City look further into a cross-appointment. The City Manager conducted further research and concluded that appointing one person as both Integrity Commissioner and Lobbyist Registrar would unlikely lead to the strengthening of the function of the two Offices or improved service to the public given the maturity of the Offices, but had the City chosen a cross-appointment approach at the outset, there may have been value to such a model. This

finding reinforces consideration that leveraging existing Accountability Offices, rather than creating a new office for Housing Commissioner, may be prudent given that future consideration may be to cross-appoint or merge with the Ombudsman, for example.

While Accountability Officer mandates are distinct from one another, issues arise from time to time that cut across these mandates requiring collaboration and coordination. A Memorandum of Understanding (MOU) between the Offices was established in 2020 to support this collaboration (<https://www.toronto.ca/city-government/accountability-operations-customer-service/accountability-officers/memorandum-of-understanding-four-accountability-offices/>).

The MOU enables the Officers to conduct and/or share information about joint or concurrent inquiries to enhance their effectiveness by eliminating the duplication of effort. Enabling the Offices to collaborate on matters of advice ensures that consistency, comprehensiveness and clarity are embedded within the City's Accountability Framework.

Lived Experience Realities

Similar to other cities in Canada, Toronto has experienced a sharp decline in housing affordability and more residents are struggling to live with dignity and security in adequate housing. Ultimately, furthering the progressive realization of the right to adequate housing will have a profound impact on persons with lived experience of homelessness and housing instability in Toronto.

Community engagement has been foundational to the City's efforts to address the challenges facing the housing system and will continue to be integral in the implementation of the HousingTO Plan. Maytree Foundation's expertise in community consultation was vital to engaging organizations and individuals with lived experience and disproportionately impacted by the lack of affordable and secure housing, to inform the review's findings. Of the 155 participants, several suggestions were made about the importance of embedding lived-experience expertise in any Housing Commissioner's role and function for the City of Toronto.

Their suggestions include:

- Ensuring rights-based engagement of those impacted by housing precarity and homelessness, in particular members of Indigenous, Black, 2SLGBTQ+ and accessibility communities to inform a holistic understanding of adequate housing;
- Ensuring evidence-based monitoring using disaggregated data to determine the impacts of policies and programs on the rights of residents with lived experience of housing precarity and homelessness;
- Ensuring a systemic approach and holistic view, rather than an individual one, of intergovernmental and institutional challenges impacting the housing system;
- Ensuring independence from the public service to effectively provide advice to Council and increase accountability to the public and affected communities;
- Ensuring an "all of government" approach to facilitate interdivisional communication and coordination and across the public service's housing infrastructure.

Toronto's Council Advisory Committees

Toronto City Council has appointed public members and experts with lived experience to a number of Council advisory committees to provide input to Council and help advance the City's equity and reconciliation commitments. Examples include the Aboriginal Affairs Advisory Committee, Confronting Anti-Black Racism Advisory Committee, Toronto Accessibility Advisory Committee and Two Spirit, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee. The focus of these Council advisory committees has included matters related to systemic discrimination, equity and reconciliation.

The lived experience of the precariously housed is an experience of inequity. The establishment of a new Council advisory committee could provide expertise, advice and advocacy to Council on behalf of rights holders and residents with the lived experience of housing precarity. While Council advisory committees do not generally advise on service delivery, members of a new body could support the independent monitoring of the progress of the HousingTO Plan's implementation and provide lived experience insights of the 'housing system' that Council could share with other orders of government at tripartite discussions.

A review of current housing-related committees that advise City divisions could contribute to the development of a terms of reference, including the membership and mandate for such a committee, including:

- Toronto Indigenous Community Advisory Board
- Coordinated Access to Housing Supports Sub-Committee
- Toronto Alliance to End Homelessness Service Planning Forum
- Homelessness Health Services Framework Steering Committee
- Toronto Alliance to End Homelessness (Reaching Home Community Advisory Board)
- Aboriginal Labour Force Development Circle (Reaching Home – Indigenous Advisory)
- Tenant Advisory Committee
- Indigenous Housing Providers Advisory Committee

D. Recommended Next Steps

The findings from the Crean and Maytree review indicate several opportunities for the City to advance its goals of the progressive realization of the right to adequate housing. The review outlines key criteria (see Attachment 1, page 29) and considerations to achieving the goals included in Council's direction to the City Manager in his review of the role or function of a Housing Commissioner.

Key Criteria

1. Function independently and make recommendations to Council;
2. Connection with communities by prioritizing those in greatest need through meaningful engagement on barriers to adequate housing;

3. Systemic reviews of housing challenges and monitoring of human rights outcomes;
4. “All of government” approach within City and with other orders of government to advance adequate housing; and
5. Advocacy and education through providing expertise in housing as a human right to the public service and related advice to City Council.

Crean and Maytree note that a single action, individual or office may not be an effective way to advance Toronto's objectives outlined in the Housing Charter and meet these criteria. The City Manager reviewed their findings and agrees that a suite of actions delivered in concert with each other are more likely to achieve Council's goals. The City Manager is therefore recommending actions for impact across the City's governance system, including by City Council, City divisions, agencies and corporations, and Accountability Officers, to ensure a robust approach is taken to integrate a human rights-based approach to housing for the City.

Engagement and Advocacy

The consultants' review emphasizes the importance of engaging with communities with lived experience of housing precarity regarding barriers to adequate housing, noting the importance of both Council and staff hearing directly from Toronto residents. The City Manager recommends Council create a Council advisory committee that includes community members and experts who could provide advice to City Council, including advice based on their lived experiences within Toronto's housing system. This would underline the importance of grounding a human rights-based approach to housing in lived experience and could be accomplished by leveraging the City's governance frameworks.

An advisory committee focused on a human rights-based approach to housing could advise City Council on the City's housing-related policies, services and programs, and support the City's goals towards furthering the progressive realization of the right to adequate housing. Guided by the Toronto Housing Charter principles, a Council advisory committee could reflect the interests of residents impacted by systemic housing inequities in improvements to the City's services and programs, incorporate human rights expertise and the perspectives of lived experience, and assist the City to progress towards the realization of the right to adequate housing. Along with Toronto's Ombudsman, a committee could support the development of the scope for an independent assessment of the City's progress on the realization of the HousingTO Plan.

A new Council advisory committee's mandate and terms of reference could complement the objectives outlined in the HousingTO Plan and intersect with the mandates of other Council advisory committees that City Council may choose to reinstate in the next term of Council, such as the Confronting Anti-Black Racism Advisory Committee, Aboriginal Affairs Advisory Committee, Toronto Accessibility Advisory Committee, and Two-Spirit, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee.

Consistent with existing advisory committees, the membership of a new advisory committee could be comprised of both public members and a minimum of one Member of City Council, and include:

- Representatives with lived experience of the City's housing programs/services; and
- Representatives from community organizations, institutions, academic and higher education organizations in fields, not limited to but including housing, health and mental health care, poverty reduction, employment, immigration and refugee studies, human rights, equity and inclusion and indigenous relations.

A committee would complement other equity-focused Council advisory committees and program advisory bodies that provide advice to Shelter, Support and Housing Administration (SSHA) and Housing Secretariat (HS). As part of staff considerations for terms of reference for this new Committee, SSHA and HS will review the existing advisory bodies and tables that provide advice to their divisions, and provide input to the City Manager to ensure that each body adds value and has complementary and not overlapping advisory roles to ensure the greatest collective impact.

Crean and Maytree's report notes the importance of the role of advocacy, both to City Council and other governments. The proposed committee could provide advice towards the City's intergovernmental advocacy and submissions to the Federal Housing Advocate and amplify the importance of continued engagement in the City's implementation of the HousingTO Plan. A recent example from one of Council's advisory bodies is the role played by the Aboriginal Affairs Advisory Committee in their advice to staff and Council on the development of the Reconciliation Action Plan. Their leadership complemented the extensive engagement undertaken by staff in the Indigenous Affairs Office, a model that parallels the extensive engagement that is currently undertaken by the HS and SSHA with the committees noted above in Section C, Toronto's Council Advisory Committees.

Independence and Systemic Reviews

The consultants' review also emphasizes the need for a Housing Commissioner to function independently, make recommendations to Council and have the capacity to undertake systemic reviews. With Toronto's robust accountability framework, it is appropriate for Council to consider leveraging an existing accountability office with legislative underpinning to provide that independence. This report recommends that Council request the Ombudsman to consider this report from the City Manager and Attachment 1 to this report from the consultants, and report to Council on any potential additional resources, including the possibility of a Deputy Ombudsman focused on housing or additional staff, for increased systemic reviews, investigations and reports related to systemic housing discrimination and systemic hurdles in the City's housing system. Given the Ombudsman's existing capacity to conduct systemic investigations and provide reports directly to Council, this recommendation ensures the City's existing accountability framework is enhanced without adding duplication or confusion. The City Manager's Office has had a preliminary discussion with the Ombudsman to review Crean and Maytree's report, and the Ombudsman has provided a letter to the City Manager, which is included as Attachment 3 to this report.

Also, in order to evaluate and monitor the City's progress towards progressive realization of the right to adequate housing, this report recommends Council direct the City Manager to consult with the Ombudsman on options to report back to City Council with an independent assessment, such as retaining a third party to produce a report transmitted to City Council by the City Manager.

Advancing the City's Capacity – Training and Performance Metrics

The consultants' review identifies the importance of enhancing the City's data collection practices and analytic capabilities to ensure evidence-based monitoring of its housing system. Crean and Maytree call for an emphasis on disaggregated data by Indigenous identity, race, gender, age, income and other variables which could be leveraged to determine the impact of policies and programs on the rights of residents with lived experience of housing precarity and homelessness. With enhanced practices and capabilities, the efficacy of the City's housing interventions could be assessed to bolster accountability with community agencies and government partners.

The City is advancing evidence-based monitoring and equity-informed data collection practices through the City's Data for Equity Strategy. Adopted by Council in November 2020, the Strategy and a new Data for Equity unit within the People and Equity division supports City service areas to collect, analyze, report and apply disaggregated population and place-based data to inform program planning and service delivery. An example of the work of the Data for Equity unit includes supporting the creation of the First Nation, Inuit and Métis Data Research Circle to advance the development of the City of Toronto's Indigenous Data Governance Framework.

Given the findings in the consultants' review, this report recommends Council direct the City Manager to consult with the Ombudsman and a new Council Advisory Committee, if one is established, to develop an approach, that may include procuring additional required expertise, to provide City Council with an independent assessment of the City's progressive realization of the right to adequate housing at the midpoint and endpoint of the 10-year HousingTO Plan.

Crean and Maytree's interviews reveal that the public service does not have a strong understanding about the legislative framework necessary to achieve a human rights-based approach to housing – an area that is still emerging in Canada. In addition to the City's current human rights training program, a robust human rights learning and development program related to housing for relevant staff would enable staff to apply a human rights lens in their advice to City Council to improve City policies and service delivery as it relates to housing. This would complement the development of measures to evaluate the City's progress on established indicators, advancing accountability and improving the City's existing principles in programs, services and policy frameworks. This report recommends City Council direct the Executive Director, Housing Secretariat to procure and implement a training program specifically for senior leaders and policy staff in the housing-related City divisions, agencies and corporations listed in section C of this report, to enhance the City's capacity to apply a human rights-based approach to housing policy, strategies and service delivery and support the City's Toronto Housing Charter objectives.

Divisions providing direct service delivery and oversight for housing will be prioritized in the rollout of this training. Also, the training will be assessed for any future deployment among City-contracted housing service providers and the Housing Secretariat will consider what training modules could be shared more broadly.

Whole of Government Approach: Federal Housing Advocate

While the consultant's review outlines the intergovernmental complexity of meeting the housing and shelter needs of Torontonians, this was also previously identified in the City's HousingTO Plan and in continued action by City Council. As noted above, City Council recently reiterated its requests of other governments to provide the \$13.5 billion in outstanding investments that are required to address the housing and shelter needs of Torontonians, and reiterated its request that the Province of Ontario address the adequacy and structure of social assistance.

As City Council continues to request necessary supports from other governments, there is an opportunity for a collaborative approach with the recent appointment of a Federal Housing Advocate. The Advocate's mandate is to independently monitor the implementation of the federal government's housing policy, assess its impact on persons who are members of vulnerable groups, persons with lived experience of housing need and persons with lived experience of homelessness, consult with such persons and civil society organizations with respect to systemic housing issues, and to further the key principles of a human rights-based approach to housing nationally. The creation of a Council advisory committee focused on a human rights-based approach to housing, as recommended in this report, could provide advice to inform the work of the Federal Housing Advocate, in coordination with the City's ongoing intergovernmental approach.

As such, this report recommends City Council request the Mayor to send a letter to the Federal Housing Advocate requesting a specific focus for their Office on the impact of federal policies and programs and systemic housing challenges in Toronto. Going forward, City Council may identify opportunities for the Mayor or City Manager to transmit advice from the new Council advisory committee to the Office of the Federal Housing Advocate and other federal and provincial officials that conveys the lived experience of precarious housing on behalf of Torontonians with such experiences, in addition to other engagement opportunities.

Recommended Roles to Advance a Human Rights-Based Approach to Housing

Input from the community noted how fragmented the municipal housing landscape is within the broader complex housing system. While Crean and Maytree highlighted the importance of a central locus of accountability to coordinate the proposed actions, they suggested options include locating this within the public service, in an Accountability Office or as a Council appointment that is outside of these two parts of our governance system. It is the City Manager's view that an appointment outside of the public service or AOs could create confusion between the role of the Housing Secretariat that leads housing system planning, the Ombudsman's legislatively enshrined role to investigate issues of fairness and the City Manager's role to ensure the City's housing-related divisions and other entities deliver on Council's housing priorities.

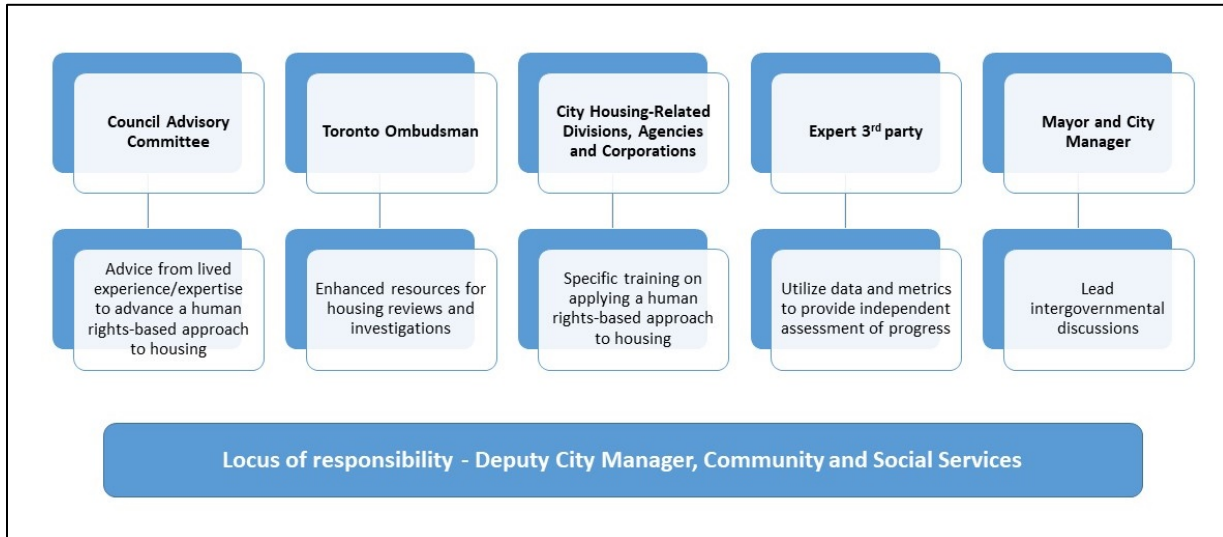


Figure 1: Overview of Recommended Roles

An appointed position that is not part of the public service cannot be directed by Council, nor bound by Toronto Public Service By-law or related policies, nor able to effectively collaborate and coordinate with City divisions, agencies and corporations on housing policy development and implementation. Crean and Maytree note the importance of accountability and independence for the oversight of progress, input to policy development and the investigation of systemic issues. The City Manager has recommended that these features be advanced through the respective roles outlined for the Toronto Ombudsman, a new Council advisory body and third party experts engaged to provide independent assessment of the City's progress.

To ensure oversight and implementation of the recommendations in this report, the City Manager will assign the Deputy City Manager, Community and Social Services (DCM CSS) as executive lead on behalf of the City Manager to report back on implementation to Council. The DCM CSS is currently chair of the City's Housing Lead Committee whose mandate is to foster collaboration among the City's housing leads and is involved in key intergovernmental discussions related to housing. The Executive Director, Housing Secretariat (ED HS) reports directly to the DCM CSS and would lead some of the actions outlined in this report. Both the DCM CSS and the ED HS will utilize existing staff resources to begin implementation of the recommendations in this report, and will consider any additional staff resources through future budget processes.

E. Considerations for the Office of Commissioner of Housing Equity

In October 2020, when considering the Tenants First report, City Council directed the City Manager to consider the investigation and process review functions of the Office of the Commissioner of Housing Equity (OCHE) at Toronto Community Housing Corporation (TCHC) in the City's development of the future Housing Commissioner role or function, with a focus on aligning roles between these two offices, if appropriate. The City Manager's Office assessed the history and evolving context of the OCHE in preparation for this report.

The OCHE was created by the Board of TCHC on December 11, 2013, following reports by the City's Ombudsman, including the report *Housing at Risk: An Investigation into the Toronto Community Housing Corporation's Eviction of Seniors on the Basis of Rent Arrears*, and an independent review by Justice Patrick LeSage of TCHC's eviction practices on the basis of arrears for vulnerable tenants, after a TCHC tenant died after being evicted for arrears. The OCHE was created to help advance TCHC's ability to support vulnerable and senior tenants facing evictions, enabling them to remain housed and addressing their rental arrears.

Since then, the City has undertaken a transformation called Tenants First, leading to the creation of a Toronto Seniors Housing Corporation. Through the transfer of operations of seniors' units to the TSHC and the implementation of the Integrated Service Model, senior tenants will have access to a better connection between their housing and support needs. In April 2021, City Council requested the Boards of TCHC and TSHC to enter into a shared services agreement for OCHE services for a two-year period which will begin at the transfer of operations. The transfer occurred on June 1, 2022. (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX23.4>)

Additionally, City Council directed the CEO of TSHC to review arrears and eviction data of TSHC for the transition period and develop recommendations to the Board of Directors regarding a mechanism to oversee compliance with policies and procedures as they relate to evictions for arrears and loss of eligibility prior to the end of the two-year transition period.

Through Tenants First, work continues to support improvement in services to tenants of TCHC and TSHC and to increase accountability between the City in its capacity as service system manager for social housing and its housing corporations. Earlier this Council term, Council directed the Deputy City Manager, Community and Social Services to design and implement a new accountability framework including the creation of a new unit within the City's Housing Secretariat division to work closely with the two Housing corporations. The 2022 City Budget process included staffing enhancements in the Housing Secretariat to build this unit. (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX17.2>)

Given these recent directions from Council and the ongoing work of the Tenants First process, the City Manager recommends that the Executive Director, Housing Secretariat work with the CEOs of TCHC and TSHC, to review the function and role of the OCHE at TCHC and TSHC during the two years that these two corporations will have a shared services agreement for the services of the OCHE. The recommendations included in this report pertaining to a Housing Commissioner do not have a significant impact on the considerations for the OCHE, however, this review is timely. Since housing operated by the two City housing corporations comprises two-thirds of the social housing stock overseen by the City of Toronto, the housing stability of tenants is an important part of a successful housing system. This review led by the Housing Secretariat will help to identify optimal ways to support tenants to remain stably housed which will have an ongoing positive impact on the 110,000 residents of TCHC and TSHC. Additionally, the scope of consideration for the proposed Council advisory committee, if one is created, could include the experiences of tenants of social housing

providers, including TCHC and TSHC, with respect to systemic housing issues and systemic hurdles in the housing system.

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ATTACHMENTS

Attachment 1: Crean and Maytree's Report on a Toronto Housing Commissioner
Attachment 2: Toronto's Housing System
Attachment 3: Letter from Ombudsman