



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

November 17, 2020

Planning and Housing Committee – Agenda Item PH18.2

Written submissions from the Centre for Equality Rights in Accommodation

Dear Members of the Planning and Housing Committee:

The Centre for Equality Rights in Accommodation (CERA) is a non-profit organization founded in 1987 and dedicated to advancing the right to housing. We do this through providing services to individuals who are facing eviction or a human rights violation in their housing, by delivering public education and capacity-building on housing rights and the right to housing, and by working to advance rights-based housing policy to address the issues facing individuals at a more systemic level. Every year, we assist over a thousand renters facing eviction or a human rights violation in the context of their housing stay in their home and this work provides us with significant insight into the issues faced by renters across Ontario.

CERA commends the City for adopting a human rights-based lens, informed by federal, provincial, and city legislation and policies, to shape the regulatory and compliance framework (the Framework) for multi-tenant houses. As the first City of Toronto policy developed using a human rights lens since the adoption of the HousingTO 2020-2030 action plan, we hope the proposed Framework will act as a precedent for future policy considerations as the City continues working towards the progressive realization of the right to housing.

We are very encouraged to see the City fully recognize the barriers, discrimination and disadvantages currently faced by residents of multi-tenant houses. We are equally encouraged to see that the proposed Framework includes concrete actions that have the potential to address these barriers and discrimination. We welcome the following priorities:

- ensuring that tenants can maintain access to their communities;
- expanding the areas of the City where multi-tenant houses are permitted;
- prioritizing tenant safety and adequate housing conditions;
- committing to increased support for vulnerable tenants;

- committing to preserving diverse communities; and
- improving housing stability for residents struggling to maintain their existing homes

CERA urges the City to prioritize the needs of multi-tenant house residents, above all other considerations, by focusing on tenant safety and stability. Legalization and regulatory oversight of multi-tenant homes are the first steps to ensuring the above priorities are realized.

CERA has the following recommendations for your consideration.

Security of Tenure and the Risk of Tenant Displacement

Security of tenure is a key element of a human rights-based housing policy. The risk of arbitrary eviction and displacement to multi-tenant house residents is high and, as was acknowledged throughout the Framework, residents of multi-tenant homes are often unaware of their rights regarding security of tenure and may have difficulty accessing supports and resources that assist with upholding these rights. The City should prioritize making plans for addressing barriers to recognizing these rights, as even a small increase in involuntary and/or unlawful evictions could displace hundreds or even thousands of tenants and send them into an inaccessible and unaffordable housing market.

To help mitigate this risk, CERA recommends the City give particular attention to ensuring that tenants are aware of their rights and invest in tenant education programming and awareness of their legal rights, including the rights and remedies available to tenants through the City's, Landlord and Tenant Board's, and Human Right's Tribunal complaint process. We also recommend increased support for existing tenant services, information, and programs aimed at helping tenants enforce these rights. Leveraging and strengthening existing resources, including the City's Tenant Portal, to ensure these resources speak directly to the unique needs of residents of multi-tenant homes would be a great first step. As always, CERA is available to provide advice, guidance and support to the City on efforts to assist tenants with recognizing their rights as is helpful.

A Rights-Based Approach to Consultations

CERA recommends a robust and equitable consultation process that ensures genuine and meaningful engagement with equity-seeing groups, local support organizations and tenant/landlord organizations. CERA agrees with the Maytree report findings that consideration should be given to the nature of public discussions so as not to further stigmatize tenants and discourage their participation. We encourage these consultations to be focused, positive, and rights-based. We also recommend this Committee give special consideration to any barriers that might exist to participation in these consultations.

Housing Commissioner

CERA recommends the City take immediate steps towards increasing capacity and expertise on human-rights based housing policy to ensure the intersectional and systemic barriers faced by multi-tenant housing residents are treated as the human rights issues they are and are reviewed, monitored and addressed appropriately. The independent monitoring of the rights-based accountability measures proposed in the Framework will also help ensure that the implementation process of the eventual regulatory and compliance regime remains in line with the City's commitment to the progressive realization of the right to housing.

In addition to providing increased capacity and expertise on human rights, an independent Housing Commissioner will be best positioned to lead and monitor accountability functions. As noted in the HousingTO 2020-2030 Action Plan, the Housing Commissioner's office will have direct communication, and the ability to coordinate efforts with other City divisions, agencies, boards and commissions. With a mandate of this nature, the Housing Commissioner will be both agile and efficient in ensuring the city approaches multi-tenant houses in a way that is coordinated and aligned with other City-based housing policy. CERA strongly recommends the City continue to move forward with its commitment to establishing an independent Housing Commissioner function.

An encouraging path forward to advancing the right to housing

Taken together, the four components of proposed Framework for multi-tenant houses have the potential to advance the right to housing for some of Toronto's most vulnerable tenants. CERA recognizes and commends the City for taking a rights-based approach in developing this framework. We urge this Committee to continue that good work by adopting the recommendations in the report, and proceeding with a meaningful, equitable, and inclusive engagement process.

Thank you,

On Behalf of the Centre for Equality Rights in Accommodation.