



2021 Work Plan on the Preservation of Affordable Rental Housing

Date: November 9, 2020

To: Sub-Committee on the Protection of Affordable Rental Housing

From: Executive Director, Housing Secretariat

Wards: All

SUMMARY

The City of Toronto is a city where almost half the households are renters. According to the 2016 Census, Toronto's housing market was comprised of 1,112,930 households with 53% living in ownership housing and 47% living in rental housing¹. In December 2019, City Council approved the HousingTO 2020-2030 Action Plan ("HousingTO Plan") based on extensive public consultations and feedback. The HousingTO Plan is the City's blueprint to address issues across the housing spectrum including housing affordability, poor living conditions, displacements due to illegitimate evictions and lack of affordable housing choices. The HousingTO Plan also sets targets and outlined actions to preserve the City's existing rental housing stock.

While the Toronto housing context was challenging pre-COVID, the urgent need to help renters has become more critical due to the pandemic. For instance, overcrowded congregate living settings are no longer simply uncomfortable, they are now unsafe from a public health perspective. In addition, more renters are facing challenges paying rent due to precarious employment through the pandemic. The pandemic has also disproportionately impacted racialized and vulnerable populations including people from low-income, racialized communities, seniors and women-led households.

To support delivery of the HousingTO Plan with a focus specifically on helping renters, the City's Protection of Affordable Rental Housing Advisory Group ("Advisory Group"), was established by the Planning and Housing Committee in December 2019. The Advisory Group has called for improved City coordination of renter issues to not only improve customer service, but to improve the effectiveness of City renter policies and programs. This point was reinforced by deputations made at the September 24 2020 meeting of the Sub-Committee on the Protection on Affordable Rental Housing. Participants called for a "One-City" approach to address the affordable housing crisis,

¹ <https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=3520005&Geo2=PR&Code2=35&Data=Count&SearchType=Begin&SearchPR=01&B1=All>

ensure that every resident has access to adequate housing and to preserve the existing affordable housing stock.

Work is currently underway across City divisions on specific policies and programs to assist renters and other work is being planned or contemplated. This report seeks approval for a new Tenant Advisory Committee with an expanded mandate and terms of reference to replace the existing Advisory Group.

The Tenant Advisory Committee would be supported by the Housing Secretariat and engage regularly with an interdivisional staff team to ensure that connections are made across City divisions. In order to move forward on actions identified in Housing TO Plan and the accompanying implementation plan, City staff will map existing renter programs and policies and work with Tenant Advisory Committee to identify gaps and annual work plans. Progress on this work would be reported as part of the annual HousingTO 2020-2030 Implementation Plan updates.

The report also recommends that all City divisions involved in developing or undertaking services, policies, programs or consultations that affect renters, consult with the Tenant Advisory Committee. This will help ensure that staff are more likely to be made aware of and consider any unintended consequences for renters and that any new direction and actions are communicated in a way that is clear and understood by renters.

This report was developed with input from the following City divisions: Shelter, Support and Housing Administration, Seniors Services and Long-Term Care, Toronto Building, City Planning, Municipal Licensing and Standards, Social Development, Finance and Administration and City Legal.

RECOMMENDATIONS

The Executive Director, Housing Secretariat recommends that:

1. The Planning and Housing Committee adopt the new mandate and terms of reference for the Tenant Advisory Committee outlined in this report and direct the Executive Director, Housing Secretariat to issue a call for members by the end of the fourth quarter of 2020.
2. The Planning and Housing Committee direct the Executive Director, Housing Secretariat in consultation with the new Tenant Advisory Committee and the City's Interdivisional Staff Working Group on Protecting Affordable Rental Housing to develop annual Preservation of Affordable Rental Housing Work Plans, starting in 2021.
3. The Planning and Housing Committee direct all City divisions developing renter-related services, policies, programs or consultations to consult with the Tenant Advisory Committee.
4. The Planning and Housing Committee direct the Executive Director, Housing Secretariat to report on the progress made on annual Preservation of Affordable Rental Housing Work Plans, as part of the annual HousingTO 2020-2030 Implementation Plan update, starting in 2021.

FINANCIAL IMPACT

There are no financial implications arising from this report. The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

EQUITY IMPACT STATEMENT

The HousingTO 2020-2030 Action Plan envisions a city in which all residents have equal opportunity to develop to their full potential. Through the adoption of an updated "Toronto Housing Charter: Opportunity for All", the City, within its jurisdiction, is highlighting its commitment to the progressive realization of the right to adequate housing. This human rights-based approach recognizes that housing is essential to the inherent dignity and well-being of a person and to building inclusive, healthy, sustainable and liveable communities.

Creating new and preserving the City's existing rental housing stock will increase the opportunity for lower-income and vulnerable individuals and families, as well as those from equity-seeking groups to access safe, healthy and adequate homes.

Access to good quality, safe, affordable housing is also an important determinant of health and improves 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.

DECISION HISTORY

On December 10, 2019 the Planning and Housing Committee adopted a report that called for the creation of a Protection of Affordable Rental Housing Advisory to, among other actions, develop positions related to the Residential Tenancies Act, 2006 to address illegitimate N12 and N13 notices. Additionally the recommendations included exploring the potential to explore criminal charges for fraudulent activities illegitimate evictions <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.11>

On December 17 and 18, 2019 City Council adopted the HousingTO 2020-2030 Action Plan as the blueprint to guide all policies, programs and investments in housing over the next decade. The HousingTO 2020-2030 Action Plan specifically calls for actions to maintain and increase access to affordable rents and ensure well-maintained and secure homes for renters.

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

On February 19, 2020 City Council requested the Executive Director, Housing Secretariat and the General Manager, Shelter Support and Housing Administration to identify appropriate City actions and any new resources and/or budget adjustments needed to respond to renovations and ways to improve housing stability for renters.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX13.2>

City Council on September 30, October 1 and 2, 2020, adopted the Housing and People Plan as part of the report on Addressing Housing and Homelessness Issues in Toronto through Intergovernmental Partnerships. The Plan includes many renter-related recommendations that were informed by the Protection of Rental Housing Advisory Group.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH16.8>

City Council on September 30, October 1 and 2, 2020, adopted the HousingTO 2020-2030 Implementation Plan that outlines key initiatives the City will undertake to support renters.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH16.5>

On October 20, 2020 the Planning and Housing Committee adopted the recommendations of the Sub-Committee on the Protection of Affordable Rental Housing. Among other actions the report called for a report back on considerations for improved staff processes to address and investigate illegitimate evictions and opportunities to improve customer service for renters.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH17.6>

City Council on October 27, 28 and 30, 2020, adopted a recommendation calling for a report back in the first quarter of 2021 on the potential of developing a municipal small sites acquisition strategy.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH17.5>

COMMENTS

Background

Throughout the consultations for the HousingTO Plan the City heard consistently from renters about unstable housing conditions. Stakeholders felt that rental housing was becoming more unaffordable; housing instability was due to several reasons including a new trend of illegitimate evictions; building conditions were worsening; and the City was losing affordable rental housing due to evictions and unit turnovers.

To assist Torontonians, in December 2019, City Council approved the HousingTO Plan which included a number of key strategic actions to help renters including: preventing homelessness and improving pathways to housing stability; maintaining and increasing access to affordable rents and ensuring well maintained and secure homes for renters.

Additionally, in response to the increasing trend of renovations and other illegitimate forms of evictions, the Sub-Committee on the Protection of Affordable Rental Housing was created. This Sub-Committee created a forum for tenants to share their experiences and call for City action. Initial direction to staff from the Sub-Committee included creating a Protection of Rental Housing Advisory Group ("Advisory Group"), improving tenant communications and programs on rights and responsibilities, advocating for provincial changes to the *Residential Tenancies Act 2006*, and improving internal processes to address evictions. The Advisory Group was established in January

2020 with a mandate to provide advice to staff on these directives. The mandate was to be re-evaluated after six months.

Since the onset of the COVID-19 pandemic, the Advisory Group has been a valuable resource to the City by providing real time input about the needs of tenants through the pandemic. This work has influenced intergovernmental responses, communication to landlords on physical distancing, and cleaning routines and broader communication on rental assistance programs and tenant rights. The Advisory Group also contributed to the City's response to Bill 184 which resulted in the City calling for more supports for tenants and a decision for the City to challenge the legislation. Additionally, the Advisory Group helped shape a new tenant portal on the website (www.toronto.ca/renterhelp) that centralizes tenant services and supports.

HousingTO 2020-2030 Implementation Plan

City Council on September 30, October 1 and 2, 2020 adopted the HousingTO 2020-2030 Implementation Plan. It is a living document that outlines roles and responsibilities for internal and external partners to achieve the goals and objectives set out in the HousingTO 2020-2030 Implementation Plan. The Implementation Plan outlines specific initiatives such as plans to prevent homelessness and evictions; streamline access to new affordable rental housing; improvements to RentSafeTO; zoning considerations for multi-tenant homes; the development of an acquisition strategy for multi-unit dwelling and low rise buildings; consideration of a right-of-first-refusal policy to support the protection of multi-tenant houses and security of tenure; and more.

As committed in both the HousingTO Plan and Implementation Plan, the City will continue to focus on taking actions that improve outcomes for renters and preserve the existing affordable rental stock. To this end this report proposes replacing the Protection of Rental Housing Advisory Group with a Tenant Advisory Committee with a new expanded mandate to help advance key rental programs and policies.

Proposed Mandate and Terms of Reference for Tenant Advisory Committee

The mandate of the Protection of Rental Housing Advisory Group was originally tied to providing input regarding illegitimate evictions and outlined specific tasks around tenant communications and provincial advocacy. COVID-19 reinforced the value of a tenant committee to consult quickly if needed but also to inform broader policy and communications. The HousingTO Plan, adopted after staff were directed to establish the Advisory Group, calls for a permanent tenant committee to consult on tenant programs and policy.

In order to inform the mandate of the new committee, the Co-chair of the Advisory Group surveyed existing members to seek input on how the committee could be improved. Input included:

- Ability to provide more meaningful and innovative advice on a broader range of rental issues
- Improved collaboration between staff and committee members
- More frequent meetings in forums that fostered collaboration

- Fewer members to allow for more fulsome discussions
- Need for strategic engagement with landlords

In addition to the input from the Tenant Advisory Committee comments made through deputations at the September 24, 2020 Sub-Committee meeting provided insight to potential improvements. Specifically the public wants an opportunity to contribute to the development of new policies and programs to maintain tenancies and protect existing housing stock.

Proposed Mandate:

The Tenant Advisory Committee will work with City staff to develop annual work plans to advance the protection of affordable rental housing and tenancies. The Committee will provide advice on policy and program development with the end goal of preserving affordable housing in Toronto. All City divisions developing renter-related services, policies, programs or consultations will also engage with the Tenant Advisory Committee and gain their input before finalizing details.

Proposed Terms of Reference:

Membership Composition

- 10 members including people with lived experience (PWLE), tenant advocates, tenant associations, Right to Housing advocates and legal clinics.
- At any one time there must be three members that are PWLE.

Term

- Members will serve for staggered two year terms turning over in January of each year.
- Half of the members of the new Tenant Advisory Group will be from the original Protection of Rental Housing Advisory Group to ensure continuity.

Member Selection

- An annual call for participants will be issued with members selected based on their experience and representation, what they would like to achieve on the Committee and how they can contribute to the advancement of the annual work plan.
- Considerations will be made to ensure gender balance, diversity and representation from all parts of the city.
- People with lived experience will receive an honorarium for their participation.

Meeting Frequency

- Meetings will take approximately every six weeks and at a time agreed upon by the majority of members.
- Meeting frequency will be revisited with the Committee as necessary.

Engagement with Sub-Committee on the Protection of Affordable Rental Housing

- The work of the Tenant Advisory will feed into meetings of the sub-committee.

Development of 2021 Work Plan

City staff in collaboration with the Tenant Advisory Committee will develop an annual work plan to advance services, programs and policies to preserve affordable rental housing. This work plan will be informed by policies or programs directed by City Council or through agreed upon gaps and will be included in the City's HousingTO 2020-2030 Implementation Plan. A draft annual work plan will be developed in the third quarter of every year to inform the selection of new member participants and to assist in staff resource planning.

Based on Council direction, recent deputations and the existing Advisory Group, staff have identified some preliminary work items designed to be a starting point for discussion with the new Tenant Advisory Committee. These include: consideration of a small sites acquisition program; development of a city-wide communications campaign; consideration of a renoviction/anti-tenant displacement policy; and development of a data strategy.

Additionally, in alignment with the goals and objectives of the HousingTO 2020-2030 Implementation Plan work is currently underway across City divisions to improve renter outcomes. Specific to the directives originating from the Sub-Committee on the Protection of Affordable Rental Housing staff are working on a few deliverables for Q1 2021. Staff are developing an investigation protocol for illegitimate evictions and developing, finalizing and circulating new tenant communication tools. The Tenant Advisory Committee will be consulted on this work.

Attachment 1 provides more detail on these items. Specific to staff deliverables the attachment includes an update on collecting eviction data, consideration of investigation protocols and the development of key communications material.

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SIGNATURE

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ATTACHMENTS

Attachment 1 - Draft 2021 Work Plan Details