

Where We Are and Where We Want to Go - Steps to Protect Affordable Rental Housing



Presented to the Sub-Committee on the Protection of Affordable Rental Housing
on November 23, 2020

Overview

- Re-cap of rental priorities in the HousingTO 2020-2030 Action Plan
- Work directed to the Advisory Group on the Protection of Affordable Rental Housing
- Progress made in 2020
- Data highlights
- Key Actions Planned for 2021 – 2022



Re-cap of the HousingTO 2020-2030 Action Plan

- The HousingTO 2020-2030 Action Plan (“HousingTO Plan”), adopted by City Council in December 2019, provides a blueprint for action across the full housing spectrum.
- This overarching plan will guide all City actions, policies and investments in housing and homelessness over the next decade.
- Specific to preserving existing rental housing the plan commits to:
 - Enhance and integrate inspection, repair and energy efficiency programs to improve aging rental buildings;
 - Establish a Tenant Advisory Committee to help tenants living in vulnerable situations and provide tenant supports;
 - Undertake a 'review the City’s rental demolition and replacement implementation practices including affordability criteria and eligibility for new tenants ; and
 - Measure, protect and preserve multi-tenant dwelling homes including the security of tenure for tenants.



Directives to staff and the Advisory Group

Key Deliverables for 2020:

The Interdivisional Staff Working Group and the Advisory Group on the Protection of Affordable Rental Housing were tasked to:

- Propose amendments to the *Residential Tenancies Act, 2006*.
- Recommend improvements to eviction prevention supports.
- Develop communications material to educate tenants on their rights and program support.
- Develop a City response to illegitimate tenant evictions.
- Improve data collection and analysis to help protect affordable rental housing.



Progress Made in 2020

Proposed Amendments to Bill 184, *Protecting Tenants and Strengthening Community Housing Act*, 2020

- WHY – The province has jurisdiction on landlord-tenant issues. The *Residential Tenancies Act, 2006* outlines roles and responsibilities of landlords and tenants, extends tenant protections and outlines the regulatory framework for tenancy issues.
- ACTIONS THROUGHOUT 2020
 - Developed submission on Bill 184 with input from Advisory Group.
 - City Council directed staff to commence a challenge on certain amendments in Bill 184 on the basis that they are contrary to rules of procedural fairness and natural justice.
- ONGOING WORK
 - City Legal is working on a Notice of Application that will be issued within the next two weeks. The preparation of this complex notice has involved consultation with various groups both internal and external to the City.



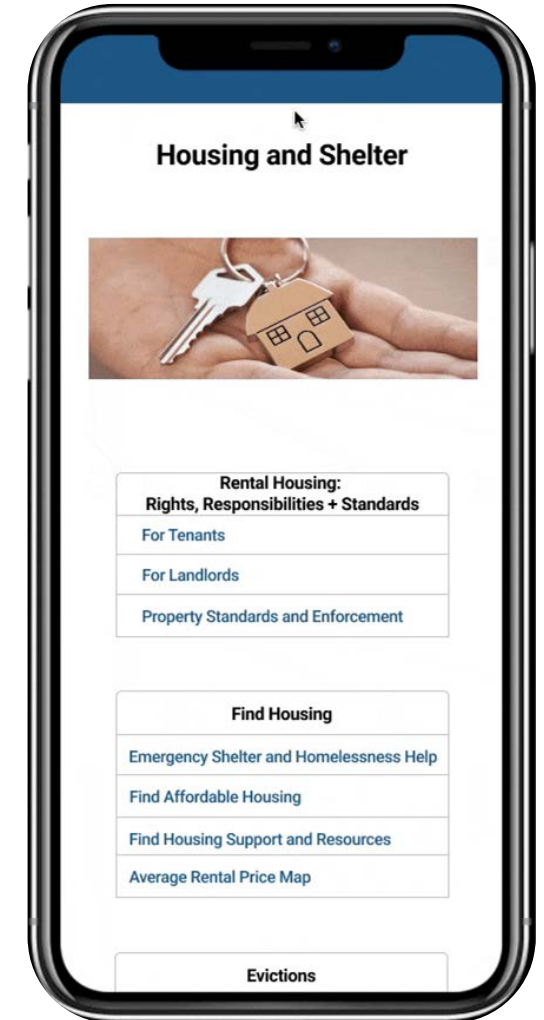
Eviction Prevention Programs and Supports

- WHY – Stakeholders have called for increased funds, access and flexibility in City eviction prevention programs.
- ACTIONS THROUGHOUT 2020
 - Through 2020 budget process, increased Eviction Prevention in the Community (EPIC) funding by \$1.07M.
 - Through Ontario pandemic relief funding, increased Toronto Rent Bank funding by \$2M and added flexibility to program eligibility criteria.
 - Proposed Tenant Defence Fund program changes to add flexibility to program eligibility and simplify administration.
 - Advocated to Province to extend eviction moratorium and provide rental relief for tenants.
- ONGOING WORK
 - Consideration of program improvements going forward.



Development of Communications Material

- WHY – Stakeholders have said one of the most important steps the City can take to help tenants facing evictions is to make sure they know their rights.
- ACTIONS THROUGHOUT 2020
 - Development of tenant hub on website – www.toronto.ca/renterhelp
 - Content developed with staff, advisory group, stakeholders.
- ONGOING WORK
 - Content on tenant hub is foundation for additional communications material under development – tenant eviction tool kit with template letters, content to be shared through RentSafeTO, and more.
 - Development of Housing Chatbot that can be accessed by SMS (text messaging) .
 - Development of renoviction eviction assessment tool.



Development of response to illegitimate evictions

- WHY – While jurisdiction for tenancy matters is provincial, the City has processes and programs that intersect with landlord/tenancy issues and has some ability to intervene.
- ACTIONS THROUGHOUT 2020
 - Proposed Tenant Defence Fund program changes to add N13s as an eligible application type and increase General Manager, SSHA, discretion to respond to emerging needs.
 - When alerted/suspect illegitimate activity – intervene through City Planning, Toronto Building or MLS.
- ONGOING WORK
 - Mapping of existing authorities and processes across divisions to develop coordinated response.
 - Identifying intervention points with landlord/tenant to share information on rights and responsibilities.



Improve data collection and analysis

- WHY – The City needs to know if it is making progress on providing affordable housing and be able to inform policies and programs to preserve affordable housing.
- ACTIONS THROUGHOUT 2020
 - Collection of program-based data.
 - Discussions with housing agencies to understand data they collect and/or resources they would require to collect data.
 - Preliminary discussions with external think tanks, CMHC and LTB to share data.
- ONGOING WORK
 - Pursuing information sharing agreement with Province.
 - Mapping internal data sources and opportunities for coordination.
 - Development of data strategy to track evictions, loss of affordable units, AGIs.



Additional Steps to Preserve Affordable Rental Housing

- **Multi-tenant homes**
 - Invested \$10M to repair over 1900 units in MTHs
 - November 2020 introduced consultation plan to legalize MTH city-wide
- **Building Repairs & Retrofits**
 - Invested \$800K in low-cost financing through Tower Renewal program to operators of 2 buildings, improving 74 homes
 - Completed Urban Land Institute Reliance Towers partnership identifying next steps to retrofit towers while maintaining affordability



Data Highlights

Landlord & Tenant Board Data*

LTB Toronto Eviction Applications March 16– September 30, 2020	LTB Toronto Eviction Applications March 16– September 30, 2019
5,111 applications 3,371 for nonpayment of rent	11,920 applications 7,874 for nonpayment of rent

- These do not include N4 notices landlords issued to tenants, LTB does not track notices.
- These eviction applications do not necessarily result in eviction – if Landlord receives an eviction order they need to file with the Ministry of the Attorney General’s Court Enforcement Office in order to have the eviction enforced. The LTB does not track this activity.
- The LTB began scheduling the pending L1 applications in October and plans to continue into early 2021. Orders on these types of applications are generally issued within a few days of the conclusion of the hearing.
- *This data is not reflective of the informal and illegitimate eviction notices issued

Program Data and Data Limitations

- Data collection and analysis from funded programs is currently focussed on the management of those programs and contract compliance, not City-wide rental housing policy and strategic analysis.
- Since data is collected at the program-level, it cannot be used to draw wider conclusions about the trends in the Toronto market or be used to set strategic priorities.
- The following data is included in this presentation:
 - Rent Bank: Year-to-Date Service Levels
 - EPIC: Year-to-Date Service Levels
 - Housing Stabilization Fund - Year-to-Date Service Levels

Rent Bank: YTD Service Levels

824 loans have been approved to date in 2020. Compared to Q1, Rent Bank service levels have increased in Q2 and Q3 2020:

	Jan	Feb	Mar	Jan-Mar Average	Apr	May	Jun	Jul	Aug	Sept	Oct	Apr-Oct Average	Increase (Apr-Oct over Jan-Mar)
# approved loans	79	81	42	67	95	62	87	98	95	88	97	89	31.97%
Average loan value	\$2,784	\$2,748	\$2,540	\$2,691	\$2,922	\$2,903	\$3,419	\$3,200	\$3,048	\$3,369	\$3,263	\$3,161	\$470

In March, pandemic relief funding was committed to the Rent Bank Loan Fund, and program guidelines were modified to increase flexibility. The increase in approved loans is related to the increase in program flexibility. It is not possible to draw a direct correlation between an increase in loan approvals and the impact of COVID-19 on Torontonians.

EPIC: YTD Service Levels

208 evictions have been prevented to date in 2020. Compared to Q1, EPIC service levels have dropped marginally in Q2 and Q3 2020:

	Jan	Feb	Mar	Jan-Mar Average	April	May	June	July	Aug	Sept	Oct	Apr-Oct Average	% Change (Apr-Oct decrease from Jan- Mar)
Evictions prevented	23	20	25	23	15	20	7	20	19	29	30	20	-11.76%

Referrals to the EPIC program in 2020 have been lower than anticipated. Factors contributing to the lower number of referrals include the Provincial moratorium on evictions and the closure of the Landlord and Tenant Board from March to August 2020 and subsequent backlog of cases. It is anticipated that the decrease in referrals is temporary.

Housing Stabilization Funds: YTD Service Levels

Housing Stabilization Fund – Available to OW/ODSP Recipients

980 households have accessed HSF to date in 2020. Compared to Q1, HSF use has decreased in Q2 and Q3.

	20-Jan	20-Feb	20-Mar	Jan-Mar Average	20-Apr	20-May	20-Jun	20-Jul	20-Aug	20-Sep	20-Oct	Apr-Oct Average	% Change (Apr-Oct decrease from Jan-Mar)
# households who accessed HSF	163	134	119	139	62	55	70	66	83	101	127	81	-41.90%

The decrease in referrals to HSF for eviction prevention between April and October 2020 can be attributed to the eviction moratorium in effect from March – August 2020. Referrals for eviction prevention have started to return to normal levels since September 2020.

2020 –Research on Evictions & Rental Issues

Wellesley Institute – August 2020 – Scott Leon & James Iveniuk – Forced Out – Evictions, Race & Poverty in Toronto

- 190,000 formal eviction applications were filed within the City of Toronto between 2010 and 2018. Over 20,500 were filed in 2018 alone.
- Eviction filing rates are 4 times higher in some neighbourhoods in Toronto.
- Poverty plays a significant role in evictions in Toronto.
- The Black population of Toronto may be at higher risk of eviction.
- Subsidized housing is linked to lower eviction filing rates.

SPT, TASC, York U, GLRC, University of Calgary– November 2020 – MAPPING RENTAL HOUSING DISPARITIES FOR TORONTO’S RACIALIZED AND IMMIGRANT COMMUNITIES

- Rate of unsuitable housing is almost three times higher for tenant households than it is for homeowners.
- Racialized individuals in tenant households have higher rates of core housing need than non-racialized individuals.
- Racialized individuals in tenant households have almost three times the rate of living in unsuitable housing than non-racialized individuals.
- Over half of newcomers (51%) in tenant households lack suitable housing.

Key Actions Planned for 2021

2021 – Key Actions Planned

- Establish New Tenant Advisory Committee with expanded mandate.
- Develop Joint 2021 Work Plan & Initiate Work.
 - Consider inclusion of municipal small sites acquisition strategy, development of renovictions policy, data strategy and city-wide communications campaign
- Consult Tenant Advisory Committee on rental programs and policies.
- Consult Tenant Advisory Committee on communications material.
- Report outcomes through annual HousingTO 2020-2030 Implementation Plan updates.

