



July 12th, 2022

Mayor John Tory
Chair of the Executive Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of the Executive Committee,

Re: EX34.7 Review and Considerations for a Housing Commissioner Role or Function

We are writing to you to comment on the various considerations pertaining to the Housing Commissioner and related measures explored to progressively realize the right to housing across Toronto. We are representatives of the Right to Housing Toronto (R2HTO), a network of organizations and individuals working to support the implementation of the right to housing by the City of Toronto.

As the housing crisis has unfolded over the last few years leading to rising cases of evictions and homelessness, we have been consistently advocating for the need to adopt long-term housing solutions that are rights-based. This means prioritizing the needs of those most impacted by the housing crisis, allocating the maximum available resources to housing solutions, and establishing an independent Housing Commissioner to provide right to housing expertise, review systemic housing issues in Toronto and hold decision-makers accountable to advance the right to adequate housing over time. Following many deliberations and a report on possible paths forward on the Housing Commissioner, the proposals presented by City staff seems to have moved away from the original commitment by the City of Toronto to create an independent Housing Commissioner's Office. Instead, the City has suggested a different approach in an attempt to develop a workable accountability mechanism. Some of the elements in the proposal can be strengthened with the following considerations in mind.

First, the recommendation to create an Advisory Committee can be a powerful model to advocate for the right to housing of Torontonians as long as it is led by housing and human rights experts and people with lived experience, and supported by City staff. The Terms of Reference for the Committee must be clearly outlined and the City should approach the Committee as an independent advisory body that provides expert advice and important recommendations on rights-based housing solutions to our decision-makers. Feedback provided by the advisory committee must transparently be reflected in City decisions. We also suggest that the Advisory Committee convenes frequently to review the City's progress in meeting its commitments in its 10-year housing plan. We encourage the City to find ways to

independently review its progress in meeting its housing goals and advancing the right to housing. The Advisory Committee could play a major role in producing an annual progress report and support the strengthening of data collection processes.

Second, we are supportive of the City's recommendation to provide a human rights training program in housing to City divisions, agencies, and corporations. We encourage the City to institute an educational program that can benefit as many staff and decision makers as possible and one that is ongoing and builds a culture of human rights. By applying an equity and human rights lens to training we hope this translates into practices that help minimize inequality and address housing needs of many underserved neighbourhoods. We would also like to see the City take an interest in the quality of the program, potentially by exploring ways to assess the extent to which staff have cultivated an understanding of rights-based approaches to housing over time. The educational programs should also be complemented by the City's hiring practices and continue to enhance equity and human rights based approaches to recruitment so that communities are better represented in staffing as well.

Finally, and most importantly, the task of setting up an independent body that plays the significant role of conducting systemic reviews and making recommendations remains a tricky one. The City's current recommendation implies that such an entity would be found in the Ombudsman, in the form, potentially, of a Deputy Commissioner focused on housing. This decision lies with the Ombudsman and it is unclear whether they will create the new Deputy Commissioner, Housing, role. If it is created, significant investments must be made in building up the human rights capacity of that particular office, qualities that currently are not available at the level that would make such an office work effectively.

We also urge the Executive Committee not to disregard the feasibility of setting up an independent Housing Commissioner. While it is true that provincial sanction will be needed to set up this new body, it is well worth the investment over the long term given that such an entity might be able to fulfil a wider set of functions that a Deputy Ombudsman may currently not be able to do, including proactive systemic housing reviews, data collection and capacity building work. The requirement for provincial support also means this is an essential component of taking a "whole of government" approach to housing.

At the same time, we are keen to see results as soon as possible given that the deliberations over setting up a viable entity have taken much longer than we had expected. To strike a balance of quality and timeliness, we are happy to work with the City and provide our rights-based housing expertise.

On behalf of the Right to Housing Toronto