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Presentation from the Federal Housing Advocate on the Role of Property Standards on Maintaining Adequate Housing

Toronto Housing Rights Advisory Committee

April 8, 2026

Human Rights Context

- Housing is recognized as a human right in international law, federal law (the NHSA) and municipal policy (Toronto Housing Charter)
- Adequate housing explicitly includes habitability. It must be:
 - Safe and healthy
 - Structurally sound
 - Maintained in good repair
 - Equipped with essential services (heat, water, sanitation, pest-free conditions)
- The right to adequate housing can not be protected without timely and effective enforcement of habitability standards

National Gaps in Protecting Tenant Rights

- Across Canada, tenant protections are **uneven and fragmented**
- Habitability standards exist, but:
 - Enforcement is often delayed
 - Remedies are inconsistent
 - Power imbalances disadvantage tenants
- Delayed responses to serious disrepair can amount to a **failure to protect the right to adequate housing**
- The burden of harm is shifted onto tenants—especially those facing poverty or discrimination

Canada's Renters Bill of Rights

- The Federal Government produced a Blueprint for a Renters' Bill of Rights in the Fall of 2024.
- Key principles include:
 - Right to safe, decent, and habitable housing
 - Protection from unfair treatment and retaliation
 - Right to clear information, participation, and effective enforcement
- However, principles without enforcement do not protect tenants

Toronto Context

- **Property standards are a tool to protect human rights**
 - Chapter 629 establishes minimum habitability standards that give effect to the right to adequate housing
- **Appeals-related challenges include:**
 - The property standards appeals process is determined by the Province of Ontario's Building Code Act
 - The Property Standards Appeals Committee (PSAC) is an independent body whose decisions can be opaque to Councillors and members of the public
 - Appeals can delay compliance for months
 - Extensions are frequently granted
 - Tenants are often not automatically notified or meaningfully involved
- **The existing legal framework undermines a tenant's access to justice**
 - Prolonged non-compliance with habitability standards is not a neutral delay
 - It is an ongoing harm that undermines health, dignity, and the right to adequate housing

Rights-Based Solutions (1)

- Welcome the City's concern about the issue of enforcing habitability standards and some steps that have been initiated so far.

A. All-of-Government Collaboration

- Tenant protection requires coordination across:
 - Municipal enforcement
 - Provincial legislative frameworks
 - Federal housing-rights accountability
- Health- or safety-related breaches should trigger expedited responses and stronger interim protections

B. Training on housing as a human right

Rights-Based Solutions (2)

C. Meaningful Tenant Involvement

- Tenants are rights-holders, not just complainants
- Rights-based systems require:
 - Automatic notification of appeals
 - Clear opportunities for tenants to be heard
 - Recognition of lived experience as expertise

D. Justice, Restitution, and Economic Fairness

- Without meaningful restitution, enforcement alone cannot fully repair the harm caused by prolonged periods of uninhabitable housing.

Thank You