

**National Right to Housing Network**  
**Submission to the Standing Committee on Human Resources, Skills and Social Development and the**  
**Status of Persons with Disabilities**  
June 17, 2020

## **Introduction**

The NRHN is a network of over 240 organizations and individuals who are key leaders, thinkers, experts and people with lived experience of homelessness and inadequate housing. Our members of the Network include prominent experts and advocates for the right to housing. We are deeply committed to ensuring that the implementation of the National Housing Strategy Act, including the establishment of a Federal Housing Advocate and National Housing Council, is meaningful, effective, and works to eliminate homelessness and address the acute housing needs faced by millions in Canada.

This is particularly important for those facing the worst housing conditions, including Indigenous people, women-led households, persons with disabilities, members of racialized groups, immigrants and refugees, members of LGBTQ2S+ communities, and those with low incomes.

## **COVID-19 and the Right to Housing**

In June 2019, Canada made a historic commitment to the progressive realization of the right to housing through the *National Housing Strategy Act*. This legislation was an incredible moment of collaboration towards implementation of Canada's international human rights obligations by civil society and the federal government.

In the past few months, the world has changed. The federal government has stepped up in the face of the COVID-19 health crisis through measures such as increasing funding for *Reaching Home* as well as domestic violence shelters; taking steps to implement the Canada Housing Benefit as well as mortgage deferrals; and ensuring that individuals and families have additional income supplements like the Canada Emergency Response Benefit (CERB).

Despite these significant efforts, we fear that this health crisis has, and will continue to, irreparably affect those in insecure housing and will result in a devastating loss of life for those experiencing homelessness.

More than ever, Canada's next moves to implement the right to housing are matters of life and death.

## **Recommendations**

While we applaud this government's housing efforts during COVID-19, the NRHN has identified six critical recommendations to move forward Canada's recovery in the context of the right to housing.

1. **Prioritize the appointment of a strong, well led, well resourced, and effective Advocate and Housing Council to identify and remedy violations of the right to housing.** In the context of COVID-19, the inequity of Canada's housing systems has been laid bare. Both the UN Office of the High Commissioner on Human Rights and Ontario Human Rights Commission have remarked that in the face of these inequalities, human rights oversight accountability has never been more

critical for government. As Canada moves into the creation of a recovery plan, this is the moment to ensure we have new federal right to housing infrastructure in place to ensure that experts, particularly lived experience experts and tenants, can participate in recovery strategies. A Federal Housing Advocate and Council will provide communities with a much-needed mechanism to identify systemic barriers and seek remedies for responsive housing programs and policy innovation. We encourage the federal government to expedite the appointment of the Housing Council and prioritize the appointment of a Federal Housing Advocate as a critical tool in the integration of human rights obligations throughout the COVID-19 recovery process.

2. **Expand and adapt the National Housing Strategy (NHS) to reflect the obligations of the right to housing and requirements of the *National Housing Strategy Act*.** There is a global understanding that housing is the first line of defense against COVID-19. This health crisis has exposed structural inequalities that disproportionately exclude marginalized groups from access to adequate housing. We encourage the federal government to be more ambitious in its goals, with front-end funding measures and monitoring of the NHS. We recommend that the federal government consider:
  - a. **Establishing targets and timelines for the elimination of homelessness** so that they are consistent with international human rights obligations to realize the right to housing within the shortest possible time, based on a maximum of available resources;
  - b. **Adopting measures to eliminate the deep disparities in access to adequate, affordable, safe, and secure housing.** This includes applying a rigorous intersectional gender-based analysis (GBA+) for Indigenous peoples, women, communities of colour, persons with disabilities, trans and gender-diverse people, older adults, children and young people, migrants, refugees, asylum-seekers, and people with precarious immigration status and ensuring at minimum 25% of resources go towards diverse women and girls as part of the commitment under the NHS; and
  - c. **Implementing rights-based monitoring of NHS and other federal housing funding.** This includes the use of disaggregated data for marginalized groups, particularly persons of colour, in order to assess the impacts of NHS programs for priority populations and ensure that resources and programs are directed to priority areas and are adequate.
3. **Increase investments in non-market and permanently supportive housing with the goal of ending homelessness and core housing need in Canada.** In responding to COVID-19, the federal government demonstrated a commitment to the most marginalized and made significant investment to assist communities to create housing solutions. We urge the federal government to build on this momentum to make significant long-term investments in housing, including:
  - a. **Fund the construction, acquisition and operation of permanent supportive housing with the goal of ending homelessness.** Permanent supportive housing (PSH) combines housing assistance with individualized, flexible, and voluntary support services for people with high needs related to physical or mental health, developmental abilities, or substance use. PSH units should be distributed broadly across affordable private rental and social housing portfolios in order to protect individual independence, dignity and social inclusion.
  - b. **Establish and fund dedicated supply program for non-market social housing development and acquisition with the objective of ending core housing need.** Non-market social housing includes public, public non-profit, private non-profit, and private

non-profit co-operative housing that operates on a not-for-profit basis, providing security of tenure, strong communities, and affordability forever. According to the 2016 Census, there are approximately 1.7 million renter households experiencing core housing need. Around 800,000 renter households spend more than 50% of their income on rent. The COVID-19 pandemic is intensifying the impact of Canada's housing crisis, particularly for women, girls, and gender-diverse persons experiencing domestic violence. The crisis has demonstrated the limitations of over-reliance on the private market for the provision of rental housing for low- and moderate-income households - including governments' limited power to protect private market tenants' security of tenure in times of economic crisis. A growing supply of non-market social housing will reduce core housing need by offering a stable supply of housing for low- and moderate-income households.

- c. **Direct the federal surplus land initiative to offer first right of refusal to municipal and local organizations to build non-market social housing.** The federal government can align with this goal using its Federal Lands Initiative for Affordable Housing by focusing first on the development of non-market social housing. Furthermore, public land should be preserved for community benefit in perpetuity, and the program should not consider privatization schemes that result in the financialization of housing.
4. **Ensure that adequate taxation and regulatory measures are in place to prevent the financialization of housing.** The federal government has been proactive in ensuring individual protections in the wake of the economic impact of COVID-19 on those who have lost employment due to the health crisis. However, the anticipated global financial crisis could have a devastating impact on Canada's existing housing crisis, particularly in cities like Toronto and Vancouver, and to a lesser extent Montreal, that was exacerbated by the 2008 economic recession. Without federal leadership through adequate protective taxation measures and federal regulations to prevent over-speculation by investors, Canada will see an increase in evictions to make way for luxury developments, and current residents being pushed out of communities because they can no longer afford to live there. Without adequate measures to protect against large multinational investors purchasing affordable housing stock as investments, the deepening housing crisis will continue to outpace the government's efforts to build affordable housing.

We recommend that the federal government explore innovative opportunities to invest in properties to contribute to social non-market housing stock – for example through a right of first refusal to prioritize government over private asset company investment. Additionally, we encourage the government to find opportunities to reverse the impact of financialization of the housing market, for example, through federal government support for communities to purchase hotels that are being used as short-term emergency housing during COVID-19 to be converted to non-market and permanently supportive housing stock.

5. **Implement adequate income and rental supports to ensure individuals experiencing insecure housing and homelessness can maintain/secure housing.** In response to COVID-19, the federal government introduced or expanded income and rental support programs like the CERB, expansion of Employment Insurance, the extension of the Federal Community Housing Initiative Phase 1, and fast-tracking of the Canada Housing Benefit. These are critical supports as many have lost stable employment due to the coronavirus and will find it difficult or impossible to make rent payments.

However, there are some individuals who do not qualify for these programs, and programs like the CERB will eventually expire while the economic impacts of COVID-19 will persist. The impacts of this epidemic have uncovered the widespread gaps that exist in current income support programs. We urge the federal government to consider long-term income and rental support reforms to ensure that everyone can make their rent in the wake of COVID-19.

6. **Provide leadership for subnational governments through conditions on stimulus and other federal spending.** Across our wide network, partners have been encouraging subnational governments to step up and protect the rights of those experiencing homelessness and precarious housing. We encourage this government to take a leadership role in ensuring that tenants and those experiencing homelessness have secure housing now and beyond this health crisis. We encourage the federal government to place conditions of spending such that:
  - a. **Provinces and territories implement measures to strengthen residential tenancy laws to better protect tenants and keep rents affordable as well as prevent evictions from COVID-19 related arrears;**
  - b. **Provinces and territories do not claw back federal benefits, such as the CERB, from social assistance recipients; and**
  - c. **Provincial, territorial and city-owned land is dedicated to the provision of deeply affordable non-market housing.**

**We join the call for an adequately resourced Urban and Rural Indigenous Housing and Homelessness Strategy that is developed and implemented by urban, rural and Northern Indigenous housing and service providers, with recognition of these organizations as expressions of Indigenous self-determination, consistent with Canada's obligations under UNDRIP.**

Additionally, we join the calls to action of our partner organizations, including the Canadian Alliance to End Homelessness, in the Recovery for All campaign.

The federal government has made exceptional efforts to help hundreds of thousands in Canada who experience homelessness and inadequate housing. But more needs and can be done. We look forward to working with members of the HUMA committee in efforts to build back better through the implementation of the right to housing in Canada.