

WORKSHOP RECAP:

Claiming the Right to Housing in Atlantic Canada

**THROUGH THE
NATIONAL
HOUSING
STRATEGY
ACT**

Who, what, where when...

On December 2, 2021, 100 participants gathered from New Brunswick, Newfoundland and Labrador, Nova Scotia, and Prince Edward Island to identify systemic housing barriers and how to claim the right to housing through the National Housing Strategy Act.

This event was part of a regional workshop series hosted by the Centre for Equality Rights in Accommodation, the National Right to Housing Network, and the Social Rights Advocacy Centre.

In partnership with:

- Canadian Centre for Policy Alternatives - Nova Scotia
- Renting PEI
- Saint John Human Development Council
- Vibrant Communities - Community Sector Council Newfoundland and Labrador

Click below to watch:

Recording of the workshop presentations



An aerial photograph of a city, likely Montreal, showing a dense urban landscape with numerous buildings and trees. The image is overlaid with a dark blue rectangular box containing white text. The top portion of the image shows a hazy horizon with distant hills.

**We heard about the right
to housing in Canada...**

The right to housing in Canada

Canada has recognized the right to housing under international human rights law by ratifying the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other human rights treaties.

The right to housing is not just about having a roof over one's head. It includes protection from evictions and the promise of affordable, accessible, habitable housing, access to essential infrastructure, as well as necessary services and facilities, such as healthcare and employment. It also means that housing should be culturally adequate.

Canada has agreed that the ICESCR Covenant obligations apply to all levels of government – municipal, provincial and federal.

Under the ICESCR, States are committed to:




"achieving progressively the full realization of the rights recognized in the Covenant, to the maximum of its available resources ... by all appropriate means, including particularly the adoption of legislative measures."

The National Housing Strategy Act

The National Housing Strategy Act (NHSA) is Canada's housing policy.

It includes the key principles of a human rights-based approach to housing and recognizes that:



**the right to
adequate housing
is a fundamental
human right**

**housing is
essential to the
inherent dignity
and wellbeing
of a person**

**Canada
is obliged to
progressively
realize the right
to housing**

The goal of the National Housing Strategy, which was launched before the NHSA was passed into law, should be revamped to create a strong social safety net that is adaptable to the varied needs of the rights claimants.

3 key mechanisms under the NHSA

Three key mechanisms are required to be created under the NHSA to hold the federal government accountable to implement the right to housing.





Federal Housing Advocate

The Federal Housing Advocate is responsible to receive and review submissions brought forward by communities who are impacted by systemic housing issues.

Its role is to promote and ensure compliance with the federal government's policy to progressively realize the right to housing over time through various mechanisms and processes.

After reviewing submissions, the Advocate submits its findings and recommendations for the federal government to address the issues, and the government is obliged to respond within a set period of time.

The Office of the Federal Housing Advocate is located within the Canadian Human Rights Commission.

A large teal circle with a slight drop shadow, containing the text 'National Housing Council' in bold black font.

National Housing Council

The National Housing Council advises the Minister responsible for housing issues in Canada about the effectiveness of Canada's National Housing Strategy and to ensure consistency of the Strategy with the right to housing (as articulated in the National Housing Strategy Act).

The Council is also responsible to promote the participation and inclusion of vulnerable groups and people with lived experience of housing need or homelessness in housing policy development.

The Council consists of 15 appointed members, both individuals and government representatives. The NHSA requires that its membership include representation from people who are impacted by housing issues, as well as people with human rights expertise.



Review Panel

The Review Panel hears selected cases of systemic housing issues that are identified by the Federal Housing Advocate.

The Panel is responsible for holding hearings to review systemic housing issues, with participation from people who are affected by the issue, as well as organizations with expertise in the right to housing.

Once a hearing has concluded, the Panel will submit a report with its recommendations to address the issues to the responsible Minister.

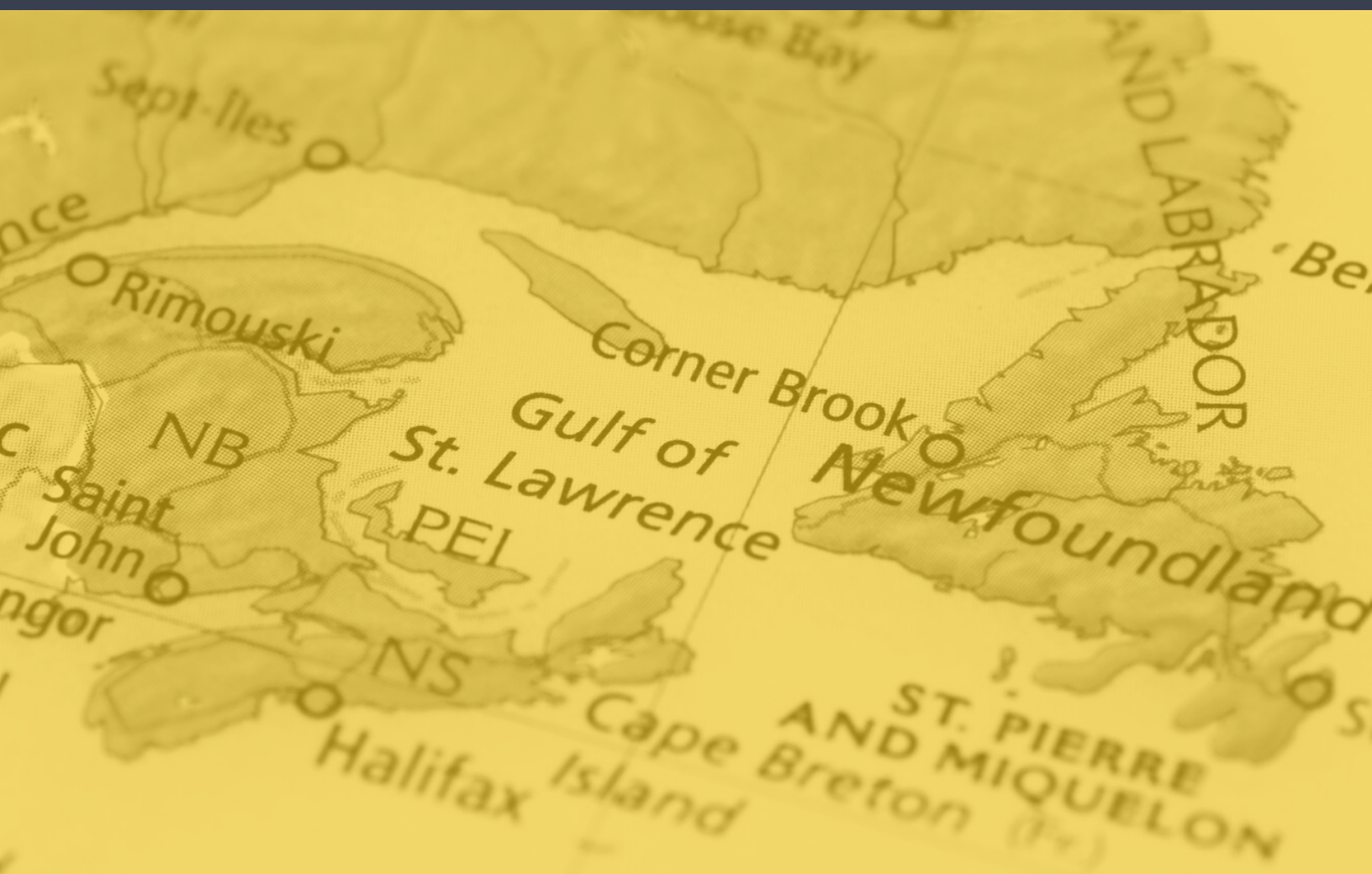
The Minister must then respond within 120 days, outlining the measures that will be taken to resolve the issues raised by the impacted groups.

Click below to learn more about the NHSA:

National Housing Strategy Act **- A Primer -**



**We heard about systemic
housing issues in New Brunswick,
Newfoundland and Labrador,
Nova Scotia and Prince Edward
Island**



What we heard...

The state of housing in New Brunswick

Systemic housing issues in the province:

- A lack of affordable housing, particularly for newcomers.
- The current number of public housing units and rent supplements is not meeting the needs of low income renters.
- A lack of tenant protections, with some of the fewest protections in the country. For example, there is no cap on rent increases. As a result, renters can experience rent increases they cannot afford.
- A lack of diverse housing. There is insufficient investment in supportive housing that is needed by some people experiencing homelessness.
- Income assistance rates are too low and do not help people access housing.
- Service providers are overly bureaucratic, making it difficult for people with complex needs to access supports.
- Resources are not being effectively targeted to meet the needs of the most vulnerable groups.
- There is a lack of education around the pathways to homelessness, leading to the public having misconceptions about people experiencing homelessness.
- Populations who are leaving the justice system may have difficulty finding housing as part of their release conditions.
- Landlords use illegal practices that discriminate against certain populations, especially people living on fixed or low incomes.

What we heard...

The state of housing in New Brunswick

Vulnerable communities who are impacted:

- Low-income people, racialized communities, Black communities, people with disabilities, LGBTQIA+ communities, people experiencing homelessness in urban and rural areas.

Impacts of the pandemic:

- It highlighted the extent of housing instability and insecurity
- It emphasized the need for tenant protections. This led to the creation of New Brunswick Coalition for Tenants Rights and the appointment of a Tenant Advocate within the Saint John Human Development Council.
- It led to the increase in partnerships across sectors.

Government actions taken to address these issues:

- In 2019, the province released its 10-year housing strategy.
- While it contained some good investments, it fell short of seriously addressing the issue of affordable housing in the province, especially for those experiencing homelessness.
- More needs to be done to end chronic homelessness, streamline supports for people experiencing homelessness, and effectively utilize available resources.

Click below to download the workshop presentation from:

[Saint John Human Development Council](#)



What we heard...

The state of housing in Newfoundland and Labrador

Systemic housing issues in the province:

- The province has some of the highest rates of poverty in Canada.
- Since the summer of 2021, demand for affordable rental housing and emergency shelters has increased.
- A lack of affordable housing options provided through the Saint John's social housing provider and community partners.
- Aging infrastructure and a lack of accessible housing compounded with increases in costs of living are contributing to the housing affordability crisis.
- The charitable sector continues to deal with the impact of the pandemic including increases in demand for services and basic needs like food and housing security.
- There is a general stigma amongst landlords and the general public against affordable, accessible, and publicly funded housing.
- Landlords are hesitant to rent to people receiving income supports.
- There is a lack of affordable housing forcing people to choose between paying their rent and other necessities such as food.
- The government is failing to provide affordable housing, using measures of affordability that do not truly reflect the needs of people with low incomes.
- There is a lack of public housing options, and the waitlists are long.
- Proof of income requirements create barriers for people who are applying for affordable housing.
- There are concerns that landlords systemically abuse certain types of applications that lead to easy evictions, such as those based on breaches of the peaceful enjoyment clauses.

What we heard...

The state of housing in Newfoundland and Labrador

Where do we go from here:

- There is a need for leadership. There is positive movement with the new government but more needs to be done and efforts need to be accelerated.
- The issues of high rents and low incomes indicate a clear need to reform social programs and better understand the intersectionality between health, poverty and homelessness and the various systemic issues that exacerbate these issues.
- There is a need to make social assistance programs more effective by adopting an approach that trusts people to make decisions that are best for them and their families, similar to the CERB program.
- There is a need to collect more up-to-date data on those experiencing poverty and housing precarity to be able to address the structural issues in our systems.

Click below to download the workshop presentation from:

Vibrant Communities - Community Sector
Council Newfoundland and Labrador



What we heard...

The state of housing in Nova Scotia

Systemic housing issues in the province:

- Weak tenant protections such as a temporary rent increase cap, lack of vacancy control and lack of protections for those living in encampments.
- People living on lower incomes such as those earning minimum wage or receiving social assistance are greatly impacted by the lack of affordable housing options.
- Unaffordable rents leave renters with little money to purchase other basic necessities such as groceries, and many are forced to access food banks.
- Lack of affordable, accessible, and and supportive housing options especially for people with disabilities, international students and newcomers.
- Lack of policies that protect existing affordable units.
- The waitlist for social housing is too long.
- There is no provincial association to coordinate and support the community housing sector.
- Overreliance on the private sector to provide housing options to low-income people who cannot afford to rent in the private rental market.
- Many people deal with maintenance issues in their units that are not addressed by their landlord such as bed bugs and other pest infestations, which impacts their physical and mental health.
- Renters are not educated about their legal rights, which limits their ability to advocate for themselves.

What we heard...

The state of housing in Nova Scotia

Vulnerable communities who are impacted:

- Nearly a quarter of renter households are in core housing need. Among them, the most impacted are Indigenous peoples, lone-parent households, single people, and racialized communities.
- People with disabilities lack community housing options and supports.
- People experiencing homelessness, with an over-representation of Indigenous people and Black communities.
- Youth who are experiencing homelessness and housing precarity.

Impacts of the pandemic:

- The pandemic contributed to social isolation and negative mental and physical health impacts, especially on those experiencing homelessness.
- It highlighted that housing is a social determinant of health.
- It brought attention to how those without housing can be left out of the public health and emergency management directives.
- It put additional pressure on the housing stock due to new demand from outside the province.
- It resulted in a temporary rent increase cap of 2%.

What we heard...

The state of housing in Nova Scotia

Civil society initiatives:

- Many groups, networks, and organizations are working together on issues of affordable housing and homelessness at the municipal and provincial levels.
- One example is the Housing for All Working Group which generated the Housing for All report, with a “Housing is Health” campaign. This was organized by the Nova Scotia Action Coalition for Community Wellbeing.

Government actions taken to address these issues:

- A government appointed housing commission released a report in May 2021 with many problematic recommendations such as ending the temporary rent cap.
- A recently announced housing plan which includes a two-year extension of the temporary rent cap, amendments to the Municipal Government Act that allows for inclusionary zoning, \$25 million for the creation of about 700 new affordable units (mostly via the private sector, with ‘affordable units’ at 80% of market rents) and funds to provide services for people who are at risk of experiencing homelessness and supports to those who are experiencing homelessness.
- Municipalities are being expected to play a greater role in addressing homelessness and affordable housing issues, although many have limited resources to do so.

Click below to download the workshop presentation from:

Canadian Centre for Policy Alternatives - Nova Scotia

Critical Housing Issues in Nova Scotia

Weak tenant protections: this includes a temporary rent cap, lack of vacancy control, inconsistencies with inspections and by-laws across the province, and a lack of protections for individuals living in encampments.

Low incomes: the minimum wage is far lower than living wage rates (\$12.95 vs. \$18.45 to \$22.05, depending on region), social assistance rates are among the lowest in the country, and Nova Scotia has the third-highest child poverty rate (24.3%).

Low vacancies and lack of affordable housing: vacancy rates are low in Halifax (1.9%) and smaller communities lacking data. Only 12% of tenants live in subsidized housing, and 43% of tenants spend 30% or more of their income on shelter. There are no by-laws in place to protect existing affordable units, and no provincial association to coordinate and support the community housing sector.

Reliance on the private sector to deliver affordable housing: (limited) new units are being built by the private sector, and there is an increasing reliance on rent supplements. New affordable units are 80% of market rent, which is not affordable to most needing lower-cost housing (versus an RGI model for rents).



What we heard...

The state of housing in Prince Edward Island

Systemic housing issues in the province:

- Recent proposed changes to the Residential Tenancies Act including:
 - Providing renters with the right of first refusal after a renoviction.
 - Mandatory pre move-in inspections.
 - New timelines for evictions for failure to pay rent.
 - Providing renters with the ability to end tenancy agreements where family violence occurs or in situations where the tenant is ill and cannot afford the rent, and if their unit is uninhabitable.
 - Setting a moratorium on evictions where school aged children are in the home during the school year.
 - Creating new methods to calculate rent increases.
 - Increasing administrative penalties.
 - Providing compensation for tenants evicted for personal use, sale, renovation, demolition, or conversion, who can file a complaint and adding provisions that will protect tenants who's landlords file eviction applications in bad faith.
- The need for affordable housing and the impact of short-term rentals on the affordable housing stock are being debated at the municipal level. City staff have suggested that short-term rentals should only be allowed in primary residences or in adjoining units or suites, or as a part of home sharing.
- The province has put forth a moratorium on renovictions for two years. This is in response to a rise in renovictions in recent years, as it is a way for landlords to bypass rent control measures and rent units to new tenants at a higher rate.

What we heard...

The state of housing in Prince Edward Island

Systemic housing issues in the province:

- There is a lack of affordable housing and the provincial government has been investing in housing for middle-income earners instead of people on lower incomes.
- The definition of affordability does not reflect people's incomes and what is actually affordable for them.
- The use of short-term rentals for tourism purposes is resulting in less housing being available to renters.
- Rental housing available in downtown Charlottetown is not well maintained and does not meet minimum standard requirements.
- Marginalized groups are impacted the most by housing issues, such as seniors on fixed incomes and international students.
- Low-income renters experience discrimination when trying to access housing, based on grounds such as family status or source of income.
- Systemic racism, particularly anti-Black and anti-Indigenous racism, needs to be addressed as it impacts their access to housing.

Click below to download the workshop presentation from:

[Renting PEI](#)



What we heard...

How renters in Atlantic Canada can claim their right to housing

1

Community organizations can come together to better understand the right to housing framework and to help communities identify systemic housing issues.

2

Communities can come together to bring submissions of systemic housing issues to the Federal Housing Advocate, and perhaps advocate for this type of role to be set up in each province. This can strengthen the implementation of the right to housing across the country.

3

Communities can advocate for a rights-based approach to housing in their cities that ensures access to housing for all groups, especially those most vulnerable.

4

Governments should use community-informed approaches to measure the success of programs and review if the right to housing is being advanced.

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