



National Housing Council
Canada
Review Panel on the Financialization of Purpose-Built Rental Housing

August 30, 2023

Re Submission to Review Panel on the Financialization of Rental Housing

Introduction

I am an Associate Professor at the University of Saskatchewan College of Law located in Saskatoon, Saskatchewan. My research focusses on the practices of residential tenancies tribunals around evictions. My past research has included qualitative studies of tenant experiences in residential tenancies tribunal matters, studies of the impact of legal clinic advocacy in housing matters, and an empirical analysis of eviction decisions of Saskatchewan's residential tenancies tribunal during the first year of the COVID-19 pandemic.

My current research involves empirical analyses of eviction decisions of Saskatchewan's Office of Residential Tenancies ("the ORT"). I have collected and compiled data from thousands of recent eviction decisions of the ORT, which are easily accessible because they are all published online on CanLII (Canada's free online legal database). Although my research is still in progress, I wanted to share some relevant data arising from my empirical study of evictions in the city of Saskatoon, Saskatchewan.

My research is relevant to the Panel's review because it provides a window into formal evictions (i.e., evictions that result from a residential tenancies tribunal process) in one medium sized Canadian city, in a province that has been identified as friendly to financialized landlords primarily because of the absence of rent control.¹ It appears from a review of recent reporting that financialized landlords operating in Saskatchewan are very profitable.²

¹ Martine August, "The Financialization of Canadian Multi-family Rental Housing: From Trailer to Tower" (2020) 42 Journal of Family Affairs 975 at 983.

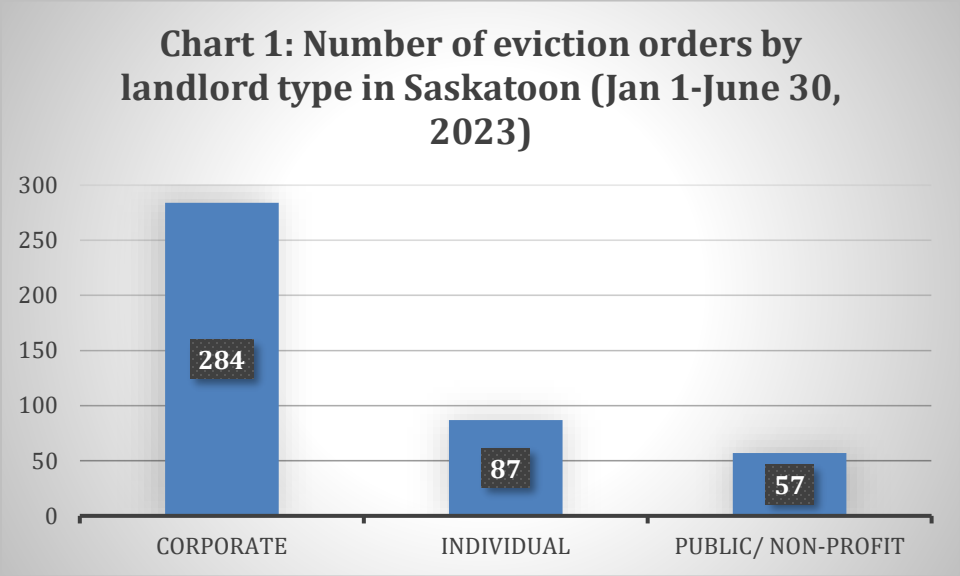
² See for example, <https://www.bwalk.com/media/35514/pr-08-10-2023-q2-results-final.pdf>; https://assets.rentsync.com/mainstreet/documents/1670945738117_MEQ_Q4_2022_SEDAR.pdf; <https://www.globenewswire.com/news-release/2022/10/19/2537492/0/en/Avenue-Living-Surpasses-4-25-Billion-in-Assets-Under-Management.html>.

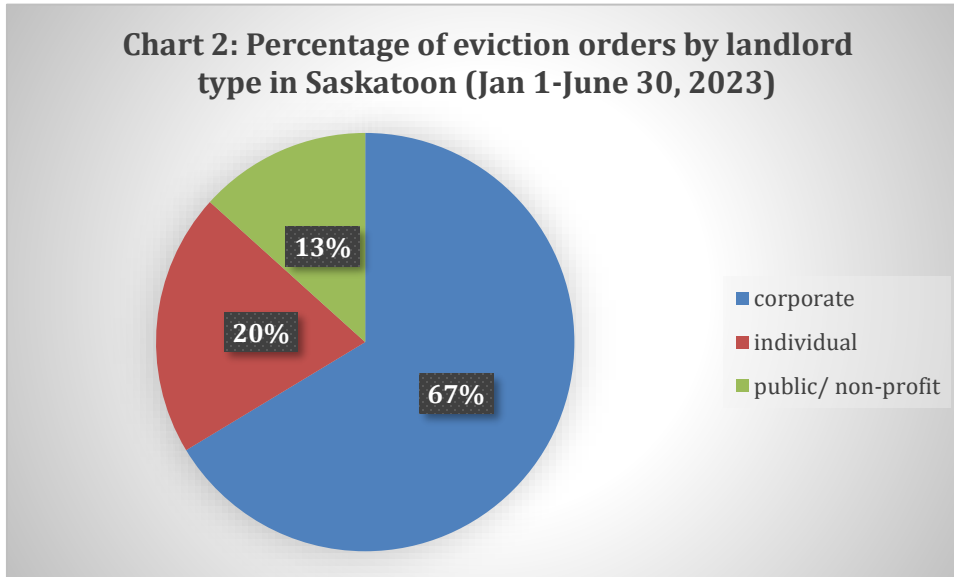
In this submission, I share some data from my most recent review of eviction decisions of the ORT involving evictions within the city of Saskatoon, Saskatchewan’s largest city. Specifically, I have looked at evictions that were ordered in the six-month period between January 1 and June 30, 2023.

Some key findings of my research are outlined below.

Corporate and financialized landlords do most of the evicting in Saskatoon

During the period of the study (January 1-June 30, 2023), the clear majority of eviction orders were granted to corporate landlords, including large financialized landlords. Of a total of 428 eviction orders released by the ORT and pertaining to Saskatoon tenants during this period, 284 or 66% involved corporate and financialized landlords (see Charts 1 & 2). In contrast, between January 1 and June 30, 2023, individual landlords (“mom and pop” landlords) received a total of 87 eviction orders and non-profit or public landlords received a total of 57 eviction orders



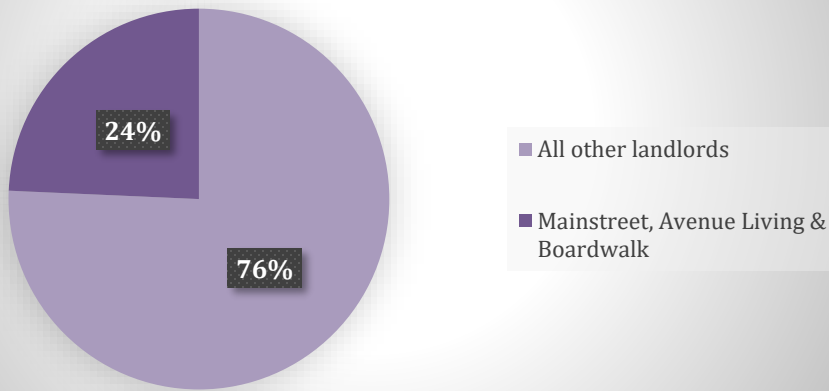


A small number of landlords dominated the eviction field in Saskatoon

Who are the corporate landlords receiving these eviction orders? In the 6-month period of my study, a total of 53 corporate landlords were active at the ORT (meaning they received at least one eviction order). These corporate landlords included numbered companies registered in Saskatchewan and British Columbia, property management companies, and large national financialized landlords including Altyn Chaben, Avenue Living, Boardwalk, Carpreit, Hazelview, Mainstreet Equity, and Weidner Investments.

However, a relatively small group of corporate and financialized landlords received a disproportionate share of the total eviction orders. Only nine landlords in this category received more than five eviction orders during the period of the study, and only six received more than 15. Of these “top six”, three are large financialized landlords: Mainstreet Equity, Boardwalk and Avenue Living together received 104 eviction orders during this period. In other words, these three financialized landlords **applied for and received a total of 24% (one quarter) of all eviction orders** in Saskatoon between January 1 and June 30, 2023 (Chart 3). Of these three, Mainstreet Equity was by far the most active, receiving a total of 59 eviction orders (Avenue Living received 28 orders and Boardwalk received 17).

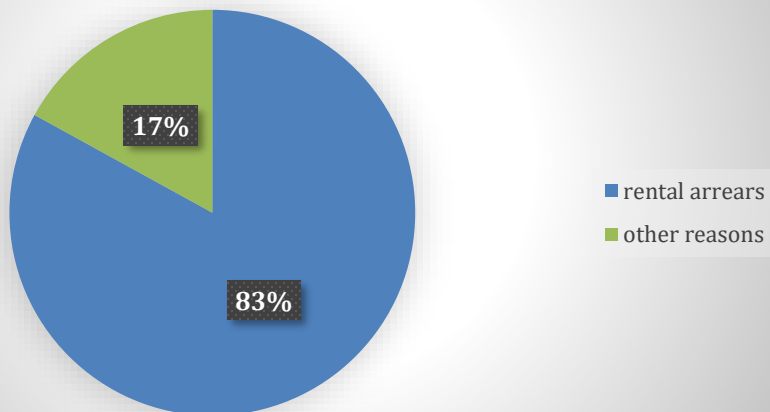
Chart 3: percentage of eviction orders received by three financialized landlords (Saskatoon, Jan 1- June 30, 2023)



Reasons for eviction

Between January 1 and June 30, 2023, by far the most common reason for eviction of Saskatoon tenants by corporate/ financialized landlords was rental arrears. 83% of all eviction orders received by corporate and financialized landlords were due to rental arrears by tenants. This statistic is illustrated in Chart 4. On average, tenants were behind in rent **1.46 months** at the time that the corporate or financialized landlord applied for an eviction order. In contrast, public and non-profit landlords waited on average until a tenant was 2.9 months in arrears before applying for an eviction order. The remaining 17% of cases mostly involved evictions due to tenant behaviours.

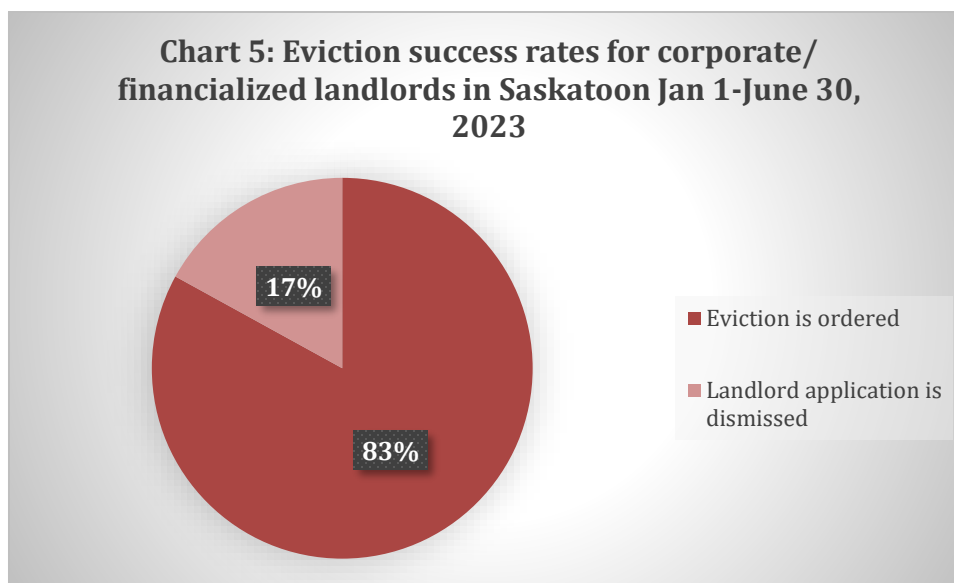
Chart 4: Reasons for eviction in cases with a corporate/ financialized landlord





Landlords receive their eviction order most of the time at the ORT

Another key finding is that the ORT usually grants landlords their eviction order. Landlords seeking evictions in Saskatoon were successful 83% of the time at the ORT between January 1 and June 30, 2023 (Chart 5). In most cases where landlords are unsuccessful it is because of a technical issue (i.e., lack of proper service on the tenant, rather than because of a substantive consideration of the merits of the landlord’s application). It is usually clear that landlords can correct the technical error, return to the ORT, and receive their order.



Conclusions and Recommendations

This research provides a window into the current eviction landscape in Saskatoon, Saskatchewan, with a focus on the eviction activities of corporate and financialized landlords. The research shows that corporate landlords, including a small number of large financialized landlords, dominate the evictions landscape in Saskatoon. By far the most common reason for eviction is the existence of rental arrears. Corporate and financialized landlords in Saskatoon move relatively quickly to evict in cases where tenants are behind on rent.

Extensive research makes it clear that eviction is a highly negative outcome for tenants, their families, and communities more broadly. My research suggests that many Saskatoon tenants of

corporate and financialized landlords are struggling with affordability and the ability to pay their rent, and risk eviction as a result. Meanwhile, tribunals like the ORT process evictions quickly and efficiently for landlords.³ While residential tenancies legislation is an area of provincial jurisdiction, the federal government should work collaboratively with provinces to move towards national standards for eviction processes that embrace a commitment to eviction prevention, as well as improved protections and financial supports for tenants (especially when federal dollars have been loaned/granted to build/maintain that housing), including instituting rent control and/or other policies that improve affordability and are grounded in a commitment to housing as a human right.

Sincerely,
Sarah Buhler

A handwritten signature in black ink, appearing to read 'Buhler', with a stylized flourish at the end.

Associate Professor, University of Saskatchewan College of Law

³ See Provincial Auditor of Saskatchewan, 2021 Report Volume 1 , online: https://auditor.sk.ca/pub/publications/public_reports/2021/Volume_1/CH09%20--%20Office%20of%20Residential%20Tenancies%E2%80%94Adjudicating%20Tenancy%20Disputes.pdf at129. This report noted that the average time between a hearing and the order being released is 2.4 days.