

Submission to Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) - Review of Financialization of Housing

GENDERED EVICTIONS IN FINANCIALIZED HOUSING MARKETS ACROSS CANADA:

**The Case for Human Rights
Intervention and Oversight**



THE NATIONAL
RIGHT TO HOUSING
NETWORK



WOMEN'S NATIONAL
HOUSING & HOMELESSNESS
NETWORK

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Introduction

Canada is currently facing a severe housing crisis, with skyrocketing rents and a market that prioritizes profit over the dignity, needs, and legal human rights of renters. This crisis particularly affects marginalized women, girls, and gender-diverse individuals who often live in insecure and unsafe housing due to poverty, inequitable and exclusionary government policies, and discriminatory practices in the housing sector.¹ In financialized housing markets, where government policies and practices prioritize investor profit over tenants, we are increasingly seeing evictions among already-marginalized women and gender-diverse people who rely on the same “affordable” housing that these investors prey on. While the home can unquestionably be a site of extreme violence for many women and gender-diverse people, the loss of housing can remove an important buffer from other forms of harm, exploitation, and marginalization, making these evictions doubly harmful for the communities we serve.

Importantly, the Government of Canada made a historic and legislated commitment to progressively realize the human right to adequate housing via the *National Housing Strategy Act* of 2019. This legislation explicitly references international human rights law and standards to establish a new paradigm in Canada’s housing sector – one in which the dignity and housing needs of tenants and marginalized communities must be at the centre of all housing policies, budgetary decisions, laws, and programs that affect them. In effect, this makes every level of government (under the leadership of the federal government) primarily accountable to residents and tenants most in need of adequate housing and security of tenure, including marginalized women and gender-diverse people.

This submission, prepared by a team of researchers and advocates from the [Women’s National Housing and Homelessness Network](#) and the [National Right to Housing Network](#), articulates critical systemic issues at the intersection of financialization and evictions in the lives of women and gender-diverse people, alongside human rights-based analyses and recommendations that can begin to address these human rights concerns. We offer this Submission for consideration by the [The Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities](#) (HUMA), as part of the Committee’s review on the financialization of housing.

Issue 1: Evictions and Gender-Based Violence

The financialization of housing across Canada exacerbates the conditions under which Intimate Partner Violence occurs, resulting in eviction, housing precarity, increased exposure to violence, and cycles of marginalization for women and gender-diverse people.

Women and gender-diverse people who flee violence experience substantial financial losses, including property, savings, and access to affordable services, supports, and transportation.² These financial losses make it significantly more difficult to afford housing post-abuse, particularly in financialized housing markets. In a [2023 report](#) on market rental housing experiences of survivors of gender-based violence, respondents reported that, for up to 5 years after leaving an abusive relationship, they had trouble affording or paying their housing costs.³

For many women and gender-diverse people experiencing violence, the financialization of housing in fact limits their ability to escape abuse and find safety on their own terms because it removes affordable housing from the market. Research demonstrates that women will often remain in abusive situations for years because they cannot afford any other housing in their community, or available housing does not meet their children’s needs (e.g., proximity to transportation, schools), and/or they fear for their children’s safety in the care of their partner. Mothers who do leave situations of IPV with their children often experience housing need and profound systemic challenges in accessing supports and regaining housing stability in

¹ Schwan, K., Versteegh, A., Perri, M., Caplan, R., Baig, K., Dej, E., Jenkinson, J., Brais, H., Eiboff, F., & Pahlevan Chaleshtari, T. (2020). *The State of Women’s Housing Need & Homelessness in Canada: Literature Review*. Hache, A., Nelson, A., Kratochvil, E., & Malenfant, J. (Eds). Toronto: Canadian Observatory on Homelessness Press. <http://womenshomelessness.ca/wp-content/uploads/State-of-Womens-Homelessness-Literature-Review.pdf>

² Schwan et al., 2020.

³ WomanACT. (2023). *Successful Tenancies: Exploring Survivors Experiences in the Private Rental Market in Toronto*. Toronto, ON: WomanACT. p. 5. <https://womanact.ca/wp-content/uploads/2023/03/WomanACT-Successful-Tenancies-Report.pdf>

increasingly financialized markets where adequate sized housing units are simply out of reach for single-income earners like single mothers.

Studies also show that when it comes to evictions, the law, legal processes, and housing policies are stacked against victims of violence and are often implicated in what can “quickly become a downward slide into homelessness.”⁴ Laws surrounding evictions often fail to protect women from violence and can instead perpetuate housing insecurity, particularly Indigenous and intersectionally marginalized women. A 2022 study found that landlords may evict survivors of intimate partner violence due to perceived or actual damage caused by abusers or to avoid dealing with disruptions, leading to further vulnerability.^{5 6 7 8} Importantly, women and gender-diverse people’s housing is often dependent upon relational and familial ties, putting their security of tenure in jeopardy in financialized housing markets.⁹

The right to security of tenure and protection from forced evictions has a particular meaning for women and gender-diverse people as per the UN [Guidelines on the Implementation of the Right to Housing](#), which state that, “the independent right of women to security of tenure, irrespective of their family or relationship status, should be recognized in national housing laws, policies and programs.”¹⁰ Under international human rights law, women must be provided with protection from eviction from their homes due to violence, while “long-term housing programmes, including those for the allocation of permanent public or social housing, should prioritize women and families escaping violence.”¹¹ Similarly, any application to evict women or women with children must be assessed in the context of its impact, including their experience of violence, disability, and health concerns, and their income status, and whether it places women at risk of homelessness.¹² The UN Committee on Economic, Social, and Cultural Rights has established that evictions should only be carried out as “as a last resort,” and “evictions should not render individuals homeless.”¹³ The Committee on the Rights of the Child further emphasized this in their [2022 review of Canada](#).

Issue 2: Gender-Based Economic Marginalization

Feminization of poverty makes recovery from eviction uniquely difficult for marginalized women and gender-diverse people in financialized housing markets that reduce affordable housing options. As a result, post-eviction consequences are particularly severe for this group, and can include homelessness, chronic housing precarity, health challenges, separation from children, and gender-based violence.

The feminization of poverty has been well-documented in Canada,¹⁴ with data indicating women often survive on lower incomes, are overrepresented in minimum-wage and part-time jobs,¹⁵ assume disproportionate responsibilities for housework and childcare,¹⁶ and their employment and income is more likely to be interrupted in the event of pregnancy and/or child rearing.¹⁷ Income inequality is particularly evident for Indigenous and racialized women, with research indicating that racialized women in Canada earn

⁴ Gander & Johansson, 2014. p. 6.

⁵ Parker, B., & Leviten-Reid, C. (2022). Pandemic precarity and everyday disparity: gendered housing needs in North America. *Housing and Society*, 49(1), p.22

⁶ Buhler, S., & Tang, R. (2020). Navigating power and claiming justice: tenant experiences at Saskatchewan’s housing law tribunal. *Windsor Yearbook of Access to Justice*, 36, 210-230.

⁷ *Ibid.*

⁸ Martin, C. M. & Walia, H. (2019). *Red women rising: Indigenous women survivors in Vancouver’s downtown eastside*. Vancouver, BC: Downtown Eastside’s Women’s Centre. <https://dewc.ca/resources/redwomenrising>

⁹ The [Pan-Canadian Women’s Housing & Homelessness Survey](#) indicates that amongst women and gender-diverse persons experiencing homelessness, their most recent housing loss was because of a breakup (47% reported this experience).

¹⁰ A/HRC/43/43 [Guidelines on the Implementation of the Right to Housing], para 53.

¹¹ *Ibid.*, para 53(c).

¹² CESCR. *Views adopted by the Committee under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, concerning communication No. 52/2018*, Rosario Gomez-Limon Pardo (E/C.12/67/D/52/2018 paras 9.5-9.7.

¹³ CESCR, *Ben Djazia et al v Spain* (20 Jun 2017) E/C.12/61/D/5/2015, para 15.1-15.2.

¹⁴ Fotheringham, Walsh, & Burrowes, 2014.

¹⁵ Canadian Women’s Foundation. (2018). *Fact Sheet: Women and Poverty in Canada*. <https://canadianwomen.org/the-facts/womens-poverty/>. See also Moyser, M. & Burlock, A. (2018). *Time use: total work burden, unpaid work, and leisure*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/54931-eng.htm>

¹⁶ Burt, M. R. (2001). Homeless families, singles, and others: Findings from the 1996 national survey of homeless assistance providers and clients. *Housing Policy Debate*, 12(4), 737-780. See also Fotheringham et al., 2014, p. 834-853.

¹⁷ Vecchio, 2019.

only 55.6% of the income earned by non-racialized men.¹⁸ Many people facing eviction are vulnerable and high-need, so they require affordable housing - but this is the very housing that is often targeted for redevelopment in financialized housing markets, which increases their vulnerability to eviction and reduces their ability to compete in the housing market once evicted.¹⁹ Exposure to evictions and their consequences are even more severe for multi-marginalized women and gender-diverse people, particularly for women and gender-diverse people with disabilities.

It is important to note evictions are occurring in a national context wherein federal investments in housing through the National Housing Strategy are often not reaching the most marginalized and vulnerable women and gender-diverse people and reproducing financialization logics in the housing market. For example, a recent report commissioned by the National Housing Council concluded, “very few (4%) of new units produced by the Rental Construction Financing Initiative could lift lone-parent families out of CHN [core housing need], a group that is disproportionately in need of affordable housing.”²⁰ The same report indicated that the RCFI – which represents 40% of NHS funding – will likely produce no units for single moms who are homeless with their children.²¹ In effect, the NHS is largely failing to mitigate the reduction of deeply affordable housing caused by financialization, and low-income women, gender-diverse people, and their children are paying the price.

Financialization of housing has changed the landscape of evictions across Canada over the last 15 years, “with a marked rise in development-related evictions in the context of tight housing markets and a lack of affordable housing.”²² Unfortunately, current eviction prevention programs are generally not designed for this new landscape; measures currently correspond to evictions driven by tenant factors, not by landlord or structural factors. This submission emphasizes the significance of the National Housing Strategy’s failure to provide deeply affordable housing that meets the unique needs of low-income and marginalized women and gender-diverse people in financialized housing markets – markets which are escalating particular forms of eviction that these groups are vulnerable to.

Issue 3: Gender-Based Barriers to Access to Justice

Even as the financialization of housing expedites and increases the eviction of marginalized women and gender-diverse people, access to justice remains particularly elusive for those in this group who experience informal and illegal evictions, or face barriers to engaging in Landlord Tenant Board processes.

While eviction is a key pathway into homelessness amongst women and gender-diverse people in Canada, few are able to access legal supports, advice, or representation that would assist them to prevent eviction, navigate the process, or seek redress for illegal acts by landlords and others. [The Pan-Canadian Survey on Women’s Housing Need & Homelessness](#) found that almost a third of women and gender-diverse people experiencing homelessness (27.9%) were unable to access the legal help they needed it.²³ Power imbalances between financialized landlords and marginalized tenants make access to justice a critical pillar of tenant protections in financialized housing markets. Gaps in legal supports are particularly concerning given the illegal treatment marginalized women and gender-diverse people report experiencing from landlords and property managers. Effective remedies for discrimination from private landlords and property managers rely on provincial, territorial, and federal human rights legislation.²⁴ However, these mechanisms

¹⁸ Block, S., Galabuzi, G. E., & Tranjan, R. (2019). *Canada’s Colour Coded Income Inequality* (Report No. 978-1-77125-478-6). Canadian Centre for Policy Alternatives.

<https://policyalternatives.ca/publications/reports/canadas-colour-coded-income-inequality>

¹⁹ Zell, S., & McCullough, S. (May 2020). *Housing Research Report: Evictions and Eviction Prevention in Canada*. Ottawa, ON: Canada Mortgage and Housing Corporation.

https://eppdscrmssa01.blob.core.windows.net/cmhcprodcontainer/sf/project/archive/research_6/evictions-and-eviction-prevention-in-canada.pdf

²⁰ Blueprint ADE & the Wellesley Institute, 2022.

²¹ *Ibid.*

²² Zell & McCullough, 2020. p. iii.

²³ Schwan et al., 2021. Importantly, young women and gender diverse people (age 13 to 24) reported significant challenges to accessing legal supports – more than any other age group. Across the sample, 52.2% of this group reported not being able to access legal advice or help when they needed it.

²⁴ Centre for Equality Rights in Accommodation (CERA), National Right to Housing Network (NRHN), & Social Rights Advocacy Centre (SRAC). (May 2021). *Submission to UN Special Rapporteur on the Right to Adequate Housing - Housing Discrimination & Spatial Segregation in Canada*. <https://www.ohchr.org/Documents/Issues/Housing/SubmissionsCFIhousingdiscrimin/CERA-NRHN-SRAC.pdf>

in Canada are weak. As identified in a [recent Canadian submission](#) to the UN Special Rapporteur on the Right to Adequate Housing: “Rights claimants have little access to representation and assistance, and courts and tribunals have usually resisted the application of substantive equality to systemic housing and homelessness issues ... Surveys have revealed widespread discrimination on prohibited grounds in housing, yet housing cases make up a small fraction of the cases before human rights tribunals across Canada.”²⁵

Bringing formal complaints forward may be “expensive, slow, [and] unenforceable,” creating significant disincentives for trans, non-binary, and gender-diverse people to seek justice if they experience discrimination, harassment, or other illegal acts from landlords.²⁶

Weak access-to-justice mechanisms create an environment where financialized housing actors can avoid accountability and continue operating under regulations that put them at a significant advantage in comparison to tenants. Research on eviction proceedings at Residential Tenancy Boards/Tribunals across the country suggests that marginalized and low-income tenants face common barriers when engaging in legal processes, including clear preferences among Hearing Officers towards landlords “due to the social and financial capital that accompanies property ownership, or simply due to racism.” As such, financialized landlords hold structural power that results in extremely high eviction rates and a denial of justice among marginalized women and gender-diverse people.^{27 28}

An eviction prevention focus in all Residential Tenancy Boards/Tribunals is critical to address the impacts of financialization, particularly for marginalized women and gender-diverse tenants. Women, girls, and gender-diverse people must be able to claim their right to housing and have access to justice for Canada to fulfill its obligations under international human rights law and the *National Housing Strategy Act*. As articulated by the Special Rapporteur on Adequate Housing in her report on the right to life and the right to housing, “The right to adequate housing is too frequently disconnected from the human rights values which form its core, and is treated more as a socioeconomic policy aspiration than as a fundamental right which demands effective, rights-based responses and timely access to justice.”

Issue 4: Gaps in Data, Monitoring, and Accountability

In the context of the financialization of housing, the lack of data on evictions across Canada creates the systemic conditions for mass right to housing violations, including along lines of gender. The severity of data gaps on eviction, and the paucity of monitoring mechanisms nationally, means that financial actors capitalizing on housing markets can systemically violate the right to housing for women and gender-diverse people with relative impunity.

Across Canada, one of the greatest challenges to preventing and addressing violations of the right to housing in the context of financialization is lack of data – particularly on evictions. ACTO found “that since 2015 there has been a dramatic increase in landlord applications to reclaim properties for their own personal use (of 85%) and for “renovictions” (a 294% jump). However, there is no comprehensive or ongoing monitoring or analysis of such data. As one recent media piece stated: ‘No one counts how many Ontarians are served evictions annually, or what effect it has on the housing market.’”²⁹

These gaps in data are gendered as well – the scale and depth of impacts of financialization remains unknown due to limited gender-segregated data or analysis on evictions regionally and nationally. Even lesser data is available that is able to demonstrate intersectionality in a meaningful way and recent equity-focused analyses have failed to explore gender.³⁰

Existing data is often anchored around formal evictions, because informal evictions take place outside the purview of services and systems where data collection is more likely to occur. This means that, much like

²⁵ CERA, NRHN, & SRAC, 2021, p. 7.

²⁶ *Ibid.*

²⁷ Buhler & Tang, 2019.

²⁸ *Ibid.*, p. 224.

²⁹ Zell & McCullough, 2020, p. 105.

³⁰ Leon, S., & Iveniuk, J. (2020). *Forced out: Evictions, race, and poverty in Toronto*. Wellesley Institute.

experiences of hidden homelessness, data largely fails to capture the scope and scale of evictions faced by women and gender-diverse people – who are much more likely to experience hidden homelessness and regularly experience informal evictions, including due to abuse and relationship breakdowns.³¹ Further, because informal evictions are often invisible to our current data collection methods, services set up to help people with evictions may be based on an understanding of evictions that does not reflect the reality of eviction for women and gender-diverse people, and thus may be less effective.³²

Recommendations

A national review on the state of financialization in Canada is critical and long overdue. As the HUMA Committee proceeds with this review, the following recommendations should direct the process:

1. Employ an intersectional and human rights-based understanding of security of tenure when addressing financialization and its role in evictions across the country. Financialized renovations and demovictions disproportionately impact marginalized and low-income tenants, including women and gender-diverse people.
2. Address gaps in data on evictions, particularly focusing on gender-disaggregated and intersectional data. Without data on evictions, the scale and impacts of evictions resulting from financialization remains unknown.
3. Review and revise the *National Housing Strategy* to include stronger and clearer gender-based targets. Outcomes for marginalized communities need to be tracked and monitored through publicly-available disaggregated data, upholding strong affordability criteria in perpetuity.
4. Ensure that government-funded projects do not result in demovictions or renovations of existing tenants. A right to housing approach should be employed when disseminating funding for housing projects, utilizing need-based data like the Housing Assessment Research Tools (HART) to address the unique and intersectional housing needs in each community.
5. Demonstrate federal leadership and intergovernmental collaboration to advance the right to housing for women and gender-diverse people, utilizing bilateral agreements and spending power to ensure gender-based targets, supports, protections and data collection at all levels of government.
6. Invest in programs that preserve existing affordable housing stock and strengthen the social/community housing sector, such as a Federal Acquisition Fund.
7. Conduct a review on provincial eviction laws and develop national standards around security of tenure. Tenant protection offered through stronger eviction laws can prevent homelessness for single mothers and children, who we know are disproportionately impacted by core housing needs.
8. Invest in alternative housing models as means to counter financialization, with a focus on creating sustainable and local housing solutions that generate community governance and wealth – particularly for Black and Indigenous communities.
9. Review and revise government policies that drive financialization, such as lack of private-sector regulation, taxation loopholes, and low-interest borrowing.
10. Invest in gender-sensitive eviction prevention programs that are responsive to the unique ways in which marginalized women and gender-diverse people experience evictions in the context of financialized housing markets, seeking to ensure this group is not de-housed and displaced.

³¹ Schwan et al., 2022.

³² Zell & McCullough, 2020.