

Embedding the Human Right to Housing: A Blueprint for Canada's Budget

Submitted by the
National Right to Housing Network

for the Pre-Budget Consultations
in Advance of the 2025 Federal Budget

July 2024

Summary of Recommendations

- 1) Adopt a Special Advisor on Homelessness and Homeless Encampments to coordinate, oversee, and implement an interjurisdictional plan to address and prevent homelessness and encampments on a priority basis, particularly in relation to monitoring how municipalities are spending the \$250 million investment from the Federal government to ensure responses are genuinely aligned with a rights-based approach.
- 2) Adjust investments in homelessness programs in alignment with the PBO report, to an additional \$3.5 billion per year, with a view to ending homelessness within clear human rights targets, timelines, and monitoring processes to track progress.
- 3) Establish a gender-responsive budgeting processes to address differing impacts on the housing experiences of women and gender diverse persons to ensure compliance with the “maximum available resources” and “all appropriate means” standard and recognizing the distinctive and urgent obligation to protect the right to life of Indigenous women, girls and gender diverse people in accordance with the Calls to Justice.
- 4) Increase investments in non-market housing to match average funding for social housing by other developed OECD Countries (0.5%-1.5% of GDP).
- 5) Establish targets and timelines for increasing non-market rental housing’s share of Canada’s total housing stock to align with other developed OECD countries (from 3.5% to 6.9% of Canada’s total housing stock) by 2034.
- 6) Secure existing affordable rental homes through an accelerated and sector-led Canada Rental Protection Fund.
- 7) Implement the Renter’s Bill of Rights as National Tenant Rights Standards, where provinces will need to bring their legislation up to a core standard set by the federal government in order to receive federal housing funding. This includes measures for the federal government to regulate rent control.
- 8) Align the Renter’s Bill of Rights with the principles of taking a human rights-based approach; Ensuring enforcement and accountability to uphold the rights of renters; and protecting renters. This includes standards that ensure proportionality in eviction decisions, a right to accommodations/adaptations for accessibility and cultural adequacy, a right to timely repairs and maintenance, a right to clear, accessible legal information and supports (i.e., access to rental information, legal advice, system navigation, etc.), and a right to organize and collectively bargain without penalty.

- 9) Commend the federal government for prompt implementation of the Tenant Protection Fund to support tenant advocacy organizations and organizations that provide legal and informational services to residential tenants, to build capacity to address systemic tenant legal issue.
- 10) Increase the amount of the Canada Disability Benefit to an amount that is consistent with Act, which requires that the benefit be set at an amount that is consistent with the poverty line and with the requirements of the right to adequate housing and to live independently with dignity in the community under international human rights law.
- 11) Consider the [recommendations of Maytree](#) to improve Canada's social assistance programs.
- 12) Develop targets and timelines based in human rights for addressing the rental affordability crisis facing low-income renters, including an accelerated and sector-led Canada Rental Protection Fund.

Background: The Right to Housing and Canadian Housing Policy

Canada's historic [*National Housing Strategy Act*](#) (NHTSA), adopted in 2019, reaffirms Canada's international obligations to the right to housing and **commits the Government of Canada to implementing housing as a fundamental human right** based on the requirements of international human rights. The NHTSA commits the federal government to “further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights” and requires that the government develop and maintain a national housing strategy, a coherent set of programs, policies, and budgetary allocations to fulfil this commitment (Government of Canada, 2019). The NHTSA applies to any measures within federal jurisdiction—including the exercise of its spending power for housing programs in federal and other jurisdictions.

The rights-based approach outlined in the NHTSA mandates that federal investments in housing programs and policies must use a “**maximum of available resources**” and “**all appropriate means**” (including legislative and other measures) to ensure adequate housing for all. This is quite a high standard for a wealthy state like Canada, commensurate with the priority that must be accorded what the NHTSA affirms as a “fundamental human right ... essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities”. It also requires that these **investments target and prioritize those in greatest housing need** with an aim of “progressively realizing” the right to housing in the **shortest possible time**, using clear **targets, timelines, and monitoring** processes to track progress.

The right to adequate housing outlined in the NHTSA and international law recognizes that all people are entitled to adequate housing (i.e., secure, affordable, accessible, habitable, culturally adequate, and well-located housing with necessary infrastructure) to live a life of dignity, well-being, and opportunity. A rights-based approach to housing also requires that housing decisions, policies, and investments be rooted in meaningful engagement with affected communities (i.e., people with lived or living experience of homelessness or inadequate housing), human rights experts and advocates, and civil society.

Recognizing the right to adequate housing for the first time in federal legislation in 2019 was a recognition that the housing crisis facing Canada is indeed a human rights crisis that must be addressed as such. In 2019, it was estimated that 235,000 people in Canada experience homelessness in any given year, and 25,000 to 35,000 people may be experiencing homelessness on any given night.¹ Information from cities and municipalities since 2019 indicate that the number of homeless has significantly

¹ Employment and Social Development Canada, “Everyone Counts 2018: Highlights: Preliminary Results from the Second Nationally Coordinated Point-in-Time Count of Homelessness in Canadian Communities” (2019), online (blog): < <https://www.homelesshub.ca/resource/everyone-counts-2018-highlights-preliminary-results-second-nationally-coordinated-point>>.

increased since that time.² Populations who disproportionately experience Canada's homelessness and housing crisis include Indigenous persons, persons with disabilities, and newcomers.

Since the NHSA was adopted, there have been some changes made to the federal government's National Housing Strategy, but there has been no concerted effort made to ensure that it conforms with the requirements of the NHSA. Recently in 2024, the federal government announced a new Housing Plan with the goal of making housing more attainable and affordable for Canadians. It is not clear how the new Housing Plan relates to the existing National Housing Strategy and there is currently no reference in the Plan to the requirements of the NHSA or the commitment to the right to adequate housing. The commitment in the new Plan to attainable and affordable housing, however, aligns with broader commitments under the NHSA and provides an opportunity to establish an over-arching rights-based approach to housing, based on the NHSA.

In order to implement the commitment to the right to adequate housing in the NHSA, the legislation requires the Minister (in this case the Minister of Housing, Infrastructure and Communities) to, "develop and maintain a national housing strategy to further the housing policy, taking into account key principles of a human rights-based approach to housing."³

National Housing Strategy Act

s. 5 (2) The National Housing Strategy is to, among other things,

- (a) set out a long-term vision for housing in Canada that recognizes the importance of housing in achieving social, economic, health and environmental goals;
- (b) establish national goals relating to housing and homelessness and identify related priorities, initiatives, timelines and desired outcomes;
- (c) focus on improving housing outcomes for persons in greatest need; and
- (d) provide for participatory processes to ensure the ongoing inclusion and engagement of civil society, stakeholders, vulnerable groups and persons with lived experience of housing need, as well as those with lived experience of homelessness

Despite passing the NHSA, Canada's first legislation on the human right to adequate housing, the government of Canada has not publicly assessed or revised the National Housing Strategy in alignment with the legislation.

² Martin Halek, "Committee declares homelessness emergency in Muskoka" (27 March 2023), online (news article):<https://www.mymuskokanow.com/124113/news/committee-declares-homelessness-emergency-in-muskoka/>.

³ *National Housing Strategy Act*, SC 2019, c. 29, s.313

The many gaps of the National Housing Strategy, along with the lack of alignment with Canada's *National Housing Strategy Act*, have been explored time and time again by numerous experts, organizations, and authorities. Among these are the [Federal Housing Advocate](#), [National Housing Council](#), [National Right to Housing Network](#), [Women's National Housing and Homelessness Network](#), [Front d'action populaire en réaménagement urbain](#), [Canadian Centre for Policy Alternatives](#), and Parliamentary Budget Officer (both in [2019](#), [2021](#), and [2024](#)), all of whom have demonstrated that the federal government's current housing programs will not adequately meet its targets of halving the net number of tenant households in need or eliminating chronic homelessness—let alone meet more bold targets of ending homelessness by 2030 in accordance with the Sustainable Development Goals, and as recommended in this Brief.

A. Canada's Commitment to reduce and eliminate homelessness with clear goals and timelines

Under international human rights law, and Canada's National Housing Strategy Act, Canada is required to establish and meet clear goals and timelines for the realization of the right to housing and the elimination of homelessness. In the 2020 Speech from the Throne, the government of Canada committed to the elimination of chronic homelessness by 2030. This was a recognition that the commitment in Canada's 2017 National Housing Strategy to a 50% reduction in chronic homelessness by 2028 did not align with the priority that should be accorded to ensuring that no one is homeless

According to the Parliamentary Budget Officer, Yves Giroux, in a 2024 report, "According to our analysis, an additional \$3.5 billion per year would be required to reach this goal, which is about a 7-fold increase in funding over the National Housing Strategy's average. Furthermore, this funding would have to be sustained on an ongoing basis, taking inflation into account."⁴

Conversely, Canada, in reporting back to the Human Rights Council for the review of Canada under the Universal Periodic Review, Canada only partially accepted the Greece's recommendation that Canada, "Step up efforts to ensure the right to adequate housing and achieve clear goals for eliminating all forms of homelessness in accordance with the National Housing Strategy Act."⁵

Canada's new Housing Plan does, however, include a revamped commitment to eliminating chronic homelessness, with the significantly notable measure of a new \$250 million funding program (to be cost matched by provinces and territories) to "support

⁴ Office of the Parliamentary Budget Officer, "achieving target to halve homelessness would require an additional \$3.5 billion per year, says PBO" (22 May 2024), online (news release): <<https://www.pbo-dpb.ca/en/newsreleases-communiqués-de-presse/achieving-target-to-halve-chronic-homelessness-would-require-an-additional-35-billion-per-year-says-pbo-selon-le-dpb-pour-atteindre-l'objectif-de-reduire-de-moitié-le-nombre-de-personnes-en-situation-d'itinérance-chronique-il-faudrait-35-milliards-de-dollars-de-plus-par-année#:~:text=This%20is%20an%20increase%20of,50%25%20reduction%20in%20chronic%20homelessness>>.

⁵https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session44/ca/UPR44_Canada_The_matic_List_of_Recommendations.doc

human rights-based community action plans that commit to a housing-first approach to ending encampments, and include supportive and transitional housing, housing-focused services, and rent supplements specifically dedicated to individuals living in encampments or experiencing homelessness.”⁶

This new commitment was in part a response to the Federal Housing Advocate’s report in February 2024, following her extensive review (as authorized by the *National Housing Strategy Act*), with a leading recommendation that Canada, “establish a National Encampments Response plan by August 31, 2024,” that would:

- Act immediately to save lives (including ensuring that everyone living in encampments has access to the basic necessities they need to survive and live in dignity, and to services to protect their physical and mental health).
- End forced evictions of encampments.
- Work with all governments and provide support to municipalities.
- Respect the inherent rights of Indigenous Peoples.
- Respect and uphold human rights.
- Offer people permanent housing options as rapidly as possible.
- Address the root causes of encampments.⁷

As the Federal Housing Advocate notes, forced evictions of people in encampments is not the answer. “Forced encampment evictions make people more unsafe and expose them to a greater risk of harm and violence. Evictions destabilize people, remove them from their support systems, and cause them to lose the tools and equipment they need to survive.”⁸

We welcome the federal government’s constructive response to the Federal Housing Advocate’s report, adopting a rights-based approach as recommended and allocating funding to address encampments that will prioritize community-based actions and respect the dignity and rights of those experiencing homelessness. Far too often, municipalities have evicted people in encampments with nowhere to go.⁹

To ensure this new investment in encampments does not end up funding responses grounded in community fear and discrimination, we echo the [recommendations of the Shift](#) for a Special Advisor on Homelessness and Homeless Encampments (with a

⁶ National Housing Strategy, “National housing plan: setting a vision for housing in Canada” (31 March 2024), online: < <https://www.placetocallhome.ca> >.

⁷ Canadian Human Rights Commission, “upholding dignity and human rights: the Federal Housing Advocate’s review of homeless encampment” (13 February 2024), online (report): <<https://www.housingchrc.ca/en/publications/upholding-dignity-and-human-rights-federal-housing-advocates-review-homeless>>.

⁸ *Ibid.*

⁹ Katie MacDonald, “encampment sweeps in Edmonton are yet another example of settler colonialism” (8 February 2024), online (news article): <<https://theconversation.com/encampment-sweeps-in-edmonton-are-yet-another-example-of-settler-colonialism-221676> >

human rights background) to be appointed to support and educate communities in what a rights-based response to encampments can look like.

In 2024, a review panel process under the NHSA is anticipated to hold open hearings on the issue of the failure to prevent and eliminate homelessness amongst women and gender-diverse people, particularly Indigenous women, gender-diverse, and Two-Spirit people, as requested by the Federal Housing Advocate under her authority under s. 13.1 (2) of the NHSA.¹⁰

This review stems from two human rights claims, from the National Indigenous Feminist Housing Network,¹¹ and Women’s National Housing and Homelessness Network,¹² who make recommendations such as, “Explore how affordability and prioritization criteria employed in NHS and Indigenous-specific housing programs fail to address inequities experienced by Indigenous women, girls, Two-Spirit, and gender-diverse people and the obligation to realize our right to housing in the shortest possible time.”¹³

The need to ensure the right to adequate housing for Indigenous women, girls, and 2SLGBTQQIA people is a critical element of responding to the National Inquiry on Missing and Murdered Indigenous Women and Girls which documented the unacceptable risks to life, security and dignity linked to homeless. The Calls for Justice state that “governments must ensure that Indigenous women, girls, and 2SLGBTQQIA people have access to housing that is safe, appropriate to geographic and cultural needs, and available wherever they reside, whether in urban, rural, remote, or Indigenous communities.”¹⁴ As documented in the research and the claim submitted by the National Indigenous Feminist Housing Network under the NHSA, the federal government’s failure to allocate adequate resources to realize the right to housing of Indigenous women, girls and gender diverse persons continues to represent a central failure in the implementation of the Calls for Justice.

Recommendations

- 1) Adopt a Special Advisor on Homelessness and Homeless Encampments to coordinate, oversee, and implement an interjurisdictional plan to address and

¹⁰ Canadian Human Rights Commission, “Federal Housing Advocate requests review into the failure to eliminate homelessness amongst women and gender-diverse people” (12 May 2023), online (news release): <https://www.housingchrc.ca/en/federal-housing-advocate-requests-review-into-the-failure-to-eliminate-homelessness-amongst-women-and-gender-diverse-people>

¹¹ National Indigenous Feminist Housing Working Group, “Homeless on homelands: upholding housing as a human right for indigenous women, girls, two-spirit, and gender-diverse people” (June 2022), online (report): <https://womenshomelessness.ca/wp-content/uploads/Indigenous-Housing-Claim-June-15-2022.pdf>

¹² Women’s National Housing and Homelessness Network, “the crisis ends with us: request for a review into the systemic denial of the equal right to housing of women and gender-diverse people in Canada” (June 2022), online (report): <https://womenshomelessness.ca/wp-content/uploads/WNHHN-Claim-15-June-2022.pdf>

¹³ <https://womenshomelessness.ca/wp-content/uploads/Indigenous-Housing-Claim-June-15-2022.pdf>

¹⁴ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming power and place: The final report of the national inquiry into missing and murdered Indigenous women and girls*, volume 1B, (National inquiry into missing and murdered Indigenous women and girls, 2019), 1 at 182. <https://www.mmiwg-ffada.ca/final-report>

prevent homelessness and encampments on a priority basis, particularly in relation to monitoring how municipalities are spending the \$250 million investment from the Federal government to ensure responses are genuinely aligned with a rights-based approach.

- 2) Adjust investments in Homelessness programs in alignment with the PBO report, to an additional \$3.5 billion per year, with a view to ending homelessness within clear human rights targets, timelines, and monitoring processes to track progress.
- 3) Establish a gender-responsive budgeting processes to address differing impacts on the housing experiences of women and gender diverse persons to ensure compliance with the “maximum available resources” and “all appropriate means” standard and recognizing the distinctive and urgent obligation to protect the right to life of Indigenous women, girls and gender diverse people in accordance with the Calls to Justice.

B. Non-Market Housing Investments in alignment with OECD Countries

We support the recommendations of our partners at FRAPRU, Co-operative Housing Federation Canada, and Canadian Housing Renewal Association for increased investment in non-market housing. In November 2023, the **Federal Housing Advocate** held a public session, which included calls to action to “introduce a human rights-based approach to housing supply and immediately scale up the development and acquisition of non-market housing.”¹⁵ This included recommendations that government ensure “Legislative change needs to create mechanisms to allow non-market providers to leverage their assets worth billions of dollars to get the capital to build and acquire more properties. Community land trusts need to be recognized as important vehicles to secure public land for development on behalf of the non-market providers.”¹⁶

We welcome the recent roll-out of the \$1.5 billion for a new Rental Protection Fund, which will enable non-market housing providers to buy and preserve affordable homes that are rapidly being lost across Canada, \$1.5-billion Co-operative Housing Development Program, and the \$4.3 billion Urban, Rural and Northern Indigenous Housing Strategy.

As mentioned above, under international human rights law now implemented federally through the NHSA, governments must allocate a **maximum of available resources** and apply all appropriate means to realize the right to adequate housing in the shortest possible time. Canada’s investments in non-market housing are grossly inadequate in comparison to similar countries. It is concerning that these recent investments in the

¹⁵ Canadian Human Rights Commission, “what we heard non-market housing as a solution to the housing crisis” (26 April 2024), online (report): <<https://www.housingchrc.ca/en/publications/what-we-heard-non-market-housing-solution-housing-crisis>>

¹⁶ *Ibid.*

non-market housing sector pale in comparison to federal investments \$15 billion investment in the Apartment Construction Loan Program for private actors.

As Véronique Laflamme of FRAPRU notes in relation to the \$15 billion investment for private actors, “It’s all well and good to want to build more housing, more quickly, as stated in the Canada Housing Plan, but that doesn’t mean we should build at any rent price, thereby increasing the problem of unaffordability.”¹⁷

Fundamentally, public money should be put towards public good. Further investment in non-market housing providers (social, non-profit, and co-operative housing) were recognized as [a key recommendation from the review panel](#) (3 members of the National Housing Council) on financialization of purpose-built rental housing. They recommended that the government of Canada, “Move to align federal non-market housing funding to match the average funding provided for social housing by other developed OECD countries (0.5%-1.5% of GDP),”¹⁸ and that Canada should, “Establish targets and timelines for increasing non-market rental housing’s share of Canada’s total housing stock to align with other developed OECD countries (from 3.5% to 6.9% of Canada’s total housing stock) by 2034.”¹⁹

As noted by the Cooperative Housing Federation in their pre-budget submission, investment in non-market housing is also an economic imperative. They note that, “research demonstrates that bringing Canada’s non-market community housing stock to the OECD average by 2030 would boost economic productivity by a staggering 5.7 to 9.3 per cent and contribute between \$67-\$136 billion to GDP by 2030. Getting to this point requires adding approximately 371,600 units of community housing, increasing our current community housing portfolio by 41 per cent.”²⁰

The NRHN supports the call to action of the [Social Housing and Human Rights Coalition](#) to create a minimum of 50,000 net new rent-geared-to-income social housing units each year for 10 years.

Recommendations

- 4) Increase investments in non-market housing to match average funding for social housing by other developed OECD Countries (0.5%-1.5% of GDP).
- 5) Establish targets and timelines for increasing non-market rental housing’s share of Canada’s total housing stock to align with other developed OECD countries (from 3.5% to 6.9% of Canada’s total housing stock) by 2034.

¹⁷ Véronique Laflamme & Catherine Lussier, “Canada’s housing plan: a welcome change of course, but far too timid” (16 April 2024), online: <<https://frapru.qc.ca/canada-housing-plan/>>

¹⁸ National Housing Council, *The Financialization of Purpose-Built Rental Housing*, (online: National Housing Council, 2024), <<https://cms.nhc-cn1.ca/media/PDFs/REVIEW%20PANEL%20REPORT%20-%20The%20Financialization%20of%20Purpose-Built%20Rental%20Housing%20-%20MAY%202024.pdf>>

¹⁹ *Ibid.*

²⁰ Cooperative Housing Federation Canada, 2025 Pre-Budget Submission.

- 6) Secure existing affordable rental homes through an accelerated and sector-led Canada Rental Protection Fund. As noted in the Cooperative Housing Federation Canada pre-budget submission, “an expedited launch of the Canada Rental Protection Fund is crucial, as it will enable these acquisitions in the near-term, thereby protecting renters that we know are at risk now and preserving affordable homes forever.”²¹

C. Security of Tenure, Renters’ Bill of Rights, and Tenant Protection Fund

The National Right to Housing Network celebrates the recent investment of \$15 million for the Tenant Protection Fund, which we expect will enable tenants’ rights organizations to, among other things, claim their right to housing under the federal justice mechanisms of the NHTA —something we at the National Right to Housing Network directly called for.²² The program is anticipated to receive proposals soon and will be administered by the department of Justice.

It is critical that, in the design of the program, the department of Justice adopts an approach where funding proposals are considered which not only address the immediate needs of tenants, but also the serious systemic gaps of legal systems in provinces and territories. There is a tremendous imbalance of power between tenants and landlords.

To illustrate this, one can examine the research of Sarah Buhler, at University of Saskatchewan, where she examined landlords’ tenant board decisions between January 1 and June 30, 2023, she found that “the ORT usually grants landlords their eviction order. **Landlords seeking evictions in Saskatoon were successful 83% of the time at the ORT** ...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.”²³

Some of this imbalance can be addressed through increased capacity for tenant organizing, if the Tenant Protection Fund is well-implemented, it may address some of this need for increased capacity. Important context to this is that a previous program

²¹ Cooperative Housing Federation Canada, 2025 Pre-Budget Submission.

²² Sahar Raza & Michèle Biss, “resourcing rights claimants: closing the gap to exercising the National Housing Strategy Act” (25 January 2024), online (report): <<https://housingrights.ca/resourcing-rights-claimants-report/>>

²³ Sarah Buhler, “Submission to Review Panel on the Financialization of Rental Housing” (30 August 2023), online (submission under the NHTA) <https://housingrights.ca/wp-content/uploads/Financialization-submission-Sarah-Buhler.pdf>>

announced in 2017 addressed some of this need through a program administered through the Community-Based Tenant Initiative Fund through the Community Housing Transformation Centre. That funding was ended in March 2023.

Security of Tenure and access to justice are fundamental pillars of Canada's commitment to the human right to adequate housing, and in fact in the most recent treaty body review of Canada by a human rights body, the UN Committee on the Rights of the Child recommended that government, consider, in evictions where children may be impacted "revising the provincial and territorial laws governing evictions to ensure that ... all avenues for eviction prevention are pursued prior to termination of tenancy."²⁴

A Renters' Bill of Rights is currently in development by the department of Housing, Infrastructure, and Communities Canada. It is critical that this Renters' Bill of Rights identify key requirements of security of tenure and timelines for provincial and territorial implementation with indicators of progress required by a particular date, both in terms of legislative protections for tenants and numbers of evictions.

The Renters' Bill of Rights is closely aligned with the recommendations from the review panel on financialization of purpose-built rental housing, to, "Establish tenant protection agreements (like the Multilateral Early Learning and Child Care Agreements) with each province and territory to fund and support regional implementation of the national consensus standards for tenant protections with an annual requirement to report to Parliament on progress."²⁵ It is critically important, however, that "consensus standards" be aligned with internationally based consensus and human rights treaty obligations with respect to security of tenure as a component of the right to adequate housing, as recognized in the NHTA.

An internationally recognized component of security of tenure is effective rent regulation to protect tenants from being constructively evicted or deprived of other necessities through unreasonable rent increases. Rent regulation must include regulation of rents charged to new tenants, without which landlords have an incentive to evict tenants in order to increase the rent, and affordable rental housing will continue to be eroded faster than it can be replaced. We support the recommendations from ACORN Canada that the Renters' Bill of Rights includes:

- A national lease structure that gives tenants security of tenure and limits rent increases
- Rent control - no loopholes

²⁴United Nations Committee on the Rights of the Child, *Concluding observations on the combined fifth and sixth periodic reports of Canada*, (online: United Nations, 2022).
<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhsh8%2FU426pHwccUxZn5kmnhLqID7fYXcRIEQo1RV8Qal9O3IKX5CqnuRMYREwTGEqkLssUzsEViMEVzQxrljZuRMV1s1ldAJmBOsVTWks4PX>

²⁵National Housing Council, *The Financialization of Purpose-Built Rental Housing*, (online: National Housing Council, May 2024), <<https://cms.nhc-cn.ca/media/PDFs/REVIEW%20PANEL%20REPORT%20-%20The%20Financialization%20of%20Purpose-Built%20Rental%20Housing%20-%20MAY%202024.pdf>>

- Ban on unaffordable rent increases
- Ban fixed term leases* (in most circumstances)
- Ban no fault evictions
- Federal money to people in core housing need (no money for luxury rentals)
- More non-market housing
- National Fund to help tenants avoid eviction
- Maintain units for healthy/safe living, and harassment free
- Right to organize, including landlord disclosure list and contact
- Meet with tenant groups to review the effectiveness annually.²⁶

Recommendations

- 7) In alignment with ACORN Canada, we recommend that the Renter's Bill of Rights to be National Tenant Rights Standards, where provinces will need to bring their legislation up to a core standard set by the federal government, in order to receive federal housing funding. This includes measures for the federal government to regulate rent control.
- 8) In alignment with the Canadian Centre for Housing Rights, we recommend that the Renter's Bill of Rights align with the principles of taking a human rights-based approach; Ensuring enforcement and accountability to uphold the rights of renters; and protecting renters. This includes standards that ensure proportionality in eviction decisions, a right to accommodations/adaptations for accessibility and cultural adequacy, a right to timely repairs and maintenance, a right to clear, accessible legal information and supports (i.e., access to rental information, legal advice, system navigation, etc.), and a right to organize and collectively bargain without penalty.
- 9) We recommend that the FINA Committee commend the federal government for prompt implementation of the Tenant Protection Fund to support tenant advocacy organizations and organizations that provide legal and informational services to residential tenants, to build capacity to address systemic tenant legal issue.

D. Adequacy of Income Support Programs and Housing

A central component of the right to adequate housing that has now been recognized under the NHSA is the obligations of government to ensure that households are not deprived of the income necessary to pay rent as well as meeting other needs by governments providing inadequate income support to cover the cost of housing.

²⁶ ACORN Canada, *National Tenant Standards*, (online: ACORN Canada, 2024). <https://acorncanada.org/wp-content/uploads/2024/06/ACORN-Member-Testimonials-Demand-for-National-Tenant-Rights-Standards.pdf>

Adequacy of income support programs is closely linked to housing stability, particularly when there is such a scarcity of rent-geared-to-income apartments within the non-market sector.

In its General Comment on the Right to Adequate Housing, the UN CESCR recognized that governments “should provide housing subsidies for those unable to obtain affordable housing” and the Committee has, at all of Canada’s periodic review, raised concern that social assistance rates in many provinces and territories continue to be grossly inadequate to meet the cost of housing. In many provinces, the gap between what is provided to social assistance recipients for housing and the actual cost of rental housing is so unmanageable that social assistance rates essentially condemn recipients to homelessness.

The NRHN has long advocated that the Canada federal housing benefit be redesigned as a direct transfer to individuals with sufficient funding to ensure that any household for whom the household income is insufficient to pay the average cost of an appropriate rental unit in the city or region in which they live be provided with a federal housing benefit that makes up the difference, based on an appropriate measure of affordability.

The NRHN welcomed the design of the *Canada Disability Benefit Act* which takes an approach to addressing income support for persons with disabilities that is aligned with the approach we propose for the Canada Housing Benefit. The *Canada Disability Benefit Act* states that, in setting the amount of the benefit, the Governor in Council must take into consideration:

- (a)** *the Official Poverty Line as defined in section 2 of the [Poverty Reduction Act](#)*
- (b)** *the additional costs associated with living with a disability;*
- (c)** *the challenges faced by those living with a disability in earning an income from work;*
- (d)** *the intersectional needs of disadvantaged individuals and groups; and*
- (e)** *Canada’s international human rights obligations.²⁷*

The NRHN joins disability rights groups that have expressed alarm at how the amount of the Disability Benefit has been set at an amount that bears no reasonable relationship to the criteria which the government must take into consideration. In the context of the obligations to set social assistance rates at an amount that takes into account the basic requirements of a household under the previous *Canada Assistance Plan Act*, the Supreme Court of Canada established that while taking into account basic

²⁷ *Canada Disability Benefit Act*, SC 2023, c. 17

requirements did not dictate a precise amount it required a the provision of an amount of assistance “that is compatible, or consistent, with an individual's basic requirements.”

Recommendations

- 10) We strongly recommend that the federal government increase the amount of the Canada Disability Benefit to an amount that is consistent with Act, which requires that the benefit be set at an amount that is consistent with the poverty line and with the requirements of the right to adequate housing and to live independently with dignity in the community under international human rights law.
- 11) We recommend that the FINA committee consider the recommendations of Maytree to improve Canada’s social assistance programs.²⁸
- 12) We recommend that the federal government develop targets and timelines based in human rights for addressing the rental affordability crisis facing low-income renters.

National Right to Housing Network

[The National Right to Housing Network](#) (NRHN) is a broad-based, grassroots civil society network of over 2,000 organizations and individuals, established to fully realize the right to housing in Canada. Since our launch in February 2020, the NRHN has become a key resource to guiding Canada’s new human rights-based oversight mechanisms – including the Office of the Federal Housing Advocate, the National Housing Council, and now the upcoming review panels (mandated to hold open hearings on systemic violations of the right to housing). We now fill a critical role as a core convener and representative of rights-based analysis, engagement, and advocacy around housing, and collaborating with government authorities to ensure that the historic commitments in the legislated *National Housing Strategy Act (NHSA)* are meaningfully realized.

²⁸ Maytree Canada, *Welfare in Canada* (online: Maytree Canada, 2024). https://maytree.com/changing-systems/data-measuring/welfare-in-canada/?mc_cid=6f9bb86bad&mc_eid=e3671edda1