

## **Statement on the UPR Pre-session on Canada by the Canadian Centre for Housing Rights**

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I am delivering this statement on behalf of my organization, the Canadian Centre for Housing Rights (CCHR), and the National Right to Housing Network. Our submission focuses on the right to housing. We share the same mission of fully realizing the right to housing and ending homelessness in Canada.

We consulted with other organizations that work on the right to housing and other serious economic and social rights issues. There weren't any meaningful engagements held with Canada.

I will be covering three issues today:

1. First, inadequate government programs to address homelessness, housing precarity and housing affordability.
2. Second, inadequate regulation of the rental market.
3. And lastly the justiciability of economic, social, and cultural rights.

Our factsheet covers more issues and includes additional recommendations.

Regarding the first issue, at its last review, Canada accepted five recommendations to address poverty and homelessness, recognize the right to housing, and adopt a national housing strategy (one in part). We congratulate Canada on passing the National Housing Strategy Act in 2019, which recognizes the right to housing and requires its progressive implementation, but Canada's National Housing Strategy does not comply with the Act. Despite being one of the wealthiest countries in the world, Canada is in the top five countries with the highest rates of homelessness amongst OECD member states.<sup>1</sup>

Indigenous Peoples are disproportionately impacted by homelessness, which is a direct result of colonial policies that have dispossessed them of their lands and homes.<sup>2</sup> Housing precarity and homelessness are also disproportionately experienced by Black communities, racialized communities, and people with disabilities. There has been a rise in homeless encampments in major cities. Although Canada committed to eliminating homelessness by 2030, it did not set meaningful timelines or monitoring tools for meeting this goal.<sup>3</sup> A third of Canada's renters are paying unaffordable rents. Federal funding is not directed towards housing that is actually affordable for lower-income households.<sup>4</sup> There is a lack of funding for urban, rural, and

northern Indigenous housing.<sup>5</sup> Social assistance income continues to be inadequate,<sup>6</sup> and government housing benefits are not enough to help low-income households afford private market rental housing.<sup>7</sup> There is a lack of investment in social housing and Canada's social housing stock is below the OECD average of 7%<sup>8</sup> resulting in waiting lists from 6 to 14 years.<sup>9</sup>

**We recommend that Canada:**

- Revise the National Housing Strategy to comply with the right to housing under the National Housing Strategy Act and ensure that its programs fund housing that is adequate and affordable to those most in need and prioritize disadvantaged groups and Indigenous Peoples, and;
- Implement clear goals and timelines for eliminating all forms of homelessness by 2030 with rigorous monitoring and compliance in conformity with Canada's Sustainable Development Goals and the National Housing Strategy Act.

Regarding the second issue, Canada accepted Norway's recommendation to "*Strengthen the coordination on human rights implementation across levels of government in order to ensure better implementation domestically*". However, it does not adequately regulate rental markets. In most provinces and territories, landlords can charge any rent they choose, both for new tenants and through unregulated increases to existing tenants' rents.

A few provinces and territories have some rent regulation, but it is inadequate and not fully enforced. Rent gouging, where landlords charge rents far above fair market value, has become the norm. More people are being economically evicted, because they can't pay their rent or are evicted so that excessive rents can be charged to new tenants. 20-30% of Canada's rental housing stock is held by financial firms which the government has failed to regulate.<sup>10</sup> This has incentivized speculation, rent gouging, and economic evictions by these firms.<sup>11</sup>

**We recommend that Canada:**

- Implement and strengthen rent regulation in every province and territory and address the widespread financialization of housing.

Regarding the third issue, Canada accepted South Africa's recommendation to "*Ensure the justiciability of economic, social and cultural rights*". However, inadequate security of tenure legislation continues to hinder the justiciability of the right to housing. There are inadequate legal protections for tenants facing eviction proceedings. In most provinces and territories, tenants do not have access to legal services or representation. Decision-makers often treat eviction as the only solution available to address issues within a tenancy instead of as a last resort. They are also not educated on the right to housing and its principles under international law or how to apply them in their decision-making. There are no requirements for the government to provide alternate housing to households who have been evicted.

**We recommend that Canada:**

- Ensure that all provinces and territories strengthen their security of tenure legislation, including ensuring that eviction is treated as a last resort.

Thank you. We hope our recommendations and those of our fellow panelists are adopted and implemented. I am available by email to answer any questions.

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<sup>1</sup> OECD Report on Homeless Population, <https://www.oecd.org/els/family/H3-1-Homeless-population.pdf>

<sup>2</sup> Homeless on Homelands: Upholding Housing as a Human Right for Indigenous Women, Girls, Two-Spirit, and Gender-diverse People, <https://womenshomelessness.ca/wp-content/uploads/Indigenous-Housing-Claim-June-15-2022.pdf>

<sup>3</sup> Report of the Auditor General of Canada to the Parliament of Canada on Chronic Homelessness, [https://www.oag-bvg.gc.ca/internet/docs/parl\\_oag\\_202211\\_05\\_e.pdf](https://www.oag-bvg.gc.ca/internet/docs/parl_oag_202211_05_e.pdf)

<sup>4</sup> Analysis of Affordable Housing Supply Created by Unilateral National Housing Strategy Programs, <https://cms.nhc-cn1.ca/media/PDFs/analysis-affordable-housing-supply-created-unilateral-nhs-programs-en.pdf>

<sup>5</sup> Report and Recommendations to the Minister of Housing and Diversity and Inclusion on Urban, Rural, and Northern Indigenous Housing, <https://cms.nhc-cn1.ca/media/PDFs/report-recommendations-minister-housing-diversity-inclusion-urban-rural-nih-en.pdf>

<sup>6</sup> Welfare in Canada, 2022, [https://maytree.com/wp-content/uploads/Welfare\\_in\\_Canada\\_2022.pdf](https://maytree.com/wp-content/uploads/Welfare_in_Canada_2022.pdf)

<sup>7</sup> Can't Afford the Rent: Rental Wages in Canada in 2022, <https://policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2023/07/cant-afford-the-rent.pdf>

<sup>8</sup> OECD Public Policies Towards Affordable Housing, <https://www.oecd.org/housing/data/affordable-housing-database/housing-policies.htm>

<sup>9</sup> How long do Canadians in need have to wait for affordable housing? Depends where they live, <https://www.cbc.ca/news/canada/subsidized-housing-canada-need-1.6906053>

<sup>10</sup> The Financialization of Housing in Canada: A Summary Report for the Office of the Federal Housing Advocate [https://publications.gc.ca/collections/collection\\_2023/ccdp-chrc/HR34-7-2022-eng.pdf](https://publications.gc.ca/collections/collection_2023/ccdp-chrc/HR34-7-2022-eng.pdf)

<sup>11</sup> Pages 9-10, The Lived Experiences of Eviction in Canada, Wachsmuth et al 2023 [eviction.pdf \(mcgill.ca\)](https://www.mcgill.ca/eviction)