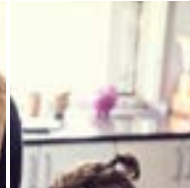




What We Heard

Report on a Human Rights-Based Approach to Housing Consultation

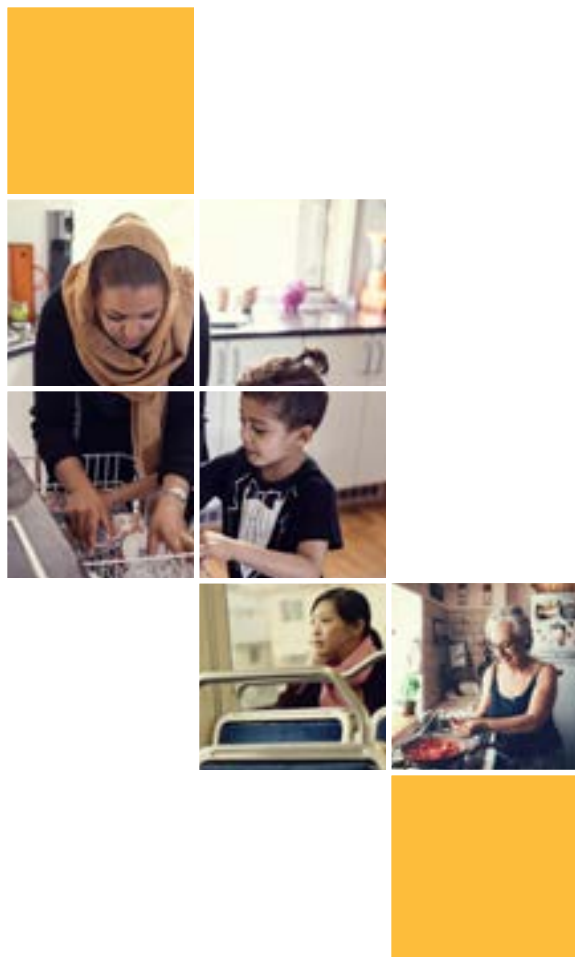


Analysis of consultation feedback prepared by



The Conference Board
of Canada

Le Conference Board
du Canada



CONTENTS

- 3** A Message from the Minister
- 4** Executive Summary
- 6** Introduction
- 9** What We Heard – The Overall Approach
- 11** New Legislation
- 12** Federal Housing Advocate
- 14** National Housing Council
- 16** Community-Based Tenant Initiative
- 18** Public Engagement Campaign
- 19** Indigenous Housing
- 19** Housing Topics and Perspectives
- 19** Next Steps
- 20** Appendix A: Key Background
- 22** Appendix B: Provincial and Territorial Partners
- 23** Appendix C: Who Participated
- 26** Appendix D: Summary Analysis of Idea Papers
- 34** Appendix E: Form Letter Statements
- 35** Appendix F: Additional Topics and Perspectives
- 39** Appendix G: United Nations Declaration on the Rights of Indigenous Peoples

A MESSAGE FROM THE MINISTER

Everyone deserves a safe, affordable place to call home.



That is the message I hear consistently when speaking with Canadians across the country. Despite our diverse backgrounds, needs and aspirations, we can all agree that a stable home is a basic human

need, which can offer a source of dignity and a better quality of life for our families and our communities.

In November 2017, Prime Minister Trudeau and I had the honour of announcing that a human rights-based approach to housing would form the foundation for Canada's first-ever National Housing Strategy.

This historic, \$40-billion plan was created to help ensure more Canadians have access to housing that meets their needs and that they can afford, particularly the most vulnerable.

Now, we are in the process of creating the policies, initiatives and legislation that will ensure that advancing a human rights-based approach to housing endures, and helps shape housing in Canada for generations to come. This important work is being enriched by a wide range of diverse voices and perspectives.

On March 14, 2018, on behalf of the Government of Canada, Canada Mortgage and Housing Corporation (CMHC) launched a national consultation on our proposed human rights-based approach to housing. Through this

consultation, we had the chance to seek feedback from many Canadians from a variety of diverse backgrounds and all regions of the country, to hear first-hand about their thoughts on a human rights-based approach to housing and the related five key initiatives. We also heard from some about what housing and human rights mean to them.

What Canadians told us was that there are few issues they are more passionate about than housing. This is especially true at a time when 1.7 million people in this country do not have safe, affordable or adequate housing. This passion came through clearly in the consultation, just as it does in the pages of this report.

On behalf of the Government of Canada, I would like to offer my sincere thanks to everyone who took part in the consultation and shared their time, their ideas and their expertise. Your recommendations are helping to shape important new federal legislation and the future of housing in this country. I would also like to thank The Conference Board of Canada for the analysis and preparation of the consultation feedback.

I look forward to continuing this conversation as we work together towards building a country where access to a safe and affordable home offers everyone an essential foundation for thriving and participating fully in Canadian life.

The Honourable Jean-Yves Duclos
Minister of Families, Children and Social
Development

EXECUTIVE SUMMARY

From March 14 to June 8, 2018, Canada Mortgage and Housing Corporation (CMHC) led a national public consultation on behalf of the Government of Canada on the National Housing Strategy's human rights-based approach to housing. The goal of the consultation was to gather the views, insights and input of Canadians on the following five key proposed new initiatives:

- **New legislation** that would require the federal government to maintain a National Housing Strategy for now and in the future;
- Establishment of a **Federal Housing Advocate**;
- Creation of a **National Housing Council**;
- a new **Community-Based Tenant Initiative**; and,
- a **Public Engagement Campaign**.

The consultation process invited input through a variety of formats, including roundtables with housing experts and stakeholders, focus groups with people who have lived experience of housing need and homelessness, as well as hundreds of direct responses from Canadians and organizations across the country through letters, postcards, and email submissions to CMHC's website: www.placetocallhome.ca. Feedback from Canadians in response to social media posts promoting the public consultation was also gauged.

The overall approach: The majority of those who responded were very positive about each of the proposed key initiatives, supporting Canada's aim to advance a human rights-based approach to housing, as well as the key milestone of establishing Canada's first ever National Housing Strategy. But, a wide range of diverse and insightful thoughts and opinions was heard. Some wanted the Government to focus on concrete actions to help those in greatest need, and measures to prevent people from falling into housing need or homelessness. Some Canadians asked for a clearer definition of a "human rights-based approach to housing," and whether

it would include the idea that "housing will be a human right." Others wanted to be sure that the approach would reflect core human rights-based principles, like accountability, participation, non-discrimination and inclusion, human dignity, the need to end homelessness, and the importance of addressing the unique housing needs of the most vulnerable Canadians.

Proposed legislation: Most of the participants supported the idea of tabling new legislation that would entrench the National Housing Strategy now and in the future. It was also heard that the legislation should:

- Be broad, flexible in scope, and focus on those in greatest need.
- Reference international commitments under the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), for which Canada has been a state party since 1976.
- Prioritize outcomes over outputs.
- Require regular progress reports to Parliament.
- Include the Federal Housing Advocate, among other ideas.

Federal Housing Advocate: Overall, Canadians supported the idea of a Federal Housing Advocate who could **identify systemic barriers to accessing suitable and affordable housing, and assess the progress in** achieving the National Housing Strategy's goals. Canadians felt the Advocate should be chosen through an open and transparent nomination process, and that the role should have a measure of independence from the Government. This could include having the Advocate provide independent recommendations directly to Parliament, which the Government would be required to answer.

National Housing Council: Support for a National Housing Council made up of people from different parts of the country and diverse backgrounds, including people with lived experience of housing need, and homelessness. Canadians emphasized that the nomination process for membership in the Council should be transparent, public and pan-Canadian. They also felt Council members should have fixed terms of two to three years, to allow for new perspectives and experiences.

Community-Based Tenant Initiative: Participants were generally in favour of the Community-Based Tenant Initiative. This initiative would help increase awareness of the housing challenges faced by vulnerable people, make information on how to access housing programs and initiatives more readily available, and offer vulnerable Canadians a way to become more involved in the decisions that affect them.

Public Engagement Campaign: Finally, Canadians supported the idea of a Public Engagement Campaign to help counter discrimination in the access to housing and “not-in-my-backyard” attitudes, while informing the public about the different types and tenures of affordable housing that are available, including in different parts of the country, like the north. Participants wanted the campaign to include real stories and support socially inclusive housing and communities, especially for those with distinct housing needs.



INTRODUCTION

Following an extensive consultation in 2016, Canada's first ever **National Housing Strategy (NHS)** was unveiled in 2017. The Strategy is a key step toward progressively realizing the right to adequate housing, as recognized in the *International Covenant on Economic, Social and Cultural Rights* (see Appendix A for more information on the NHS).

The National Housing Strategy: A Vision for Housing in Canada

The vision of the National Housing Strategy is to ensure Canadians have access to housing that meets their needs and that they can afford. Affordable housing is a cornerstone of sustainable, inclusive communities and a Canadian economy where we can prosper and thrive.



1. **New Legislation –**

that would require current and future federal governments to maintain a National Housing Strategy and report publicly on the progress in meeting its targets and outcomes.

2. **Federal Housing Advocate –**

who would examine and recommend solutions to CMHC and the responsible Minister to overcome the systemic barriers that many Canadians face in accessing affordable housing.

3. **National Housing Council –**

with diverse members (including those with lived experience of housing need) to provide CMHC and the responsible Minister with ongoing input on policy, programming and research related to the National Housing Strategy.

4. **Community-Based Tenant Initiative –**

to provide funding to local organizations that assist people in housing need, so they are better represented and better able to participate in making the decisions that will impact their lives.

5. **Public Engagement Campaign –**

to reduce stigma and discrimination related to housing need, and highlight the benefits of building more inclusive homes and communities.

The consultation also facilitated the sharing of other ideas or initiatives that could help Canada continue to progressively realize its international obligations under the *International Covenant on Economic, Social and Cultural Rights* related to the right to adequate housing.

The Consultation Process

On March 14, 2018, Canada Mortgage and Housing Corporation (CMHC) launched a national consultation on the National Housing Strategy, on behalf of the Government of Canada. The purpose of the consultation was to gather the ideas and opinions of Canadians from all walks of life on the five key proposed initiatives of the Strategy's human rights-based approach to housing:

Who Took Part?

Canadians from across the country took part in the consultation through letters, postcards, Idea Papers, written submissions and by email. Feedback from the Canadians in response to social media posts promoting the public consultation was also gauged. A Discussion Paper, titled *A Human Rights-Based Approach to Housing*, was created to help inform the consultation (see <https://www.placetocallhome.ca/pdfs/NHS-Human-Rights-Approach-to-Housing-en.pdf>).

In total, CMHC received some 1,077 submissions via the National Housing Strategy website, www.placetocallhome.ca.

Total number of submissions through www.placetocallhome.ca:

1,077



907
Email
Submissions



152
Postcards



12
Letters



6
Idea Papers

CMHC also hosted a series of roundtables and focus groups across Canada. The **roundtable sessions** took place from April to June 2018 in Ottawa, Halifax, Montréal, Edmonton, Toronto and Vancouver. Another roundtable was held via Skype to facilitate individuals and organizations from Canada's North to participate and provide their views.

A wide range of housing experts and stakeholders supported and took part in the roundtables (see Appendix C for a full list of the participating organizations). Among others, these included:

- The UN Special Rapporteur on Adequate Housing;
- Representatives from the provinces, territories and municipalities;
- Indigenous organizations;
- Housing providers;
- Representatives from non-governmental organizations and advocacy groups in the fields of housing, homelessness and human rights;
- International and domestic housing experts and academics;
- Organizations and individuals representing a variety of vulnerable groups, such as people with lived experience of housing need and homelessness, seniors, newcomers, women and children who are victims or at risk of family violence, Indigenous peoples, racialized groups, people with disabilities, veterans, at-risk youth, the LGBTQ2 community and people who are dealing with mental health or addiction issues; and,
- Numerous government departments and agencies, including Employment and Social Development Canada, Indigenous Services Canada (ISC) and Crown-Indigenous Relations Canada (CIRC) (see Appendix B).

Focus groups were also held in June 2018 in Vancouver and Toronto with people who have lived experience of housing need and/or homelessness. The Toronto group was focused specifically on hearing the voices of women who are in core housing need, as well as people who identify as transgender.

Focus Groups: **2 sessions**

Vancouver
17

Toronto
14

In total there were
31 participants with lived
experience of housing
need and/or homelessness



Social media posts made by CMHC about the Strategy during the consultation period were viewed by over 100,000 unique individuals across Twitter, Facebook and LinkedIn. Based on commentary and shares, the top three themes that appeared on social media included:

1. How poverty and a lack of affordable housing are forcing people into homelessness in Toronto.
2. Seniors in Vancouver who need help to avoid becoming homeless in the face of high housing prices.
3. The idea that, if housing is a human right, then it has to be prioritized.

Social Media Engagement



News articles about the approach also appeared online, on both traditional news outlets (e.g. CBC News, Huffington Post and TVO) as well as other media outlets (such as iPolitics, Reddit and the National Opinion Centre). While not formally incorporated into the overall feedback, by contrast, comments from Canadians that were attached to these articles tended to be less supportive, as it was noted that a higher number of the comments were from those who were seemingly against a human rights-based approach to housing.

Finally, several informative **Idea Papers** about the human rights-based approach and the five proposed initiatives were received. The papers, which were shared with Canadians through www.placetocallhome.ca, included:

Leilani Farha, UN Special Rapporteur on Adequate Housing

- Report of the Special Rapporteur to the UN Human rights Council on Human Rights Based Housing Strategies. Report of the Special Rapporteur on Adequate Housing.
- Ten Principles of a Rights Based Housing Strategy.

Bruce Porter, Social Rights Advocacy Centre

- Enhancing the Rights-Based Framework for Canada's National Housing Strategy – An ideas paper.

Canadian Alliance to End Homelessness

- Discussion Paper: Ending Homelessness and the Right to Housing: When it comes to preventing and ending homelessness in Canada, housing rights matter! A position paper from the Canadian Alliance to End Homelessness.

Advocacy Centre for Tenants Ontario

- Questions on the Way to the Right to Housing: An Ideas Paper.

Emily Paradis, Ph.D.

- Canada's Rights-Based National Housing Strategy: Principles and Mechanisms for Rights-Based Participation of Those with Lived Experience – An Ideas Paper. (The author recognizes Maytree's support of this research).¹

Christopher Essert, Associate Professor, Queen's University Faculty of Law

- The Basis and Nature of a Rights-Based Approach to Housing Policy.

For more information on the Idea Papers, see Appendix D.

¹ See Maytree's website for more details on their priorities. <https://maytree.com/>

WHAT WE HEARD

The Overall Approach

In general, most of those who took part in the consultation supported efforts to advance a human rights-based approach to housing that is inclusive, broad, and which includes the five key proposed initiatives.

However, it was also heard that there is **no common definition** of a “human rights-based approach to housing,” and therefore no one-size fits all solutions. Many participants highlighted **a need to apply different lenses** to reflect the needs of different segments of the population. These include:

- People with lived experience of housing need and homelessness;
- Seniors;
- Newcomers;
- Women who are victims or at risk of domestic violence;
- Indigenous peoples;
- Racialized groups;
- People with disabilities, including developmental disabilities;
- Veterans;
- At-risk youth;
- The LGBTQ2 community; and,
- People confronting mental health or addiction issues.

Several participants asked for more clarity on what was meant by a human rights-based approach to housing, and whether it means that “housing will be a human right.” Many participants offered differing views on what a “right to housing” means, and whether it should be legally enforceable in Canada. Some suggested that the federal government should consider how Canada’s housing policies and programming would align with a rights-based approach to housing.

It was also heard that many Canadians emphasize the **need to put an end to homelessness** in this country. Most felt this would require a comprehensive approach, involving collaboration and coordination between multiple government departments and jurisdictions.

Alternatively, a few participants felt there was **an over-emphasis on the human rights-based approach**. They instead preferred a focus on taking action to prevent homelessness and housing need, and supporting local measures that help those in greatest need. Concerns were also raised about issues such as:

- The need to improve housing affordability;
- The supply of rental housing; and,
- Risks of re-directing funding away from those in housing need, or shifting attention away from removing the barriers that cause delays in providing rental supply.

Some participants felt that advancing a human rights-based approach to housing could remove people’s motivation to work or maintain their homes. Others **expressed concerns** that the Federal Housing Advocate, National Housing Council, Community-Based Tenant Initiative and Public Engagement Campaign could add layers of costly bureaucracy without creating any new housing.

The Core Principles of a Human Rights-Based Approach to Housing

The following sections highlight the range of views and questions that we heard through the consultation about both the core principles relating to the human rights-based approach to housing, as well as each of the five key initiatives.

Core principles: accountability and participation, non-discrimination and inclusion

The consultation discussion paper left the definition of a human rights-based approach to housing open-ended, but set out core principles that could guide the approach. These principles included accountability and participation, non-discrimination and inclusion. As part of the consultation, views on what those principles mean to Canadians were sought.

What We Heard

Human Rights-Based Approach to Housing

Overall, the discussion on the human rights-based approach to housing resulted in several comments on the **human rights framework that already exists** in Canada at the federal, provincial and territorial levels. As examples, participants pointed to our national, provincial and territorial human rights commissions, our courts system, as well as provincial and territorial landlord and tenant laws and regulations. They also discussed the different roles and responsibilities of the various jurisdictions within a Canadian context.

In addition, people's past **experiences with courts and court-like processes**, including feelings of inequity in power and resources between the institutions and the people who are submitting the claims, were shared. It was heard that there are not enough services for people who are in housing need or homeless.

Core Principles

Discussions also touched on the **core principles** that could be considered to further develop the National Housing Strategy and advance a human rights-based approach to housing. These included comments on the importance of principles including:

- Human dignity in housing;
- Social inclusion and diversity;
- Prioritizing those who are most in need; and,
- Ensuring equality in access to housing.

Regarding the **proposed new legislation**, Canadians emphasized the principles of equity, universality, transparency and accountability. Participants stated that the people who will be most directly affected by any new legislation should take part in its development.

Participants also wanted a clearer understanding of the **role of the Federal Housing Advocate**, including how it could be made inclusive and how people with lived experience of housing need would be able to take part. Regarding non-discrimination, we heard that we should look to other examples, such as a "workplace free from discrimination," to inform Canada's approach to housing policies and programs.

"Decent housing is essential for peoples' health, productivity, and fundamental human dignity."

– Participant



THE FIVE KEY PROPOSED INITIATIVES

Initiative #1: New Legislation

What is being proposed:

New legislation that would require future federal governments to maintain a National Housing Strategy and report publicly on the progress in meeting its targets and outcomes. Specifically, the legislation would include a requirement for the Minister responsible for CMHC to provide a detailed report to Parliament every three years on Canada's progress in achieving the Strategy's primary outcomes and targets, starting in 2020.

Canadians were asked to share their views on the key elements of the proposed new legislation, including:

- a long-term vision for housing in Canada;
- core priorities and principles;
- outcomes;
- the focus on improving housing outcomes for those in greatest need;
- participatory mechanisms to encourage ongoing engagement; and,
- systems for reporting on the Strategy's activities, initiatives and outcomes.

What We Heard

Overall, participants **responded positively** to the idea of legislation that would require Canada to adopt and maintain a National Housing Strategy in the future. They also strongly supported making it mandatory for current and future governments to report to Parliament on progress in achieving the Strategy's objectives.

Participants largely supported **the vision of every Canadian having access to housing** that meets their needs and that they can afford. However, they made it overwhelmingly clear that the legislation must not be solely aspirational. Instead, it must address government accountability and enshrine reporting to Parliament.

Many participants felt the legislation should reference the ***International Covenant on Economic, Social and Cultural Rights***. Some wanted to include other international commitments related to housing as well, such as the *Convention on the Rights of Persons with Disabilities*, *Convention on the Rights of the Child*, the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Sustainable Development Goals*.

Others recommended **that the language and details** of the legislation should be based on broad and inclusive principles, such as the *Canadian Charter of Rights and Freedoms*.

Reporting Requirements

Participants made a number of recommendations with regards to the reporting requirements for the legislation. These included:

- **Shorter reporting timeframes**, with reports being made on the National Housing Strategy's progress every one or two years, rather than on a three-year timeframe.
- **Prioritizing outcomes over outputs** in regard to achieving the National Housing Strategy's goals and targets, using both qualitative and quantitative data.
- **Illustrating regional differences** rather than just a single set of national indicators.

Other Ideas

Some participants called for the Government of Canada to **recognize housing as a right in law** (see Appendix E). Others emphasized that the legislation needed to “have teeth.” As examples, they mentioned Scotland and Wales, which both have legislation that holds their governments accountable for assisting people who are experiencing homelessness.

Several respondents also proposed that the creation of the Federal Housing Advocate and National Housing Council should be **included in the legislation**, and that the legislation should use clear terminology (including words like “inclusive” and “human rights”) and **clearly define vulnerable groups**. Others emphasized that the legislation must be flexible enough to respond to diverse circumstances and evolving needs, while supporting local solutions.

Partnerships

In general, the majority of the participants discussed the proposed new legislation and what it would cover, and recognized that the provinces and territories already have their own housing-related legislation. However, many felt that **partnerships between the federal and provincial/territorial governments** would be key to the success of advancing a human rights-based approach to housing.

Initiative #2: Federal Housing Advocate

What is being proposed:

A Federal Housing Advocate would be established to engage with vulnerable groups and those with lived experience of homelessness and housing need, and recommend solutions to CMHC and the responsible Minister to help eliminate systemic barriers that many Canadians face in accessing affordable housing.

What We Heard

Participants asked for clarification about the Advocate’s duties, but also expressed **broad support for the establishment of an Advocate** who could examine systemic issues around the access to affordable housing. Emphasis was also placed on the importance of establishing a clear mandate for the Advocate, and articulating its role, responsibilities and decision-making powers.

Participants expressed a strong preference for a system where **the Advocate reports directly to Parliament** or a parliamentary committee, similar to the Auditor General of Canada or the Parliamentary Budget Officer. A number also called for an accountability mechanism that would require Parliament to respond to the Advocate’s recommendations in a publicly-available report.

Several participants stated that **the Advocate selection process** should be open, transparent and pan-Canadian in scope, with an eye towards including people with lived experience of housing need and homelessness in the process.

Due to the broad nature of the proposed role, it was also generally agreed that the Advocate would need to be **supported by a staffed office and given adequate resources** to fulfill their mandate. There were also questions asked about the relationship the Advocate would have to other housing bodies, including at the provincial and territorial levels.

Finally, participants stated that the level and **nature of interaction** between the Advocate, the National Housing Council and existing national bodies would need to be clarified, along with more details on the direction and degree of information flowing between them.

Other Ideas

Other recommendations included having the Advocate:

- Act as a **platform for public engagement** and education;
- Serve as a **communication hub** to link local or community efforts;
- Research and share domestic and international **best practices**; and,
- Build **relationships with other government initiatives and organizations** with similar mandates (like the Homeless Partnering Strategy) to share information and help them set targets, receive funding and apply their programs.

There were a number of strong suggestions for the role to encompass **advocacy, advisory and ombudsman services**. It was also suggested that the Advocate could be similar to other existing advocates in Canada, such as human rights commissioners, seniors' advocates, or child and youth advocates. The role could even include working with affected groups to bring critical systemic issues before a decision-making panel. Others suggested the Advocate could conduct investigations into systemic issues or incidences of potential non-compliance, and issue corrective recommendations as a result.

Alternatively, some participants recommended that the Advocate could offer suggestions for ways to **increase housing supply**, such as by improving the tax system for rental housing providers, reducing development charges or reducing the powers of neighbourhood organizations that are opposed to development.

"A key accountability mechanism is to ensure that the federal government is maintaining its overall commitments contained in the NHS, and will identify where additional or corrective action must be taken."

– Participant



Initiative #3: National Housing Council

What is being proposed:

A National Housing Council with diverse participation (including people with lived experience of housing need and homelessness) would be created to provide Canada Mortgage and Housing Corporation and the responsible Minister with ongoing input and advice on policies, programs and research related to the National Housing Strategy.

What We Heard

Overall, participants **supported the establishment of a National Housing Council**. They also made recommendations on how its mandate and composition could best support the National Housing Strategy. This included recommendations for:

- A **pan-Canadian Council** with regional representation.
- **Diversity** of race, gender, skills, abilities and experiences.
- **Representation from all vulnerable groups**, especially people with lived experience of homelessness and Indigenous peoples.
- **Engagement with community and civic organizations** through either representation on the Council or an information and advice channel.
- **Limited-term memberships** to allow for fresh input, with the terms staggered to maintain continuity.

Some private sector participants recommended that the Council should **include representatives from organizations** that provide the bulk of housing for low-income households in Canada. A few participants also suggested that the Council could report directly to Parliament.

As with the input for the Federal Housing Advocate, it was stressed that **the Council's role, mandate, responsibilities and decision-making powers** must all be made clear, and its level of accountability must be defined.

Suggestions for the Council's mandate included activities such as:

- **Assessing results** in achieving the National Housing Strategy's goals;
- **Providing practical input** on policies and programming to the Federal Housing Advocate and the Government of Canada; and,
- **Assessing the extent** to which the National Housing Strategy and its activities align with a human rights-based approach to housing.

"The government must ensure, among other things, that both the new Federal Housing Advocate and the New National Housing Council will function effectively and accountably."

– Participant

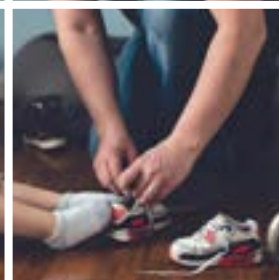


Other Ideas

Some participants stated that the Council could be **an independent body**, which could play a role in monitoring the progress of the National Housing Strategy. Others felt there could be more than 30 Council members, to ensure that the Council fully represents all Canadians.

Some also suggested exploring the idea of having various **sub-councils**, including human rights experts and people with lived experience of homelessness and housing need. Others recommended the Lived Experience Advisory Council's "Seven Principles for Leadership" for consideration. Other suggestions were that:

- The Council should be **accountable** to members who have lived experience of homelessness, and the communities they represent;
- Council members with **lived experience of homelessness** should be compensated for their time and travel expenses;
- Canadians and affected vulnerable groups could be involved in the selection of the Council members; and,
- The Council could operate more like a **decision-making panel** or court.



Initiative #4: Community-Based Tenant Initiative

What is being proposed:

A Community-Based Tenant Initiative would provide funding to local organizations that assist people in housing need, to ensure they are better represented and able to participate in decisions about housing policies and projects.

What We Heard

Participants responded very positively to this initiative, stressing the **importance of providing funding and support for local service providers**.

Several participants asked for **clarification on the processes**, rights and obligations for obtaining the funding, as well as how much funding would be offered and how it could be accessed. Others suggested prioritizing organizations that have experience in helping those in need, or designing the **eligibility criteria** to channel funds to those who need help the most.

Other recommendations included directing the funding to organizations that:

- Deliver **direct services** to those in housing need.
- Provide **indirect service** through housing policy and tenant rights education.
- Work with **disempowered communities** at a grassroots level.

“Some of the best ideas to improve the housing stock have recently come from Tenants’ Committees, where tenants are able to give a voice to issues that affect them directly.”

– Participant

“Nothing about us, without us.”



Participants thought the initiative could help **give tenants a greater say** in the decisions that affect them. They also stressed the need for a seamless process that supports the applicants, and a culture where those who receive funding can safely raise concerns and constructively resolve conflicts.

Others pointed out that not all those in housing need are renters or have a place to call home. Some therefore called for more **inclusive initiatives** that would support organizations assisting people in other types of housing need, including those who are experiencing homelessness. The need to determine what housing services already exist for those who are homeless was also highlighted.

Participants emphasized the need to **support local work** and **Indigenous communities**, with the initiative being tailored to local needs and life in the North. This includes supporting implementation of the initiative at the local level through effective communication between the various decision-making bodies.

Additionally, participants highlighted the need to ensure the initiative doesn't duplicate existing work, with an emphasis on how it might **complement other initiatives** such as the National Housing Council and Federal Housing Advocate.

“We need advocacy, but nothing is going to happen for us until we get homes built.”

– Participant



Other Ideas

Other suggestions heard from participants included:

- Using the initiative to **support education** on the right to housing and Canada’s housing system;
- **Building the capacity** of individuals and organizations to participate in making housing-related decisions;
- Giving tenants access to **some form of recourse** if their rights are denied (similar to what is done in France); and,
- Providing **advocacy and support for tenants’ rights**, such as by addressing wrongful evictions or assisting with legal services.

Overall, participants felt the initiative could help create a **truly participatory process** that involves people with lived experience of homelessness, and which helps build capacity for individuals and communities. Some also asked that the initiative **support vulnerable communities** by educating and organizing them on the right to housing.

Focus Groups

As part of the consultation, **focus groups** were held in Vancouver and Toronto with people who have lived experience of housing need and homelessness. The sessions provided a number of important insights and ideas.

Several of the participants, for example, explained that **building policies** can have a large impact on the day-to-day safety, security and comfort of tenants. As a result, the participants stressed the importance of being fully informed of their housing arrangements, and being included in making decisions that affect them.

Some of the other challenges highlighted by the focus group participants included:

- Long **wait lists** for housing;
- Need for major **repairs and maintenance**;
- Problems with **pests**;
- Sense of having been **discriminated against**, for various reasons, in their search for housing;
- Unnecessary **evictions**; and,
- Lack of **awareness** of where to go for information on tenant rights and housing options.

The focus group participants also suggested creating a **web portal to provide people in need with information** on housing programs, or making that information available at community and drop-in centres, churches and legal clinics. Others reported feeling **misled about the terms of their tenancy arrangements** due to a lack of information, miscommunication, or signing leases for apartments that were in a poor state of repair.

“I’d like to see a willingness for housing providers to meet on an equal level with tenants to look at making things better and advise on the environment. People responsible for housing need to play a role with connecting, and be open to engaging and talking with and listening to those voices.”

– Focus group participant



Initiative #5: Public Engagement Campaign

What is being proposed: A Public Engagement Campaign would be launched in 2020 by Canada Mortgage and Housing Corporation to reduce the stigma and discrimination – and highlight the benefits – of inclusive housing and communities.

“The proposed public engagement campaign should be based on a positive vision of mixed-income, mixed-tenure, mixed-use communities offering a range of housing types, prices and rents, and geared to a range of age groups and occupant needs.”

– Participant



What We Heard

Participants expressed their support for a campaign to **combat discrimination and encourage social inclusion** in housing. Several suggested using past successful government campaigns (such as Recycling programs and ParticipACTION) as models to promote inclusivity in different types of housing.

In general, the majority of the participants felt that the campaign should:

- Have **clear criteria, definitions and indications** of the practical impacts it will target;
- Promote the **value of inclusive neighbourhoods** and dispel “not in my back yard” attitudes;
- Communicate the **advantages of social, community and low-income housing** while reducing the stigma around those who are experiencing housing need and homelessness; and,
- Be part of a **process for change** that would be intentionally incorporated into the overall strategy.

Participants also emphasized that the campaign should not be just a marketing campaign. Instead, it must **demonstrate an impact** that would further the goals of the National Housing Strategy. Participants also questioned the late start of the campaign, and were informed that the campaign is being delayed until 2020 so that the other initiatives (such as the National Housing Council) could help shape it.

Other Ideas

The participants offered suggestions that the campaign could:

- **Raise awareness** of the National Housing Strategy and the human rights-based approach to housing;
- **Help Canadians develop a better understanding of equity** and how it relates to a human rights-based approach to housing; and,
- **Address distinct regional needs.**

Alternatively, some participants recommended that further work could be done on approaches and methods to achieve or promote **mixed-tenure, mixed-income and mixed-use developments**, rather than single-purpose social housing.

“Changes in attitudes do not happen overnight. More importantly, cannot be realized without the support and engagement of all people in Canada, governments and community organizations.”

– Participant



Indigenous Housing

One of the most passionate responses heard during the consultation was that the new legislation must consider **Indigenous housing strategies**. These are currently being developed and include:

- **Developing separate indicators** with Indigenous communities to address their housing challenges and conditions;
- **Using a Gender-based Analysis Plus (GBA+) approach** that captures the housing needs of both Indigenous women and men;
- Ensuring housing for Indigenous peoples is **culturally adequate**;
- Making sure the Federal Housing Advocate has a **deep understanding of Indigenous populations no matter where they live in urban, rural and northern areas**, and the resources to address Indigenous housing concerns and issues;
- Ensuring the National Housing Council includes **Indigenous representation**;
- Creating a **distinct public engagement campaign** to address the stigmatization and discrimination faced by urban, rural and northern Indigenous tenants, and those who are experiencing homelessness; and,
- Seeking **local input** whenever possible.

It was also heard that a human rights-based approach to housing must **align with** Articles 21 and 23 of the **United Nations Declaration on the Rights of Indigenous Peoples**. Article 21 states that Indigenous peoples have the right without discrimination to the improvement of their socioeconomic conditions, including housing. Article 23 states that Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. See Appendix G for more information on the Declaration.

Other Topics and Perspectives

In addition to commenting on the five proposed initiatives, participants also provided feedback on other topics that they considered important to helping Canadians meet their housing needs, and to advancing a human rights-based approach to housing.

These topics relate very closely to the National Housing Strategy, and should be taken into account as the Strategy evolves over time. They covered areas such as:

- **Information sharing;**
- **Filling data and research gaps;**
- **Learning from best practices;**
- **Inclusivity and vulnerable groups;**
- **Housing markets, affordability and planning;**
- **Protection for tenants;**
- **Social/community housing;** and,
- **Northern housing.**

For more details on each of these topics, see Appendix F.

Next Steps

The Government of Canada is committed to advancing a human rights-based approach to housing, and to making progress towards the goal of making sure Canadians have access to a safe and affordable home.

The human rights-based approach to housing consultation helped raise greater awareness of these important issues among Canadians, while generating insightful ideas and suggestions for how to best pave the way towards this essential goal.

In the coming months, CMHC plans to move forward with introducing new programs and initiatives that will build on those ideas to ensure continued effort to meet the housing needs of all Canadians.

APPENDIX A: BACKGROUND

While the National Housing Strategy covers the continuum of housing needs, it prioritizes those in greatest need, further advancing a human rights-based approach to housing. Through the Government of Canada's extensive consultation lead by CMHC in 2016, with thousands of Canadians, the message was clear: Canadians want better housing outcomes not just for themselves, but for low-income families and other vulnerable groups with distinct housing needs. These views were captured in the November 22, 2016, [What We Heard report](#).²

A point raised in our earlier consultation involved Canada's international obligations for housing. Canada is one of 166 countries around the world that is a party to the *International Covenant on Economic, Social and Cultural Rights* (ICESCR). Through this, Canada has committed to take steps to progressively realize the right to adequate housing as part of an adequate standard of living for our citizens. To find out more about the ICESCR see the following link: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>.

The National Housing Strategy represents an additional step forward in recognizing the federal government's efforts to progressively realize a right to adequate housing, as per our international obligations. It advances a human rights-based approach to housing in Canada.

The National Housing Strategy, released on November 22, 2017, is bold 10-year, \$40-billion plan that sets ambitious targets to ensure that unprecedented investments and new programming deliver results, with an emphasis on supporting Canada's most vulnerable populations. It will create over 100,000 new housing units, repair another 300,000 units, and will remove or reduce housing need for as many as 530,000 households. The Strategy includes a number of housing initiatives to support Canadians in distinct, but complementary ways, including a human rights-based approach to housing.

Partnership and collaboration are a cornerstone of the Strategy. The Government of Canada, through Canada Mortgage and Housing Corporation (CMHC) has been working with provinces, territories and municipalities to ensure that initiatives under the Strategy will adequately meet the diverse housing needs of Canadians.

In Canada, the funding and delivery of housing programs, and development of policies has long been a shared responsibility. The federal government works together with its provincial and territorial partners to improve access to housing and meet the housing needs of Canadians.

There is an existing system of laws to support the shared responsibility and complementary roles in housing. One such example is building codes and standards that are legislated in every province and territory to ensure the safety of housing for residents. More specifically, many provincial and territorial governments have taken steps to promote a human rights-based approach to housing, including initiatives such as Tenancy Acts. These set out a framework for landlord tenant agreements. In fact, there are specific laws in place around these agreements, and what can be in them. The agreements are to protect both the rights of the landlord and tenant. A court system is available to hear claims of any breach to a landlord tenant agreement. Further to this, there are human rights commissions and tribunals that exist at the federal, provincial and territorial levels that can hear specific claims that relate to housing, such as that relate to discrimination.

Beyond provinces and territories, municipalities can also have laws that enable them to regulate renting residential units, and other types of dwellings.

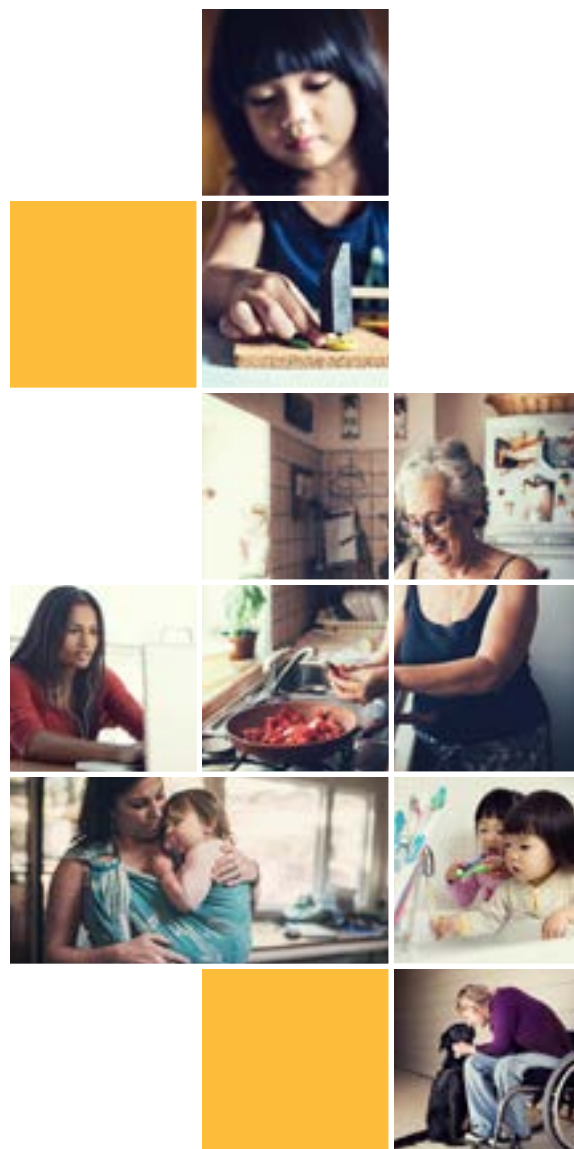
² Available at the following link: http://publications.gc.ca/collections/collection_2017/edsc-esdc/Em12-30-2016-eng.pdf

In addition to the provinces and territories, CMHC is working with municipalities, the private and non-profit sectors, Indigenous groups and other stakeholders who share our goal of stimulating new approaches to housing in Canada. The National Housing Strategy will build on these and other measures to help make sure Canadians have access to suitable and affordable housing, regardless of who they are or where they choose to live.

It is important to recognize that no relationship is more important to the Government of Canada than its relationship with Indigenous peoples. During the consultation for the National Housing Strategy Indigenous leaders stated that there is a pressing need to co-develop federally supported and distinctions-based First Nations, Inuit and Métis Nation housing strategies, which are founded in the principles of self-determination, reconciliation, respect and co-operation.

In Budget 2018, the Government proposed dedicated funding to support the successful implementation of each of the distinctions-based housing strategies. In addition, in February 2018, the Prime Minister announced the launch of a national engagement process with First Nations, Inuit and Métis peoples and other partners to co-develop a Recognition of Indigenous Rights Framework.

The National Housing Strategy sets out bold outcomes and targets to help lift Canadians from housing need, to repair, renew and build more housing units, to provide households with affordability support, to protect and expand community housing and to reduce the number of persons who are chronically homeless by 50%.



APPENDIX B: PROVINCIAL AND TERRITORIAL PARTNERS

The Government of Canada, through the Federal, Provincial and Territorial Forum on Housing, sought the views of provinces and territories on the federal commitment to progressively realize a human rights-based approach to housing. Federal, provincial and territorial governments are primary partners in housing and the work they do together to achieve better housing solutions across the continuum – from homelessness to market housing – helps advance the progressive realization of a human rights-based approach to housing. This also supports advancing Canada's obligation in relation to housing under the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Overall, provinces and territories would agree that a lot of good work is already taking place to support a human rights-based approach to housing and that new federal initiatives should be complimentary and not duplicative.

Notably, the Housing Partnership Framework, which provinces and territories (except Quebec) endorsed on April 9, 2018, not only recognizes that federal initiatives under the NHS are guided by a human rights-based approach to housing, it specifies that housing investments delivered with provincial and territorial governments must respect the key principles of the National Housing Strategy, including a focus on supporting that every Canadian deserves a safe and affordable home. Provinces and Territories explained that housing is a shared responsibility and advancing the human rights-based approach to housing must continue to be considered in partnership.

The Framework also includes a requirement for provinces and territories to develop and publish Action Plans.



APPENDIX C

Who Participated

The following are lists of organizations that participated at the various roundtables, as well as organizations that provided written submissions. Some also provided idea papers.

For privacy reasons, individuals that participated are not named, including those who had lived experience of housing need and homelessness. However, many of the organizations listed were able to represent the views of people with these experiences.

As referenced above, *CMHC also held Focus Groups in both Vancouver and Toronto with people with lived experience of housing need and homelessness. The total number of participants for both focus groups was: 31* (these were individuals and so they will not be named or represented below).

Roundtable sessions took place from April to June 2018, in: Ottawa, Halifax, Montreal, Edmonton, Toronto, and Vancouver. In addition, a roundtable session was held via Skype to facilitate individuals and organizations from Canada's North to participate and provide their views on a human rights-based approach to housing.

- ACORN
- Adsum for Women & Children
- Advocacy Centre for Tenants Ontario
- Affordable Housing Association of Nova Scotia
- Akoma Holdings
- Alberta Rural Development Network
- Alberta Seniors and Housing, Province of Alberta
- Allan Gaudreault
- Alliance to End Homelessness
- Amnesty International
- Assembly of First Nations
- Assembly of First Nations of Quebec and Labrador
- Autism Nova Scotia
- Away Home Canada
- Away Home Toronto
- BC Housing
- BC Non-Profit Housing Association
- Inclusion Alberta
- Inclusion BC
- Inn From the Cold
- Inter-Loge
- Inuit Tapiriit Kanatami
- Inuvik Emergency Shelter
- John Howard Society of Southeastern New Brunswick Inc.
- KASKA
- L'Office municipal d'habitation de Québec
- Maison Simonne Monet Chartrand
- Making the Shift
- M'akola Housing Society
- Manitoba Housing
- Maytree
- Medicine Hat Community Housing Society
- Metis Calgary Family Services Society
- Native Council of PEI
- Native Women's Association of Canada
- BC Seniors Living Association
- Brightside Community Homes Foundation
- Calgary Homeless Foundation
- Campaign 2000
- Canada Research Chair in Urban Change & Adaption
- Canada Without Poverty
- Canadian Alliance to End Homelessness
- Canadian Federation of Apartments Association
- Canadian Home Builders' Association
- Canadian Housing and Renewal Association
- Canadian Mental Health Association Thompson
- Canadian Mental Health PEI
- Canadian Poverty Institute, Ambrose University
- Canadian Real Estate Association
- Canadian Women's Foundation
- Cape Breton Community Housing Association
- Capital Region Housing Corporation
- Carcross Tagish First Nation
- Catalyst Community Developments Society
- Centretown Citizens Ottawa Corporation
- CHF Canada
- Chinese & Southeast Asian Legal Clinic
- Choices for Youth
- City of Edmonton, Housing and Homelessness
- City of Vancouver
- City of Whitehorse
- Communitas
- Confédération québécoise des coopératives d'habitation
- Co-operative Housing Federation of Canada
- Nishnawbe Homes
- Northern United Place
- Nova Scotia Association for Community Living
- Nunavut Department of Family Services
- Nunavut Housing
- NWT Disabilities Council
- NWT Housing Corporation
- NWT Human Rights Commission
- NWT Seniors Society
- NWT Status of Women
- Office municipal d'habitation de Montréal
- Ontario Federation of Indigenous Friendship Centres
- Ontario Non-Profit Housing Association

- Options Bytown Non-Profit Housing Corporation
- Ottawa Salus Corporation • Pacifica Housing
- Phoenix Youth
- Piikani Nation
- Pivot Legal Society
- REENA
- Réseau d'aide aux personnes seules et itinérantes de Montréal
- Réseau Québécois des OSBL de l'habitation
- Residential Tenancy Branch, Ministry of Municipal Affairs and Housing
- S.U.C.C.E.S.S.
- Salvation Arm
- Saskatoon Housing Initiatives Partnership
- Saskatoon Poverty Reduction Partnership
- Sidedoor Youth
- Silvera for Seniors
- Social Rights Advocacy Centre
- Société d'habitation et de développement de Montréal
- Société d'habitation populaire de l'Est de Montréal
- Corporation d'habitation Jeanne-Mance
- Corporation Mainbourg
- Council of Canadians with Disabilities
- Dawson First Nation
- E4C – Edmonton City Centre Church Corporation
- Eastern Health
- End Homelessness Winnipeg
- Fédération des Coopératives d'Habitation Intermunicipale du Montréal Métropolitain
- Fédération des maisons d'hébergement pour femmes
- Federation of Canadian Municipalities
- First Nations Technical Services Advisory Group Inc.
- Fonds Immobilier de Solidarité FTQ
- Front d'action populaire en réaménagement urbain
- Gignul Non-Profit Housing
- GNWT Department of Justice
- Government of Alberta
- Government of NWT
- Government of Yukon
- Government of Yukon – Health and Social Services
- Greater Toronto Apartment Association
- Greater Victoria Coalition to End Homelessness
- Habitat for Humanity Edmonton
- Habitat for Humanity Quebec
- Halifax Refugee Clinic
- Halifax Regional Municipality
- Hollyburn Family Services
- Homelessness Services Association of BC
- Homeward Trust Edmonton
- Housing Nova Scotia
- Housing Services, City of Ottawa
- Staff of UN Special Rapporteur on Adequate Housing
- Stellas Circle
- Ten Ten Sinclair Housing
- Teslin Tlingit Council
- The Canadian Housing and Renewal Association
- The Canadian Human Rights Commission
- The Garth Homer Society
- The Salvation Army
- Treaty 7 Urban Indian Housing Authority
- UNITI
- UN Special Rapporteur on Adequate Housing
- Vancouver Affordable Housing Agency
- Vancouver Native Housing Society
- Victoria Cool Aid Society
- Whitehorse Chamber of Commerce
- Women's Shelters Canada
- Working for Change
- Youth Services Bureau of Ottawa
- Yukon Anti-Poverty Coalition
- Yukon Council on Aging
- Yukon Housing
- YWCA Halifax
- YWCA Yellowknife

Organizations that provided submissions:

- A Way Home Canada
- ACORN Canada
- Addictions and Mental Health Ontario
- Adsum for Women & Children
- Advocacy Centre for Tenants Ontario
- Alberta Seniors Communities & Housing Association
- Anglican Church of Canada
- Association of Municipalities of Ontario
- BC Poverty Reduction Coalition
- BC Rental Housing Coalition
- Canada Without Poverty
- Canadian Alliance to End Homelessness
- Canadian Association for Community Living
- Canadian Centre for Policy Alternatives
- Canadian Coalition for the Rights of Children
- Canadian Federation of Apartment Associations
- Canadian Homebuilders' Association
- Canadian Housing and Renewal Association
- Canadian Human Rights Commission
- Canadian Observatory on Homelessness
- Canadian Real Estate Association
- Canadian Union of Public Employees
- Canadian Women's Foundation
- Capital Region Housing
- Carnegie Community Centre Association
- CCEC Credit Union
- Centre for Addiction and Mental Health
- CHOICE Housing Committee
- City of Calgary
- City of Vancouver
- Fonds de solidarité FTQ
- Front d'action populaire en réaménagement urbain
- Halton Region
- Hamilton Community Legal Clinic
- HomeComing Community Choice Coalition
- Homeless and Housing Umbrella Group (HHUG)
- Homeward Trust Edmonton
- Housing Action Coalition Kingston

- Inner City Health Associates
- Island Crisis Care Society
- Kingston Faith & Justice Coalition
- Kingston Quakers
- L'Association pour la santé environnementale du Québec – Environmental Health Association of Quebec
- Lakeside Hope House
- London Poverty Research Centre, King's University College
- Maggie's Place – A Resource Centre for Families (Cumberland)
- Manitoba Non-Profit Housing Association
- Maytree
- Native Council of PEI (NCPEI)
- Oceanside Task Force on Homelessness
- Office of the Seniors Advocate
- Ontario Housing First Community of Interest (COI)
- Ottawa Mission
- Peel Alliance to End Homelessness
- Pivot Legal Society
- Poverty Roundtable Hastings Prince Edward (HPE)
- Raising the Roof
- Rassemblement Électrosensibilité Québec
- Region of Peel
- Renfrew County Legal Clinic
- Coalition of Persons with Disabilities
- Colour of Poverty – Colour of Change (Canadian Arab Federation; Chinese and Southeast Asian Legal Clinic; Chinese Canadian National Council Toronto Chapter; Council of Agencies Serving South Asians; Ontario Council of Agencies Serving Immigrants; South Asian Legal Clinic of Ontario)
- Community Advocacy & Legal Centre
- Community Advocates Network (Halifax, NS)
- Community Housing Affordability Collective of Calgary
- Community Society to End Poverty Nova Scotia
- Co-operative Housing Federation of Canada
- Edmonton Coalition on Housing and Homelessness
- Fédération de l'habitation coopérative du Canada
- Federation of Canadian Municipalities
- Federation of Metro Tenants' Associations
- First Call: BC Child and Youth Advocacy Coalition
- First Unitarian Church of Hamilton
- Fonds de solidarité FTQ
- Renters Educating and Networking Together
- Renters of Saskatoon and Area
- Réseau québécois des OSBL d'habitation
- Right at Home Housing Society
- Salvation Army
- Sanctuary Toronto
- Shelburne County Housing Coalition
- Sistering
- South Shore Housing Action Coalition
- Toronto Alliance to End Homelessness
- UNICEF Canada
- United Way Elgin Middlesex
- United Way Halifax
- United Way Peterborough and District
- Urban Development Institute
- Women Abuse Council of Toronto (WomanACT) with Community Partners
- Women's Habitat of Etobicoke

APPENDIX D: SUMMARY ANALYSIS OF IDEA PAPERS

Several idea and research papers related to a human rights-based approach to housing were received or collected to inform the consultation process and discussions. They were shared with consultation participants to engage their thinking on the issue. A summary of the key ideas and themes for each of these papers follows.

Idea Paper #1 Leilani Farha, UN Special Rapporteur on adequate housing

Report of the Special Rapporteur to the UN Human Rights Council on Human Rights Based Housing Strategies (Human rights council, Thirty-seventh session, 26 February–23 March 2018)

The paper provides government bodies and other stakeholders with guidance on implementing effective rights-based housing strategies. It outlines the value of a human rights-based approach to housing and presents key principles for establishing effective rights-based housing strategies.

The terms ‘housing policy’ and ‘housing strategy’ are differentiated for clarity: A housing policy is “composed of programs that address current housing issues,”³ and these are “often run by a single authority, statutory agency, or different levels of government.”⁴ A housing strategy, on the other hand, is a long-term initiative based on a vision of structural change. It “coordinates a wide range of laws, programmes, policies and decisions to address housing needs that, when taken together, create a housing system.”⁵

The Special Rapporteur identifies the following factors that make a human rights approach critical to the effectiveness of housing strategies:

- Human rights problems must be identified and addressed as such;
- Human rights change the way governments interact with people;
- Human rights help to identify gaps and structural weaknesses in housing systems and programs;
- Human rights clarify decision-making and accountability;
- Human rights have primacy over other laws and provide a framework for governance and all decision-making; and,
- Human rights are transformational.

3 United Nations, General Assembly. Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. (January 2018.), p. 3.

4 Ibid.

5 Ibid.

The paper also presents 10 key principles for rights-based housing strategies⁶:

- 1. Based in law and legal standards** – strategies should be based in legislation that recognizes the right to adequate housing in all of its dimensions. They should also reference and adhere to the right to housing as it is guaranteed in international human rights law.
- 2. Prioritize those most in need and ensure equality** – rights to equality and non-discrimination must be protected in all aspects of housing strategies, and must be accompanied by effective remedies.
- 3. Comprehensive and whole-of-government** – strategies must also engage multiple orders of government, from local to national, and must delineate the responsibilities of each.
- 4. Rights-based participation** – from design to implementation and through to monitoring activities, strategies must ensure meaningful participation of affected persons to eliminate exclusion and silencing.
- 5. Accountable budgeting and tax justice** – sufficient funds, taxation provisions or other means of securing resources for housing must be made available to local and other orders of governments. Also, taxation reforms should be made to ensure that taxation promotes, rather than undermines, the fulfilment of the right to housing.
- 6. Human rights-based goals and timelines** – should be reasonable and achievable, but must also reflect the urgency of addressing violations of human rights.
- 7. Accountability and monitoring** – a designated independent monitoring body should be mandated and resourced to assess the ongoing effectiveness of the housing strategy, identify failures or shortcomings, recommend necessary changes and hold governments accountable. This body could take the form of a commission, a housing ombudsperson, a housing advocate or a national or regional human rights institution.
- 8. Ensuring access to justice** – effective claiming mechanisms that guarantee access to remedies to violations help to ensure that housing systems operate inclusively and effectively. A variety of access points, including a court system for constitutional claims of violations or to enforce legislation, as well as Ombudsman offices, housing commissioners, human rights institutions, community housing councils or housing advocates that have authority to consider complaints and to require responses should be used.
- 9. Clarify the obligations of private actors and regulate financial, housing, and real estate markets** – mechanisms must be established to ensure that the actions of private actors and investors are consistent with the government's obligation to fulfil the right to housing. They should also provide for rigorous oversight of public private partnerships and other relationships between public authorities and private developers.
- 10. Implement international cooperation and assistance** – strategies should embrace the international dimensions of the right to housing by strengthening commitments to international cooperation and assistance and facilitating shared action to address global challenges.

⁶ United Nations, General Assembly. Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. 2018, p. 5-20.

Idea Paper #2

Social Rights Advocacy Centre – Bruce Porter

Enhancing the Rights-Based Framework for Canada's National Housing Strategy

The paper from the Social Rights Advocacy Centre emphasized that the right to adequate housing for all should be central to the Strategy. The paper went on to clarify that the right to housing is interdependent with other human rights and should be understood through an equity lens, addressing systemic discrimination against vulnerable groups and the effects of colonization and other grounds.

The Centre stressed that the right to housing should be protected constitutionally in Canada (e.g., through interpretations of the Charter rights to life, liberty and security of the person, and the right to equality). Further, an accessible claiming mechanism, through which effective remedies can be identified and ensured, was seen to be critical. It was noted that in some contexts, courts have a role to play in adjudicating claims related to the right to housing (e.g., protecting the right to housing under the Charter).

At the same time, the need for remedial recommendations was underscored. The paper recommended adopting the procedure used at the UN Human Rights Council under the Universal Periodic Review: governments receive recommendations from other orders of government and then must formally decide and report back on whether each recommendation is accepted or rejected.

Regarding the Federal Housing Advocate, the Centre recommended that:

- The office of the Advocate be independent, properly staffed and resourced.
- It be “mandated to conduct investigations into systemic issues and potential non-compliance and issue remedial recommendations.”⁷

- “In selective cases, [the Advocate] should be mandated to work with affected groups to bring critical systemic issues to hearings before an adjudicative panel.”⁸
- Its role in issuing remedial recommendations could be modeled on the “communications” procedure used by Special Rapporteurs and Independent Experts appointed by the UN Human Rights Council.

Pertaining to the National Housing Council, it was recommended that the Council:

- Include members chosen by and from affected communities.
- Appoint an Adjudication Panel based on criteria laid out in the legislation, including members from affected communities and people with human rights expertise.
- Take on the role of monitoring progress and compliance with NHS goals and timelines.
- Be independent.

For the Community-Based Tenant Initiative, it was recommended that the Initiative:

- Have an expanded role to support local and community-based advocacy.
- Change its name to “Community-Based Initiatives” to be more inclusive (e.g., address issues for those experiencing homelessness, living in shelters, in precarious ownership situations).
- Frame local initiatives around the right to housing and work with those in housing need to identify systemic issues, solutions, and advocate for their right to housing.
- Encourage local initiatives to bring claims to the Office of the Housing Advocate.

The paper also recommended that the NHS should contain adequate support at the local level for human rights education through public engagement.

7 Porter, Bruce. *Enhancing the Rights-Based Framework for Canada's National Housing Strategy*. Social Rights Advocacy Centre. 2018, p. 14.

8 Ibid.

Idea Paper #3

Canadian Alliance to End Homelessness (CAEH)

Discussion Paper: Ending Homelessness and the Right to Housing

The paper put forward by the Canadian Alliance to End Homelessness (CAEH) expresses support for the National Housing Strategy (NHS) and CMHC's human rights-based approach to housing, including its funding and commitments under the NHS, and the signing of the first federal-provincial-territorial bilateral agreement on April 30, 2018. It also highlights the need for the right to housing to be enshrined in legislation, agreements, programs, funding, and other initiatives, and for the federal government to ensure the NHS is fully compliant with international standards, including the 10 key principles set out by the UN Special Rapporteur.

This position paper reminds governments of all orders “that they have much work to do to meet their fundamental housing rights obligations,”⁹ including numerous specific standards. Federal, provincial/territorial, and municipal governments are all responsible for recognizing the human right to adequate housing as articulated internationally, and for ensuring its progressive realization through legislation, budgets, policies, programs.

The Alliance also calls on “national, provincial and municipal policies, program, and funding in support of the National Housing Strategy to be comprehensively targeted to the greatest needs with a specific focus on preventing and ending homelessness.”¹⁰ Those with the greatest needs include disadvantaged groups like women, LGBT individuals, people with disabilities, ethnic minorities, Indigenous peoples, and migrants. An intersectional approach is recommended.

Four overarching recommendations¹¹ from the Alliance are that the:

1. Federal government complies with its international human rights obligations by committing to prevent and end all homelessness.
2. Right to housing be embedded in the upcoming legislation to implement the National Housing Strategy.
3. Federal housing investments and programs have clear and transparent requirements to ensure that the funding and the programs are targeted to people experiencing or at risk of homelessness.
4. Compliance with international housing rights obligations are included in all bilateral housing agreements under the National Housing Strategy.

9 Canadian Alliance to End Homelessness, *Ending Homelessness and the Right to Housing*. 2018, p. 2-3.

10 Ibid., p. 5.

11 Ibid., p. 6-7.

Idea Paper #4

Advocacy Centre for Tenants Ontario

Questions on the Way to the Right to Housing: An Ideas Paper

The paper shared by the Advocacy Centre for Tenants Ontario discusses several factors that have been identified by the UN Committee on Economic, Social and Cultural Rights and considers these and other factors in the context of legislation for a rights-based approach to housing:

- The paper notes that effective remedies are required for violations of the human right to housing. It also suggests that currently, there is no avenue for recourse, and no means in place to prevent violations from occurring. The court system was not seen as the appropriate setting for those seeking remedies. Instead, affected groups and individuals must be able to identify and seek remedies from bodies that are accessible to them.
- Housing rights-based analysis (similar to gender-based analysis) should be applied to government decision-making.
- The responsibilities and duties of government to take positive action on housing rights should be considered, especially in light of how measures would interact with other oversight bodies. Transparency and reporting requirements are also important considerations.
- A Federal Housing Advocate must be able to provide advocacy in a forum where effective remedies and concrete actions toward correcting failures in housing policy can be realized.
- Local organizations can play a role in assisting and advocating for those who suffer from violations of housing rights to gain access to the remedies provided in law for these violations.
- The structure and accountabilities of a Housing Advocate as well as that of the National Housing Council should be considered, especially with regard to effective oversight of government action and providing adequate remedies for victims of violations of housing rights.

Idea Paper #5

Individual: Emily Paradis, Ph.D.

Canada's Rights-Based National Housing Strategy: Principles and Mechanisms for Rights-Based Participation of Those with Lived Experience – An ideas paper

The paper submitted by Emily Paradis, PhD, explores principles for rights-based participation and accountability to those affected by homelessness and housing need, and proposes an architecture for implementing the right to housing within the National Housing Strategy. It also shares insights from a series of consultations with lived experts (of homelessness) across Canada, and summarizes participants' feedback on inclusive processes, access to justice, support for local initiatives, and representation.

The author argues that a rights-based approach to the National Housing Strategy (NHS) must consider not just the right to adequate housing, but also fundamental human rights, civil rights, equality rights, and political rights to inclusion and democratic participation. It explains that the right to housing is indivisible from other human rights.

The NHS must recognize the right to adequate housing, which includes components of affordability, legal security of tenure, habitability and accessibility. It should provide leadership and coordination among all bodies who have a role in realizing the right to adequate housing (e.g., provinces, municipalities), establish a set of common rights-based criteria for adequacy, and implement enforcement mechanisms. While the Strategy must demonstrate immediate impacts for the most vulnerable, it should also expand over time to address the needs of all those for whom adequate housing is unattainable under the current housing system.

The author emphasizes the need to ensure that initiatives under the Strategy provide equal benefit to equity-seeking groups, and recommends that a substantive equity analysis be conducted in coordination with the rights-based approach to the NHS.

The paper highlights the need for rights-based participation, not just consultation, of those with lived experience of homelessness at all levels, and makes the following recommendations to facilitate effective engagement:

- Consider the Lived Experience Advisory Council's seven principles for leadership and inclusion of people with lived experience of homelessness.
- Address barriers to participation. For example, cover travel costs directly, choose accessible locations, and do not embed class-based assumptions in the participation process.
- Settings must be trauma-informed, make room for subordinated speech, and place those with lived experience of homelessness on equal footing with other participants.
- There must be shifts in communication in policy settings "from speaking about people facing homelessness to speaking with them; from taken-for-granted racial and gendered hierarchies of whose voice is accorded authority, to intentional and equitable distribution of speaking time; from presumed professional 'objectivity' to a recognition that all participants' perspectives are informed by their lived experience – including those with experiences of privilege."¹²
- Provide appropriate training to different stakeholder groups.

The paper also shares insights from lived experts (of homelessness) from a series of consultations held throughout Canada. Key findings and recommendations are shared below.

Inclusive processes:

- Mistrust and fear may pose a barrier to rights-based participation and accountability, since those affected by homelessness and inadequate housing have experienced violations of their human rights by governments of all orders.
- Barriers to participation include circumstantial barriers (e.g., transportation, childcare) and exclusionary attitudes and practices (e.g. language that is not accessible, fear that their appearance/way of speaking/other traits would not make them seem credible).
- Participants recommended outreach to diverse communities through trusted people and organizations; recognizing/valuing all kinds of expertise; being sensitive to the everyday realities of marginalized populations; providing background information to participants; and being accountable so participants know their advice is influencing decisions.
- Recommendations specific to the National Housing Council included providing up-front support for travel, accommodations, food, and childcare; providing appropriate compensation; using clear language; and providing training, information, and mentorship.

¹² Paradis, Emily. *If You Build It, They Will Claim: Rights-Based Participation and Accountability in Canada's National Housing Strategy*. 2018, p. 11.

Access to justice:

- Participants shared their negative experiences with judicial and quasi-judicial processes, including an imbalance in power and resources between claimants and institutions, and insufficient services for claimants.
- It was recommended that the Office of the Federal Housing Advocate fill the role of a dedicated advocate to support claimants.
- People's expertise should be recognized and respected, the process should be financially accessible, there should be reasonable timelines for issuing findings and remedies, and the Panel's work should be grounded in Indigenous understandings of justice and human rights, including restorative justice.
- Membership of an Adjudicative Panel to process housing-rights claims should include lived experts and limited bureaucrats; it should be diverse and have leadership from lived experts; and there should be term limits for panellists.
- There should be accountability mechanisms (e.g., removal processes for panellists not fulfilling their role, provisions for complaints and appeals).
- Systemic claims should be built from multiple individual cases with similar issues. Government and civil society organizations will play a key role in tracking.

Support for local initiatives:

- The Community-Based Initiatives program should "fund grassroots, lived-expert-led monitoring, advocacy, and campaigns to address systemic issues as they emerge in local settings."¹³
- Community initiatives should be funded to conduct oversight of local NHS program spending.
- Funding should also be targeted to legal education and advocacy, especially on tenant rights, and on projects that provide information or one-stop services. Projects should be led and defined by community members.
- Projects require successful models; resources for accessibility reassures; realistic timeframes; anti-oppression training for members and staff; accountability structures; and freedom to develop appropriate governance structures based on context and membership.

Representation:

- Representation of diverse communities on the Council, Panel, in the Office of the Advocate, and in the Community Initiatives requires an intersectional approach.
- There is a need for "local, democratic, community-based selection processes" open to all members.¹⁴
- There should be an open and accessible application process that emphasizes direct experience and service to community over education or employment credentials.
- Existing best practices should be incorporated (e.g. Toronto's Poverty Reduction Strategy Lived Experience Advisory Group, the Ontario Premier's Council on Young People).
- Lived experts must have meaningful influence, and the Advocate, Council, and Panel must be accountable not just to their members with lived experience but to the communities they represent.

¹³ Ibid., p. 23.

¹⁴ Ibid., p. 25.

Idea Paper #6

Christopher Essert, Associate Professor, Queen's University Faculty of Law

The Basis and Nature of A Rights-Based Approach to Housing Policy

The paper put forward by Christopher Essert, Associate Professor, discusses homelessness; the content of the right to housing; and the ways in which a rights-based approach to housing should affect the National Housing Strategy.

The author states that “we can gain significant insight into housing, and a human rights-based approach to housing, by concentrating on homelessness, understood as the situation where the human right to housing is most extremely and egregiously infringed.”¹⁵ He discusses homelessness as a major deprivation of rights and freedom, in which the homeless individual cannot conduct the most basic human activities without permission from someone else (e.g., a shelter, a host). The author describes the right to housing as the right not to be homeless. He argues that “all elements of the National Housing Strategy need to be understood in terms of the strategy’s overarching goal of protecting the rights of all Canadians to adequate housing and not to be homeless.”¹⁶

Key recommendations for the new legislation, the Federal Housing Advocate, the Community-Based Tenant Initiative, and the public engagement campaign are as follows:

- The legislation’s guiding principles of Accountability, Participation, Non-Discrimination, and Inclusion, are necessary but not sufficient. The legislation also requires “a clear and explicit commitment to the core content of the Right to Housing itself.”¹⁷
- “[The] Advocate and its office must be guaranteed both independence and significant enforcement powers.”¹⁸
- While the role of the Council and its relationship to the Advocate is unclear, the Council could act as a bridge between the Advocate and Canadians, and could develop and elaborate the content of the Right to Housing in the Canadian context.
- With regards to the Community-Based Tenant Initiative, “it is and will always be important to ensure that those with on-the-ground involvement and lived experience are provided robust and official means to contribute to policy development.”¹⁹
- With regards to the public engagement campaign, “it is of the utmost importance that all Canadians are able to see and understand the nature and basis of the human right to housing.”²⁰ Drawing parallels to health care and criminal justice could be useful.

¹⁵ Essert, Christopher. *The Basis and Nature of a Rights-Based Approach to Housing Policy*. 2018, p. 2.

¹⁶ Ibid., 6.

¹⁷ Ibid., 7.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

APPENDIX E: FORM LETTER STATEMENTS

The Advocacy Centre for Tenants Ontario

WHAT THEY SAID: The Government of Canada MUST recognize that housing is a right in law. Canada signed international agreements that must be upheld. We need clear remedies to hold our government accountable to their promises. Without recognition of the right to housing in law, a human-rights based approach to housing is merely symbolic.

The Association of Community Organizations for Reform Now (ACORN)

ACORN members are concerned that the proposed rights-based approach to housing fails to meet the needs of those who are in desperate need of safe, affordable and adequate housing. A rights based approach to housing must include:

- Legislation affirming the right to adequate housing;
- Municipal, provincial and territorial NHS funding that is reliant upon the promotion of inter-jurisdictional policies which support the right to housing;
- An independent office of the Housing Advocate equipped with necessary tools to engage communities, identify barriers to the right to housing and make formal recommendations to the government;
- A National Housing Council comprised of non-token affected community members, selected by the communities they represent;
- An adequate adjudicative mechanism for Canadians to bring systemic claims to a panel of human rights experts and non-token affected community members;
- Prioritization of the housing needs of all marginalized communities; and,
- Resources for local organizations already working on housing and tenant initiatives.

APPENDIX F: ADDITIONAL TOPICS AND PERSPECTIVES

Feedback from Canadians also focused on the importance of a range of other elements that would be intrinsic to helping Canadians meet their housing needs, and to advancing a human rights-based approach to housing.

Information Sharing

Consultation participants expressed an overall desire for information sharing to be built into new housing strategies. Information will need to be made available to the public and housing stakeholders in order to provide direction, advice, and clarity. From the legislation to the Advocate's office, the National Housing Council, and any other new initiatives, transparency and clear thinking must be demonstrated in order to achieve support. Private sector obligations must be clear and communicated widely, and funding application and flows must be transparent and clear.

Further, whether through the Advocate's office, or some other means, sharing details of models of good practice should also be a priority. There are a number of successful related housing initiatives in Canada and elsewhere that could be adapted and adopted more widely. Many models of good practice have been identified by participants throughout the consultation process (see "Best Practices"). These examples range from demonstrations of inclusive housing to affordability enhancements to temporary homelessness solutions. It will be necessary to identify and document success stories that identify key issues in order to learn from them.

Filling Data and Research Gaps

Filling data and research gaps was also a key theme. Repeated statements were heard about the need for data, both qualitative and quantitative, and research in this process. People wanted to ensure that the National Housing Strategy can demonstrate some flexibility to react to the housing needs of Canadians based on data and research in the future.

A variety of socio-economic factors must be considered (e.g., income, mental health, addictions, immigration status), and the intersectionality of issues. It was also noted that there is a need to align efforts, and that initiatives should not be working in silos.

Housing and other social determinants should not operate in silos – they should be inter-connected to address a range of human needs. Housing should be better aligned with supports and services, near transit, jobs, and other amenities.

Learning from Best Practices

Participants highlighted a number of domestic and international policies and programs, and models that Canada should consider in addressing housing needs. Samples of these include:

Engagement

- The Lived Experience Advisory Council was put forward as a good model for engaging those with lived experience.
- Human Rights-Based Training.
- Participants highlighted a need for human rights-based training for both landlords and tenants. LandlordBC's certification program and Ontario's Ready to Rent initiative were identified as potential models.

Domestic model or program

- Housing First was identified as a successful approach.
- Community houses (such as Awakening House in Calgary) were recommended as a model of considerate human rights practices—both to allow this model to be adopted more widely, and to reduce stigma.
- The Kol condominiums by Cardel Homes in Ottawa were mentioned as an example of inclusive and sustainable housing.
- A rental ceiling was recommended, similar to the one in Quebec.

- Portable rent subsidies were listed as a means of allowing individuals to live wherever they wanted to, and as a way to help prevent the ghettoization of those in housing need. Manitoba's Rent Assist Program and Quebec's Programme supplément au loyer were referenced in particular.
- Communities in London, Dublin, and Vancouver with 250 square-foot stackable, moveable temporary housing units were described as options for vacant land that is not scheduled for development in the short-term to house those experiencing homelessness until permanent housing can be built. Units can also be included for support staff.

International

- Costa Rica was reported to provide homes to those experiencing housing need.
- Vienna and Sweden's approaches to funding social housing were recommended for further study.

Inclusivity and Vulnerable Groups

An important theme running through the roundtable discussions and the online submissions is the need for an inclusive approach to addressing housing issues. The risks and barriers facing vulnerable groups were raised often. Vulnerable groups mentioned included seniors, Indigenous peoples, racialized groups, persons with physical disabilities, persons with developmental disabilities, single parents, those experiencing homelessness, those with a history of trauma or abuse, and those facing mental health issues or addictions. The need for solutions that were affordable, accessible, culturally appropriate and supported were stressed.

Addressing the critical housing needs of Indigenous people, including in urban, rural and northern communities was identified as fundamental to advancing a human rights-based approach to housing.

In addition to ensuring that those most in need are given top priority, it was also emphasized that any appeal processes related to the right to housing must be accessible.

Housing Markets, Affordability and Planning

Consultation participants brought forward the challenges of housing market pricing and affordability in developing a human rights-based approach to a housing strategy. Both private and public housing supply issues were discussed.

The stock of housing is closely tied to land use. Therefore, real estate prices as well as city planning and zoning decisions are critically important factors to addressing housing stock shortfalls. Specific recommendations on real estate and land use planning policies and practices include:

- Deregulate land usage in municipalities and greater regional areas like the GTA and the GVA.
- "We would like to see an end to foreign real estate speculation in Canada." Governments should work together to address criminal activity/money laundering in real estate.

Housing affordability was another major theme of the consultation input. It was recognized that rental housing and homeownership are unaffordable for many, including those with middle-class incomes. A general goal of ensuring access to housing that falls under a monthly income threshold (e.g., 30 per cent) was suggested. A number of specific recommendations to enhance housing affordability were also offered, such as the re-introduction of rent controls, broadening current Home Buyer's Plan eligibility criteria, and assisting first-time renters. Also, lengthy wait times for affordability housing were mentioned as a burden for those in need. The potential of unused assets and the possibilities of recycling institutional buildings (schools, churches, factories, etc.), while preserving collective heritage, were put forward as options to increasing affordable housing stock.

In terms of the affordable housing stock, there were concerns raised that an over-emphasis on a human rights-based approach to housing would:

- 1) hinder efforts to improve housing affordability by exacerbating delays and barriers in bringing much needed rental supply on-line, and risk redirecting much-needed income support away from those who need it most. The reason provided was that facilitating

new housing supply is the most effective way to make housing supply more elastic: more affordable and available at all points on the cost spectrum, including at the low-cost end.

2) risk making re-development more onerous and more costly. Participants explained that providing absolute security of tenure through the “no forced evictions” rule would seriously limit or prevent all large scale re-developments of properties with housing on it. That would interfere with the supply of new housing, and make low-income people worse off than they are now. The reason given was that lower income households also have opportunities to move into re-developments leaving behind their previous dwelling for another household.

In terms of planning, including any re-development, participants explained that public housing plans should recognize the concurrent need for access to essential services, such as healthcare and transit, in a community-focused approach. At the same time, the needs of rural communities must also be considered. The “right to housing” also emerges broadly in consideration for planning.

After the consultation period for the human rights-based approach to housing closed, in August 2018, an open letter to the Prime Minister was released by Amnesty International Canada, Campaign 2000: End Child and Family Poverty in Canada, Canada Without Poverty, the Canadian Alliance to End Homelessness, housing and homelessness researcher Emily Paradis, and the Social Rights Advocacy Centre. It was supported by the UN Special Rapporteur on Adequate Housing, and 170 individuals/organizations. It called for the Government of Canada to establish a right to housing in Canadian legislation with “mechanisms for those affected to raise systemic issues regarding the progressive realization of the right to housing and ensure that governments will respond by implementing remedies”.²¹

While there is strong support from housing advocates for a right to housing enshrined in legislation, there are wide-ranging views among the general public. The views and opinions expressed in public fora, such as on social media and in response to media coverage of the open letter to the Prime Minister, were mixed; while some views included endorsements of a human rights-based approach to housing, there were also some significant criticisms of the approach. Overall, it confirms that this is an important issue to many Canadians.

Protection for Tenants

Participants also discussed the need to ensure protection for tenants. Specific recommendations included:

- Landlords should not be permitted to request credit checks from prospective tenants.
- “I urge the Government of Canada to have more oversight and close the unethical property management practices and loopholes in the rental property management companies run by investment firms.”
- “Enforcing Agencies with the Tenant’s best interests at heart must be created.”
- “Well-Informed Support Advocates need to be available for people requiring help at rent calculation meetings, to fight wrongful eviction moves, and for people who are being evicted because they are victims of violence.”

However, it was also heard, across Canada, that tenants have significant security of tenure under existing provincial law. In Ontario, for example, landlords cannot terminate a lease agreement solely because the lease comes to an end. Instead, the landlord must establish a specific ground listed in provincial legislation, in order to obtain possession of the rental unit. Some of those grounds include: bad tenant behaviour, such as substantial interference with the reasonable enjoyment of other tenants, damaging the rental unit, or not paying the rent. Other grounds include major repairs or renovations so substantial as to require vacant possession and a building permit, or demolition.

²¹ Open letter urges Prime Minister to make good on his commitment to the right to housing, (News Wire) <https://www.newswire.ca/news-releases/open-letter-urges-prime-minister-to-make-good-on-his-commitment-to-the-right-to-housing-690820271.html>

Social/Community Housing

Canadians also mentioned social and community housing issues that could be addressed through a human rights-based approach to housing. Specific recommendations included the following:

- Affordable housing should be located where there is need—people should not have to leave their communities to access it. In addition, it should be located near essential services like healthcare and transit.
- Income restrictions to access public housing can exclude people in need.
- Affordable housing should be based on community need rather than population density.
- Wait times for affordable housing (often years in length) are too long.
- “More than 200,000 units should be built in Vancouver, aimed to be completed in 5-10 years, with a pricing structure based on the income of the tenant. They should be built for everyone, not restricted by income. The rent of the unit should be relative to the income of the people staying in the apartment, and the cost should be less than a third of their income.” Federal investment is needed to support such a plan. There should be a reduction in the bureaucratic “hoops” required to access publicly-funded housing.
- Implement a Federal Urban Renewal Act to build more social housing units and renovate existing properties.

Northern Housing

Consultation participants, particularly those at the Northern roundtable, made specific recommendations pertaining to unique housing needs in the North:

- There is a need to connect services that address housing needs with health and safety needs, including for the elderly and victims of abuse.
- Integrated services could be established with local Indigenous Band offices.
- There is a need for funding to create more housing options for marginalized groups (e.g., affordable and accessible housing options for people with disabilities).
- Language differences can create communication barriers between members of the public seeking shelter or housing solutions and service providers.
- Education levels, especially for older generations and those affected by the legacy of the Residential School system, pose literacy and numeracy challenges for dealing with housing ownership requirements (for instance, understanding complex property agreements and tax systems, or creating legal wills).
- The need to provide or build housing that meets official standards and building codes, as well as paying property taxes, poses an affordability challenge.
- Building costs are much higher in the North and the building ‘season’ is quite short, creating challenges for accessing funding programs in a timely manner.
- Funding and supports should be offered equitably, and should not be discriminatory based on geographic location.

APPENDIX G

United Nations Declaration on the Rights of Indigenous Peoples (Articles 21 & 23)

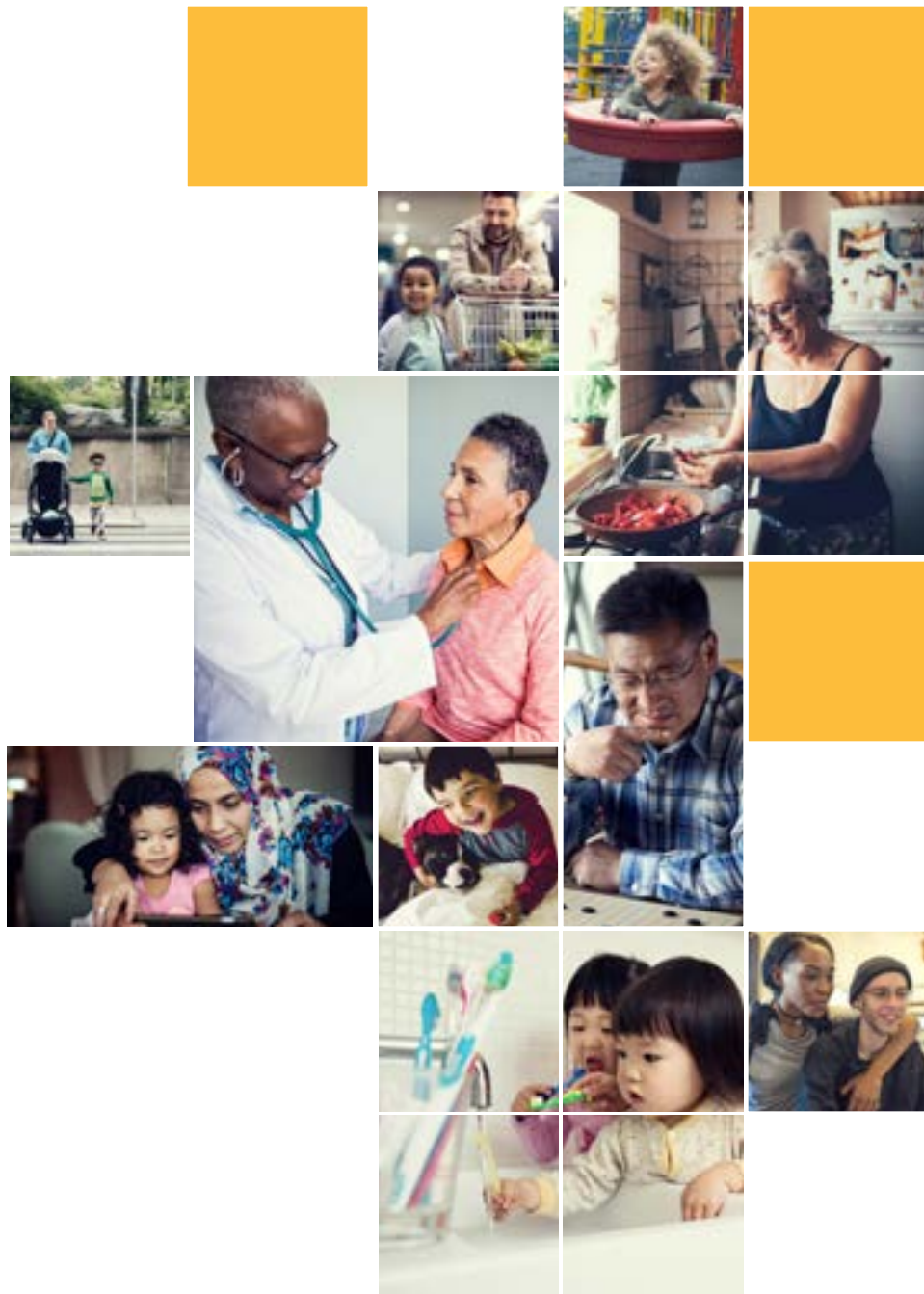
Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.



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