

News

Renters' rights blueprint needs more teeth, clarity on provincial and territorial expectations: tenant advocates

ACORN Canada's Tanya Burkart says the final Renters' Bill of Rights needs a nationalized lease structure, and stricter rent and vacancy controls.

BY STUART BENSON

Housing advocates are celebrating the federal government's blueprint to build a national bill of rights for Canadian renters as a step in the right direction. However, to ensure provinces and territories respect those rights, they say greater clarity on the expectations and sharper teeth to hold them accountable when they fall short will be needed.

On Sept. 16, the federal government released its proposed Renters' Bill of Rights blueprint, first promised in last April's budget. The blueprint sets out the federal government's policy objectives based on four principles that it says will help create "fair and well-functioning renting systems."

Housing Minister Sean Fraser unveiled a 'blueprint' for the proposed Renters' Bill of Rights on Sept. 16, setting out four principles the government says will help create 'fair and well-functioning renting systems' across the country. *The Hill Times* photograph by Andrew Meade

Those four policies are: ensuring everyone has a safe and affordable place to call home; fostering fairness and transparency; addressing inequity and discrimination; and safeguarding the system.

A second blueprint for a Home Buyers' Bill of Rights has also been created to "make leases simpler ... increase price transparency; and help make the process of buying a home fairer, more open, and more transparent."

The federal government says it will leverage the \$5-billion available through the new Canadian Housing Infrastructure fund to ensure buy-in from the provinces and territories under whose jurisdiction housing and rentals reside.

To receive that funding, the Liberals say they will call on provinces and territories to implement measures to protect tenants from renovations, standardize leasing agreements, and make

sale-price histories available on title searches.

Despite the announcement being slightly "overshadowed" by the new mortgage rules announced on the same day, Sara Beyer, a policy manager with the Canadian Centre for Housing Rights (CCHR), told *The Hill Times* she is encouraged that the federal government is beginning to give some focus to renters as well as homeowners.

"This presents a good opportunity to set some minimum

standards that all provinces and territories should strive for, and it's encouraging to see the federal government take a leadership role," Beyer said, noting that renters are at "the very precipice of the housing crisis and in the most precarity."

According to a 2022 Canadian Housing Survey released on Sept. 10 conducted by the Canadian Mortgage and Housing Corporation and Statistics Canada, 22 per cent of renters are in core housing need, compared to six per cent of homeowners. This means renters are more than three times as likely to be living in unaffordable, inadequate, or dilapidated housing, and cannot afford to move elsewhere.

However, "one glaring piece" missing from the feds' blueprint is any kind of strong enforcement or accountability mechanisms once provinces and territories have received their share of the infrastructure funding, Beyers said.

While the blueprint does propose that provinces and territories will need to publish an annual public report to explain "how they are advancing the rights of renters," Beyers said that isn't forceful enough.

ACORN Canada, an independent national organization of low- and moderate-income people, echoed CCHR's estimation of the blueprint, arguing it "lacks clarity on key tenant protections," and calling on the government to use the Renters' Bill of Rights to set national tenants' rights standards.

Those standards should include a nationalized lease structure to provide security and limit rent increases, rent and vacancy control, a ban on excessive rent increases, most fixed-term leases, and no-fault evictions, a right to organize, and the disclosure of landlords' contact information, among several others.

Tanya Burkart, a leader with ACORN's Peel, Ont., chapter, told *The Hill Times* that her organization has been calling for the bill of rights to be attached to a more substantial bilateral agreement with the provinces and territories, similar to the ones signed for the childcare program.

"How can the government be sure that developers or landlords will do what they say they will

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Sara Beyer, a policy manager with the Canadian Centre for Housing Rights, says the bill of rights is missing any kind of strong enforcement or accountability mechanism once provinces and territories receive funding. *Photograph courtesy of the CCHR*



ACORN member Tanya Burkart says the bill of rights should be part of a bilateral agreement and accompanying federal legislation to provide sufficient enforcement beyond conditional infrastructure funding. *Photograph courtesy of ACORN Canada*



National Right to Housing Network's Michèle Biss says, until now, it has been a constant 'uphill battle' to get the federal government to take tenants' rights seriously. *Photograph courtesy of Michèle Biss*

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after they receive infrastructure funding without an enforcement mechanism?”

Burkart said that in provinces with rent control—like Ontario and British Columbia—there are still loopholes that allow for above-guideline rent increases. And in the majority of those jurisdictions without rent control—like Alberta—tenants have received rent increases of up to \$1,000 per year. ACORN Canada has found indications that it says show developers and landlords are already “double dipping” by taking millions in federal money from the Canadian Infrastructure Bank’s Building Retrofits Initiative before increasing rents by hundreds of dollars.

“This is a time when we need federal leadership on these issues to put in these standards that will be fair and inclusive for everyone,” Burkart said.

Michèle Biss, national director of the National Right to Housing Network, agreed that she would like to see “more teeth” in the final version of the bill of rights. However, considering the “uphill battle” it has been to get the federal government to make any intervention for renters, she views the blueprint’s existence as a significant step in the right direction.

“Every time this has been brought up in the past, we’ve seen the federal government defer to the jurisdictional divide, and throw their hands up to say ‘we can’t do anything about this,’” Biss told *The Hill Times*. “But the fact that they’ve come up with something with any form of conditionality suggests to me that they’re headed in a positive direction.”

Biss said that, while it may not seem like much, making funding conditional is one of the most effective ways for the federal government to intervene in provincial and territorial jurisdictions, particularly when it comes to housing.

Most of all, Biss said she hopes the bill of rights will lead to the creation of more standardized rules for rent and vacancy control nationwide.

“A lot of folks don’t understand that, across the country, we have such a tremendous patchwork of tenant protection that is just vastly different from province to territory,” Biss explained. “Those legal protections are failing, and more and more people are falling through the cracks.”

While Biss said she doesn’t have a view of whether the bill of rights should be accompanied by federal legislation, or be negotiated through a separate bilateral agreement, she said it was

important to see the government frame the issue within Canada’s National Housing Strategy.

“I totally support those calls for legislation, but there are ways that this already connects to the government’s legal obligations,”

Biss said, noting that the bill of rights also references the right to housing as part of Canada’s obligations to the United Nations’ International Covenant on Economic, Social, and Cultural Rights.

“I think it’s really important that we now see the federal government taking renters’ rights seriously, and I’m hopeful that this is a first step to further down that road,” Biss said.

sbenson@hilltimes.com
The Hill Times

Renters’ Bill of Rights blueprint:

1. Ensuring everyone has a safe and affordable place to call home:

1. Establish and maintain mechanisms to help protect against instability in the rental market, including rental assistance, rent banks, and protections against excessive rent increases;
2. Support rental housing options to accommodate a diverse range of needs, including students, families, seniors, and individuals with accessibility requirements, or designs that respect Indigenous cultures; and,
3. Modernize regulations to prioritize and encourage the creation of long-term, affordable, and non-market rental housing stock.

2. Fostering fairness and transparency:

1. Developing standard processes and plain-language rental tools—tailored to each jurisdiction—including standards for lease agreements, background checks, and providing receipts for rent paid or held in trust;
2. Making pertinent renting information available, accessible, and uniform, including unit title, legal agent, rental history, rental pricing, and state of repair;

3. Enhance transparency and ethical practices by modernizing regulations; introducing codes of conduct, standard pricing guidelines, or initiatives to assist in renter relocation;
4. Establish mechanisms to track and publicly report rent increases and evictions; and,
5. Ensure the protection and enforcement of existing tenant rights against forced evictions, the right to continued tenancy after renovations, relocation assistance, and housing that contains basic health and safety necessities.

3. Addressing inequity and discrimination:

1. Identify and address discriminatory practices based on race, family composition, or pet ownership;
2. Enforce measures to address rental discrimination by updating legislation;
3. Establish and uphold minimum standards for rental housing quality, maintenance, habitability, safety, and climate resiliency; and,
4. Adopt measures that promote or require proportionality in renting

practices. This means that actions affecting renters, such as lease terminations, rent increases, or evictions (including renovations) consider factors like timing and fairness.

4. Safeguarding the system:

1. Create and deliver compulsory training sessions for property owners and managers to clarify their responsibilities and obligations;
2. Ensuring tenants are aware of their rights and responsibilities prior to signing a lease;
3. Establish formal processes for addressing complaints in a timely and accessible manner by closing loopholes; strengthening mediation and other alternative resolution mechanisms; shifting the onus to property owners for providing proof to end tenancy agreements; legal aid for renters; or granting Tribunals and Commissions the authority to impose substantial penalties to deter future offences; and,
4. Implement meaningful deterrents and effective enforcement mechanisms for bad-faith actors who repeatedly engage in misconduct.

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