



Centre for Equality Rights in Accommodation  
Centre pour les droits à l'égalité au logement

July 5<sup>th</sup>, 2022

Deputy Mayor Ana Bailão  
Chair of the Planning and Housing Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear Members of the Planning and Housing Committee,

**Re: PH35.18 Renoviction Policy - Creating a Framework to Protect Affordable and Mid-range Rental Homes and Deter Renovictions**

I am writing on behalf of the Centre for Equality Rights in Accommodation (CERA) to comment on the City of Toronto's proposed policy framework to deter renovictions and preserve affordable and mid-range rental housing. CERA is Canada's leading non-profit organization working to advance the right to adequate housing by providing free services to renters facing evictions and human rights violations to remain housed, by providing education and training about housing rights across Canada, and by advancing rights-based housing policy through research and policy advocacy.

The City of Toronto's proposed renoviction and preservation policy framework is a welcome step towards partly addressing increasing rates of housing precarity stemming from a deepening affordable housing crisis. The Housing Secretariat's background report submitted to the Planning and Housing Committee also helps in building the case for the policy by highlighting rising cases of evictions, the chronic problem of affordable housing shortages, and the negative effects of financialization of housing.

Renovictions are a symptom of innumerable failures in the housing system. Many of the gaps lie in provincial legislations that have weak protections for tenants against renovictions and incentives for landlords to maximize rents often to the detriment of many low- and moderate- income tenants. In addition, barriers for many vulnerable tenant communities persist in accessing justice through the Landlord and Tenant Board (LTB), a problem that was compounded over the course of the pandemic.

We are therefore pleased to see a comprehensive set of recommendations laid out by the City for the Province of Ontario to address these problems in a meaningful way. Proposed measures for the Province such as tightening up landlord obligations during renovations, strengthening rent regulations, making the LTB more accessible, collecting more property related data and investing in more affordable rentals are reasonable solutions that could sustainably alleviate the housing precarity faced by many tenants in Toronto and Ontario, in general. Recognizing that housing is a responsibility of all levels of government, proposals for the federal government to leverage tools such as taxation to strengthen preservation of affordable housing and eviction prevention efforts are also appropriate.

CERA supports such advocacy efforts and is happy to amplify these recommendations. We are also keen to see higher orders of government contribute to many of the City's housing initiatives – programs such as Eviction Prevention in the Community have demonstrated effectiveness while newer initiatives such

as the Multi-Unit Residential Acquisition program show promise in preserving many at risk rental buildings if they are funded suitably.

On tackling renovictions, we are pleased to see the City explore ways to take on a more proactive role. We commend the City for articulating its solutions to addressing the problem through a human-rights based approach. Indeed, guaranteeing security of tenure is a key element of the right to adequate housing. Some of the provisions in the City's proposed policy framework hold promise but it could also be refined to strengthen effectiveness.

To start, we acknowledge that the City has limited policy choices to tackle the issue compared to the Province. But as the City notes, it can certainly help deter the practice of renovictions. The proposed skeleton of the renovictions bylaw holds some promise to achieve this objective but given the lack of detail, it is unclear how effective the initiative would be.

For example, an important gap is filled by proposing a requirement that landlords obtain a building permit before moving forward with having the premise vacated and starting the renovations. Under current conditions, some landlords acting in bad faith may proceed with evicting a tenant without obtaining the required building permit. While the proposed bylaw recognizes this problem, it remains unclear how the City will enforce this requirement for all landlords and effectively deter bad faith renovations that are leading to the displacement of tenants.

In general, more information is needed to understand the details of the policy to make better sense of the potential outcome. For example, the City hopes to take an education first approach that leads to voluntary compliance by landlords. However, it leaves the option open to take "appropriate enforcement action" largely on a complaints basis but does not go into further detail on these matters. In part, the gaps may be because of the City's current interpretations of jurisdictional restrictions, but as the policy is developed in more detail over the coming months, the City should assert a broad interpretation of its authority. As such, when detailing out bylaws, they should be assessed against the likelihood of it being upheld by courts as opposed to seeking out yes or no legal opinions to understand whether the proposed bylaw is within the City's jurisdiction. Key elements of the bylaw that require detailing out include instances of non-compliance and related actions clearly.

This is not to dispute the need for building the capacity and awareness of both landlord and tenants around their rights and obligations. Education is just as important a component of a strong eviction prevention policy. On such matters, CERA is happy to offer support. We also encourage the City to explore ways to expand initiatives such as the Tower Renewal program so that landlords can more broadly avail of incentives to maintain their properties.

Finally, the recommendation to set up a Housing At-Risk Table is a commendable initiative to navigate through many of the policy design and implementation related gaps in the current proposal. Taking such an integrated approach at an early stage of policy development is appropriate. In addition to the many City divisions involved in the Table, we encourage the City to proactively engage wider civil society as well. Many communities across Toronto are or have faced renovictions and their insights can help ensure this important initiative contributes significantly to realizing the right to adequate housing.

We look forward to providing more of our housing expertise and welcome further discussion with the City to ensure its housing initiatives are effective and rights-based.

Thank you,

A handwritten signature in black ink that reads "B. Shadpour". The signature is fluid and cursive, with the first letter "B" being large and prominent.

Bahar Shadpour

Director of Policy and Communications  
Centre for Equality Rights in Accommodation (CERA)

192 Spadina Avenue, Suite 427  
Toronto, ON M5T 2C7  
Tel: 416-944-0087 | 1-800-263-1139  
Email: [cera@equalityrights.org](mailto:cera@equalityrights.org)  
Website: [www.equalityrights.org](http://www.equalityrights.org)