

NORTHERN HOUSING RIGHTS

Public Report



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

Métis Nation
of Ontario 

Northern Housing Rights was generously funded by:



Table of Contents

1. EXECUTIVE SUMMARY4

2. ORGANIZATION OVERVIEW6

3. INTRODUCTION7

 Project Background7

 Northern Housing Rights8

 Workshops and Engagement Sessions8

 Targeted Resources8

 Video and Campaign.....8

 The Public Report9

 Demographics and Composition9

 Distribution and Mobility10

 Education and Employment10

 Income11

 Housing.....11

Legal Cases/Outcomes12

4. COMMUNITY VOICES.....13

 Session Topics: Emergent Priority Issues.....13

 Race and Creed.....13

 Disability14

 Receipt of Public Assistance14

 Family Status14

 Adverse Effect (Indirect) Discrimination.....14

 Duty to Accommodate.....15

 Occupancy Polices15

 Residential Tenancies Act.....15

 Social Housing Policies.....16

 Survey Results17

5. PROJECT FINDINGS18

 Key Themes19

6. RECOMMENDATIONS20

7. CONCLUSION21

Appendices:22

Disclaimer29

1. EXECUTIVE SUMMARY

Northern Housing Rights (NHR) is a legal education, research and capacity-building initiative directed at Métis, First Nations and Inuit (FNMI) people living in Northwestern Ontario, funded by the Law Foundation of Ontario and undertaken by the Metis Nation of Ontario (MNO) and the Centre for Equality Rights in Accommodation (CERA). The objectives of the NHR initiative were to investigate the experiences of housing discrimination among FNMI people in Northwestern Ontario, provide legal education on human rights in housing, produce human rights resources, and provide recommendations to improve access to supports in these communities. Project deliverables included educational workshops for tenants and social housing providers in five northwestern communities, production and distribution of three guides to human rights in housing, an educational video, a public awareness campaign, and a public report on project findings.

The NHR project built upon the call for a renewed commitment to coordination and communication to overcome barriers faced by FNMI communities as outlined in the 2013 Ontario Urban and Rural First Nations, Métis and Inuit Housing Policy Framework (OUR Framework) produced by MNO, the Ontario Federation of Indigenous Centres (OFIFC) and the Ontario Native Women's Association (ONWA.) NHR was designed to target the systemic barriers faced by FNMI individuals in their attempts to access and retain stable housing, a key issue identified in OUR Framework.

NHR engagement sessions were held in Dryden, Fort Frances, Geraldton, Kenora and Thunder Bay in May and June 2014, with a supplemental online survey released in November 2014. Feedback from FNMI people living in Northwestern Ontario identified three (3) key themes:

1. Both direct and indirect discrimination create unique barriers for northwestern FNMI people when they attempt to access and maintain appropriate rental accommodations.

FNMI people were most likely to be discriminated against on multiple grounds. Along with their Indigenous status, discrimination was also likely to occur due to receipt of social assistance, race/ethnic origin, disability, and family status all at the same time. In isolated regions of the province, vacancy rates are often low, which limits housing choices available to many FNMI. Housing providers are selective in rental application processes and may use discriminatory criteria to eliminate certain applicants, often FNMI people.

2. Accessible legal education and services for FNMI communities, housing providers, and community workers is an ongoing need

Engagement session and survey data reinforced the need for accessible legal education and services for northwestern FNMI people. In general, NHR outreach found that many FNMI tenants and housing providers were unaware of their rights and obligations under the *Code*. Participants reported that they did not access available housing and human rights supports

because they were either unaware that human rights legislation applied to housing, feared retaliation from their housing provider, or did not believe it would make a difference.

3. A coordinated effort is needed in order to challenge and overcome entrenched attitudes and systemic conditions that contribute to the high incidence of discrimination and related housing instability faced by FNMI people.

The lack of social housing supply and the accompanying long waitlists were identified as a factor contributing to housing instability. Inconsistent and unaccommodating housing policies pose significant barriers to accessing quality affordable housing, especially in low vacancy markets. Low vacancy rates create a housing monopoly in the private sector nurturing more restrictive rental policies and the prevalence of “slum landlords” in certain areas. In many communities, some housing providers routinely disregarded their obligations under the *Code* and the *Residential Tenancies Act*, and there is little enforcement. Some housing providers found it difficult to balance meeting *Code* requirements with managing the long-term viability of their properties, especially with little support or resources available.

Recommendations

Based on NHR feedback and the key themes, MNO and CERA are providing the following broad recommendations:

1. Develop long-term consistent funding models to provide legal education initiatives for FNMI communities in partnership with FNMI communities and legal agencies.
2. Increase access to *Human Rights Code* educational initiatives for FNMI people, developed and delivered by FNMI organizations in collaboration with legal agencies.
3. Develop a provincial campaign to raise awareness about rental housing discrimination against FNMI in Ontario in collaboration with the Ontario Human Rights Commission, FNMI organizations and legal agencies.
4. Provide funding to research and investigate incidences of housing discrimination against FNMI people and the reason that so few FNMI cases go to the Human Rights Tribunal.
5. Increase access to resources and legal education for housing providers to clarify their legal obligations and mitigate discriminatory practices.
6. Mandate cultural competency and safety training for social housing providers.
7. Evaluate existing social housing policies to ensure alignment with obligations under the Ontario *Human Rights Code*.
8. Provide long-term, consistent financial commitment to meeting the goals and objectives set out in the OUR Framework.
9. Evaluate and streamline social housing policies and processes to ensure delivery is consistent across the province.

NHR was undertaken as a step in a larger coordinated process that is needed in order to end discrimination and achieve housing stability for FNMI communities. It is essential to ensure that Métis, First Nations and Inuit people in Ontario are aware of their legal right to be free from housing discrimination, and the resources that are available to assist them to enforce their rights. Achieving true housing stability for FNMI groups will require a multi-dimensional coordinated effort involving cooperation between various levels of government, community agencies, housing providers and residents alike, and it is time to make this happen.

2. ORGANIZATION OVERVIEW

The Centre for Equality Rights in Accommodation (CERA) was founded in 1987 as a province-wide, not-for-profit organization dedicated to promoting human rights and ending discrimination in housing. Our public education and outreach initiatives work to intervene in cycles of discrimination that disproportionately affect low-income and marginalized individuals in the housing market. Through public education, advocacy and litigation (offered free of charge to clients) CERA works to address barriers that prevent individuals from accessing and maintaining housing. Our Eviction Prevention and Human Rights hotlines provide individuals with information, referrals and assistance with regard to housing matters.

We are a world leader in our field, using human rights law to address homelessness and poverty. In addition to our casework and public education initiatives, CERA performs research into housing and human rights issues and supports the enforcement of human rights by provincial, national and international commissions, agencies and organizations.

For more information on CERA, visit us online at www.equalityrights.org/cera.

The Métis Nation of Ontario (MNO) brings Métis citizens together to celebrate and share their rich culture, heritage and values and to forward their aspirations as a people. MNO strives to bring about a better understanding of, and appreciation for, the dynamic history of the Métis Nation and in its contributions to the building of Canada. Since its founding in 1993, the MNO seeks to bring positive change to the socio-economic circumstances of Métis communities.

With over 100 employees, and support from many volunteers, MNO delivers a range of programs and services in the areas of healing and wellness, education and training and housing to Ontario self-identified Métis and other Aboriginal clients. It administers Duty-to-Consult and Accommodate processes, protects and preserves the Métis Way of Life, and promotes Métis culture and heritage.

For more information on MNO, visit us at www.metisnation.org.

3. INTRODUCTION

Project Background

In October 2013, the Métis Nation of Ontario (MNO), Ontario Federation of Indigenous Centres (OFIFC) and the Ontario Native Women’s Association (ONWA) released the Ontario Urban and Rural First Nations, Métis and Inuit Housing Policy Framework (‘OUR Framework’), which calls for renewed commitment to coordination and communication in order to improve First Nation, Métis and Inuit (FNMI) housing and related services in the provinces. OUR Framework was directly informed by a FNMI community engagement process, which included eleven sessions across the province. Throughout these sessions a number of housing issues and challenges consistently emerged including:

- Lack of FNMI-specific housing;
- A mobile population, and high rates of migration from rural or reserve communities to urban centres;
- Lack of capacity within FNMI organizations to develop housing and address issues affecting housing, such as family instability and violence, addictions, mental illness, financial literacy skills, and the need for culturally safe services;
- Lack of government funding or funding provided in a piecemeal fashion;
- Government policies that are not culturally safe;
- Municipalities that exclude FNMI perspectives;
- Services delivered by non-Indigenous providers in a manner that is not culturally safe;
- Using housing to support the FNMI economy;
- Discrimination in social and private housing¹

Discrimination in social and private housing was identified as one of the significant barriers to accessing quality affordable rental housing in Ontario. OUR Framework reported that some private housing providers perceive FNMI tenants as “high risk” and therefore imposed additional requirements on them such as higher rents, security deposits and additional references.² OUR Framework also indicated that social housing policies and practices reinforced systemic discrimination against FNMI people. It was reported that there was a general lack of awareness of and accommodation for FNMI cultural practices.³ Social housing – even in northern communities with sizeable FNMI populations – often created conditions where FNMI people either could not access housing, or felt unwelcome.

Based on feedback gathered during these sessions and goals established in OUR Framework, the need for a public human rights in housing legal education initiative tailored to FNMI communities (particularly in the northwest) was evident. In response to these findings, MNO collaborated with CERA to develop the Northern Housing Rights Project.

¹ The Métis Nation of Ontario, Ontario Federation of Indian Friendship Centres and Ontario Native Women’s Association. (October 2013). Ontario Urban & Rural First Nations, Métis & Inuit Housing Policy Framework.

² Ibid.

³ Ibid.

Northern Housing Rights

Northern Housing Rights (NHR) is a legal education, research and capacity-building initiative directed at Métis, First Nations and Inuit (FNMI) people living in Northwestern Ontario, and the community workers and housing providers working with them. The goal of the NHR project is to promote the enforcement of human rights in housing in FNMI communities. Deliverables include educational workshops for tenants and social housing providers, the development of targeted human rights resources, an educational video, educational public awareness campaign, and a public report on project findings. All of the aforementioned deliverables were overseen by a project advisory committee comprised of legal and FNMI representatives from the northwest.

Workshops and Engagement Sessions

In May and June 2014, CERA and MNO traveled to northwestern Ontario, holding engagement sessions and legal education workshops in Fort Frances, Dryden, Kenora, Geraldton and Thunder Bay. Community feedback at these sessions confirmed that little had changed since the OUR Framework sessions in 2012. It was evident from participant responses that housing discrimination directed at FNMI people continues to be prevalent, thereby creating barriers to accessing and retaining rental housing in Northwestern Ontario.

CERA's lawyer provided legal education presentations for tenants and housing providers on how to use the Ontario *Human Rights Code* (the *Code*) to challenge discriminatory housing practices. Participants were asked a number of questions, and encouraged to share their stories about housing discrimination. A session was also held for social housing providers, and issues related to provincially mandated policies were raised and discussed.

Due to lower than anticipated participant numbers, in the following months MNO and CERA released an online survey to further investigate the prevalence of discrimination in the targeted communities. The survey was distributed to community organizations throughout the northwest and successfully garnering 102 responses from FNMI tenants and housing providers. The data collected was incorporated into resource development, reporting and recommendations alongside data from the engagement sessions.

Targeted Resources

Combining findings from the engagement sessions and survey with information from the Ontario *Human Rights Code*, CERA and MNO produced a Tenant Guide and a Service Provider Guide. These guides explain relevant housing legislation, and include instructions about enforcing housing rights under the *Human Rights Code*. A Housing Provider's Guide was produced for private and social housing providers, reviewing relevant housing and human rights legislation with particular focus on the situation of FNMI tenants in Northwestern Ontario.

Video and Campaign

Extending the life of the project, a tool-kit was developed to enable FNMI organizations to facilitate their own human rights education sessions at times convenient for their communities. Community organizations are encouraged to hold sessions where community members could view the video, discuss their housing experiences, and consult with or request advocacy

services from CERA. In addition to the housing rights toolkit, an awareness-raising public education poster and postcard campaign was undertaken throughout northwestern Ontario.

The Public Report

This public report will explore project findings in detail and provide recommendations based on the current experience reported by FNMI residents of northwestern Ontario.

4. CONTEXT

“More than half of Aboriginal people in Canada live in urban centres and rural areas... Cut off from the culture and traditions that strengthened them, many Aboriginal people feel isolated and powerless against discrimination. They often face grinding poverty and live in sub-standard housing or become part of the burgeoning population of the homeless.”⁴

– National Aboriginal Housing Strategy, 2004

Stable and appropriate housing is a basic need. It provides the essential foundations for the success of individuals, families, neighbourhoods and communities. Yet access to safe, quality, culturally appropriate housing is one of the most critical issues facing FNMI people in Ontario. FNMI people experience higher incidences of poverty, systemic discrimination and violence than other groups, and these factors contribute to poor housing outcomes.

When discussing homelessness and inadequate housing among FNMI people, attention is rarely paid to the difficulties that these communities face in accessing rental housing. The following section will highlight various forms of inequality faced by FNMI people that lead to greater incidences of discrimination in rental housing.

Demographics and Composition

The 2011 National Household Survey reported 301,430 Ontarians identified as Aboriginal⁵, representing 2.4% of the provincial population. Eighty four percent (84%) or 253,400 FNMI people live in urban and rural communities not located on reserves.⁶ Of this, sixty-one percent (61%) identified as First Nations, one third (34%) identified as Métis, 4% as Inuit and 1% as other.⁷

Between 1996 and 2006 the FNMI population grew at a much faster rate than the non-Indigenous population, at 45% and 8% respectively. The Métis population experienced the highest growth rate of all Aboriginal identity groups, with their population nearly doubling

⁴ National Aboriginal Housing Association (2004.) A New Beginning: The National Non-Reserve Aboriginal Housing Strategy.

⁵ The 2011 National Household Survey defines Aboriginal identity as to a person self-reporting as First Nation (North American Indian), Métis or Inuk (Inuit, and/or being a Registered or Treaty Indian and/or being a member of First Nation or Indian band. **Source:** Statistics Canada – Catalogue no. 99-011-X2011001.

⁶ 2011 National Household Survey

⁷ 2011 National Household Survey

between 1996 and 2006. The First Nation population grew by 29% while the Inuit population grew by 26%.⁸

The FNMI community is younger than the non-Indigenous population, with over 41% under the age of 24 versus 30% for non-indigenous people. The proportion of Aboriginal children (27.9%) in Northwestern Ontario is much higher compared to the total population (16.0%).⁹ FNMI youth are most vulnerable, as both their race and age may be used to discriminate against them in rental housing situations.

Distribution and Mobility

About 41% of all FNMI people lived in Northern Ontario in 2006.¹⁰ In the northwest, Thunder Bay, and Kenora have the highest FNMI populations, with 10,055 and 2,365 respectively.

Statistics demonstrate that many FNMI people transfer between urban and rural communities, as well as reserve communities. In 2006, about 46% of Ontario FNMI people had changed their address within 5 years, in comparison to the general population's rate of 41%. Younger FNMI people (under 35) are more likely to have moved from a reserve¹¹, and FNMI women are more likely to change their place of residence more often than non-Indigenous women. About 46% of the FNMI female population moved between 2001 and 2006.¹² Factors identified as contributing to higher rates of FNMI mobility include: access to health services, the need for suitable housing, and employment and educational opportunities. Statistics Canada also suggests the high mobility rate could be due to younger overall age, or the population's higher concentration in rural areas.¹³

When FNMI do relocate, research indicates that they face a higher chance of being discriminated against and denied accommodations by housing providers. FNMI people report that they are sometimes denied housing on discriminatory grounds, and are also subjected to additional illegal requirements by housing providers (for example, being asked for several months' rent as a deposit.)

Education and Employment

On average, fewer FNMI people complete secondary and postsecondary education than other populations in Ontario. In 2006, 67% of non-reserve FNMI people 15 years and older completed high school, versus 78% of non-Indigenous people.¹⁴ About 62% of FNMI people over the age of 15 had no postsecondary certificate, diploma or degree.¹⁵

⁸ Statistics Canada. "Population Growth" Retrieved from: <http://www.statcan.gc.ca/pub/89-645-x/2010001/growth-pop-croissance-eng.htm>

⁹ Ontario Trillium Foundation, "Aboriginal Communities in Profile: Northwestern" Retrieved from: http://www.otf.ca/en/knowledgeSharingCentre/resources/Aboriginal_Profile_Ontario.pdf

¹⁰ Sources: Statistics Canada, Census 2006.

¹¹ Ekos Research Associates Inc. "Survey of First Nations People Living Off-Reserve, Metis and Inuit." (2006). Retrieved from: http://knet.ca/documents/OFF_RESERVE_SURVEY_E1.pdf

¹² Aboriginal Affairs and Northern Development Canada. "Aboriginal Women in Canada: A Statistical Profile from the 2006 Census" Retrieved from: <http://www.aadnc-aandc.gc.ca/eng/1331664678840/1331838092221>

¹³ Statistic Canada 91-209-XIE

¹⁴ <http://www.aboriginalaffairs.gov.on.ca/english/services/datasheets/urban.asp>

¹⁵ StatsCan 2006

Since FNMI people are less likely to have postsecondary education, they may be less likely to secure full-time, meaningful employment. In Ontario, FNMI people experience higher unemployment rates and hold fewer full-time jobs than other populations. In fact, the FNMI unemployment rate is nearly twice that of non-Indigenous people (11.5% and 6.3%, respectively).¹⁶ The labour force participation rate of FNMI people was close to that of non-Indigenous people (66.7% and 67.1% respectively).

Lack of employment has an adverse effect on FNMI people seeking rental housing accommodations. Unemployed individuals may rely on social assistance to supplement their income. Some housing providers refuse to rent to people on social assistance, meaning that some FNMI are also discriminated against because of their income source.

Income

In 2006, the FNMI population had an average income of \$25,963, about \$12,000 less than non-Indigenous people.¹⁷ The average income for FNMI people in Northwestern Ontario was \$21,369, and in Southern Ontario it was about \$4,600 higher.¹⁸ The unemployment rate for non-Reserve Aboriginal people was at 11.5%, nearly twice that of non-Aboriginal people (6.3%).¹⁹ A report from the Canadian Centre for Policy Alternatives noted that 30% of Ontario urban and rural FNMI children live in poverty.²⁰

In the private rental market it has been reported that applicants have been refused because they would be spending more than 30% of their income on rent. FNMI people in general have lower incomes than non-Indigenous people, and thus have a greater likelihood of being denied housing based on arbitrary rent-to-income ratios. It should be noted that there is no official set rent-to-income ratio in Ontario.

Housing

Core housing need²¹ is more prevalent in FNMI households than in non-Indigenous households. In 2006, 18.7 % or 18,935 Ontario FNMI households living in non-reserve communities were in core housing need compared to 14.4% of non-Indigenous households.²² Core housing need is greater for FNMI renters than homeowners, at 35.6% and 6.5% respectively. Affordability is considered one of the main factors contributing to core housing need, especially for FNMI renters.²³

FNMI people are twice as likely as non-Indigenous people to live in homes that require major repair.²⁴ Nearly one half of FNMI renting households are living in homes that require repairs.²⁵

¹⁶ <http://www.aboriginalaffairs.gov.on.ca/english/services/datasheets/urban.asp>

¹⁷ 2006 Census Data - Aboriginal peoples highlights tables, 20% sample

¹⁸ Ibid.

¹⁹ <http://www.aboriginalaffairs.gov.on.ca/english/services/datasheets/urban.asp>

²⁰ Canadian Centre for Policy Alternatives 'Poverty or Prosperity Indigenous Children in Canada', June 2013 p. 17

²¹ Canada Mortgage and Housing Corporation identifies a household to be in core housing need if their housing does not meet one or more of their adequacy (does not require repairs), suitability (has enough bedrooms for the size of the family) and affordability (the cost of the housing is below than 30% of gross household income). http://cmhc.beyond2020.com/HiCODefinitions_EN.html#_Core_Housing_Need_Status

²² "Source: CMHC (census-based housing indicators and data)"

²³ Ibid.

²⁴ Ibid.

In 2007, the *Urban Aboriginal Task Force Final Report (2007)* found that 78% of urban and rural FNMI people in Ontario have unmet housing needs, and that the lack of access to safe, affordable housing is a primary concern.²⁶

In urban centres across Canada, the percentage of homeless people who are Indigenous is likely to be between 20% and 40%.²⁷ Violence is the leading cause of women's homelessness in Canada,²⁸ and although Statistics Canada reported that close to 13% of FNMI women aged 15 or over stated that they had been violently victimized, other research indicates that this number is actually much higher.²⁹

Housing discrimination is a significant barrier for FNMI people living in urban and rural communities³⁰ frequently forcing individuals into substandard or over-priced accommodations – or into homelessness. Discrimination may be directly based on Indigenous status, but it is often connected to a multitude of intersecting factors that include gender, single parent status, family size and/or low-income.³¹

Legal Cases/Outcomes

Although there is a great deal of information from community agencies that discrimination against FNMI groups is widespread, we also know that FNMI people are less likely to enforce their housing rights than other groups. They face systemic barriers to accessing the human rights system in Ontario, the main one being that many FNMI are not aware that human rights apply to securing and keeping housing. Tenant protection is essentially non-existent on reserves for First Nations, and some individuals who have left reserves transfer this expectation to their off-reserve housing.

When their rights are breached, many FNMI people are hesitant to report either because they fear retaliation, they are not aware that supports are available, or because their pressing need to secure housing comes first. As a result, very few cases relating to housing discrimination against FNMI people have been heard by human rights tribunals in Canada.³²

The majority of all cases brought to the Ontario Human Rights Tribunal by FNMI and non-Indigenous people are settled in mediation and never made public. Even taking this into consideration, public decisions involving FNMI tenants are still comparably rare.

²⁵ Source: CMHC (census-based housing indicators and data)"

²⁶ Urban Aboriginal Task Forces, Final Report

²⁷ Mark Maracle, Executive Director Gignul Non-Profit Housing June 22, 2012 *OMSSA Meeting*, 20 Bay Street

²⁸ YWCA. *Violence Against Women & Women's Homelessness*, <http://www.ywcanwt.ca/documents/Microsoft%20Word%20-%20Violence%20and%20Women%27s%20Homelessness%20-%20Making%20the%20Connections.pdf>

²⁹ Sisterwatch. 2011. *The Tragedy of Missing and Murdered Aboriginal Women in Canada*. Vancouver.

<https://vancouver.ca/police/assets/pdf/reports-policies/missing-murdered-aboriginal-women-canada-report.pdf>

³⁰ UN-Habitat (2005), Indigenous peoples' right to adequate housing: A global overview. Report No. 7 (Nairobi: UN-Habitat.)

³¹ Royal Commission on Aboriginal Peoples, (1996), Report of the Royal Commission on Aboriginal Peoples (Ottawa: Government of Canada).

³² UN Habitat (2005), *supra*.

In a 2005 case, the Human Rights Tribunal found that a Sudbury-based landlord refused to rent to an indigenous lone mother based on discriminatory stereotypes of FNMI people in addition to stereotypes of lone mothers.³³ There are few other public Tribunal decisions regarding housing discrimination against FNMI people.

4. COMMUNITY VOICES

Across Northwestern Ontario, MNO and CERA reached out to tenants, service providers and housing providers to discuss FNMI tenant experiences and the intersections of rental housing and human rights law. In general, we found that many participants (in particular tenants) were unaware of their rights and obligations under the *Code*. And while some housing users had knowledge of their *Code* rights, they were hesitant to act upon them for fear of retaliation from housing providers. Others felt that exercising their rights would not solve their immediate shelter needs, and many just felt defeated because of the lack of housing in their communities. As one survey participant articulated:

“All I needed was housing, not a lawsuit or human rights case. I just wanted to find housing. When my husband and I went to look [for] housing they would see him and immediately say the place was taken. It got to be I would get housing only if I went by myself and told them my husband worked out of town and that was why he didn’t come [with me]. Although we were both Status Indian, my skin was much lighter and people didn’t have a clue.”

Unfortunately, many FNMI people are forced to “work around” the discrimination they face and often settle for housing that is overpriced, in disrepair or unsuitable for their household needs.

An analysis of session topics is included below, and a detailed summary of each session is included in Appendix A.

Session Topics: Emergent Priority Issues

Race and Creed

Participants at each of the sessions identified their Indigenous status as a significant barrier to accessing housing. Participants also reported differential treatment in their housing, which they felt was based on their Indigenous status. Participants reported being told that units were unavailable when they were available, and many felt this happened because they were visibly identifiable as Indigenous. Kenora participants agreed that human rights violations in housing were rampant in the area, and that racial profiling was taking place in the rental application process. Harassment by other tenants was also noted as a concern in some communities. A Geraldton Elder living in social housing reported that other tenants regularly criticized her traditional cooking because of the odor, and as a result she felt she could not cook traditional foods in her home. Other participants reported feeling that they were treated differently than

³³ *Flamand v. DGN Investments* (2005) 52. CH.H.R.R. D/142 (HRTO).

non-Indigenous tenants. One participant reported that her landlord consistently questioned her about her visitors, while non-Indigenous tenants were never questioned. When family members came to visit, she was asked whom they were and how long they were staying. She said this treatment made her feel as though she was in “jail,” and her family was scared to visit her.

Disability

Participants reported discrimination based on disability or presumed disability in every session. A Dryden participant reported being denied housing due to an alcohol addiction. Kenora participants described one notorious “slum landlord” that houses people with addiction and mental health disabilities (often FNMI people) in buildings that are “an absolute horror,” in the words of one participant. In this situation, occupants and their workers face a “delicate dance,” because publicizing the situation could lead to condemnation of the property, which would likely force many tenants into homelessness. One participant reported that at a senior’s residence people with mobility challenges are threatened with eviction unless they perform snow removal and cut the grass. Participants in a number of communities shared that applicants with disabilities are often denied housing because some housing providers do not want to comply with accessibility standards.

Receipt of Public Assistance

Participants expressed that some housing providers have implemented policies that disqualify people receiving social assistance. In Dryden, it was reported that several housing providers frequently include a “no social assistance” clause in rental advertisements. Some Thunder Bay housing providers also routinely refuse people on social assistance. It was reported that some housing providers refuse to sign rental forms required to determine a person’s social assistance payment.

Family Status

Dryden participants reported that it was common for housing providers to advertise that no children were allowed. One participant felt their housing provider was trying to find cause for eviction because they had young children. Participants reported that it was common practice for housing providers to raise the rent when a tenant had more children. Others claimed that some housing providers segregated tenants with children on certain floors of buildings. One participant knew of an applicant being denied housing because the housing provider felt that the ventilation, washrooms and sewage was not set up for a larger family.

Adverse Effect (Indirect) Discrimination

Credit checks as an application requirement were found to have a negative effect on some FNMI people’s ability to access suitable housing, with family breakdown, addictions and age all impacting a person’s credit rating. Participants said that in social housing it was routine for tenants to be relocated to smaller units if their family size decreased. One participant described this as adversely affecting women whose children have been taken by Children’s Aid Society. When they lose the extra space, these women are considered under-housed if their children return, and as a result, they experience great difficulty reuniting with their children.

In Geraldton, participants reported that social housing providers require tenants to have a bank account and their income tax completed. This presented a barrier for many FNMI people, specifically First Nations, as some do not have identification, a permanent address, or have not completed their income tax. Participants noted that several Fort Frances housing providers request banking information and bank statements from prospective tenants, which can have an adverse effect on FNMI applicants who may not have a bank account.

Duty to Accommodate

Many participants, both tenants and housing providers, were not fully aware of their rights and obligations with regard to disability under the *Code*. In most of the sessions, participants were surprised that addictions, including tobacco use, are defined as disabilities under the *Code*. Housing providers identified their challenges accommodating people with disabilities, including balancing conflicting rights, managing uncooperative tenants, and the challenges presented by hoarding behaviours. Few resources are available to assist housing providers in dealing with these difficult scenarios, and there is an absence of information to help guide the process and ensure mutually beneficial outcomes. Social housing providers also noted budget constraints and a lack of funding available for implementing accommodation requests. Some providers have made certain units fully accessible and inquired whether it was acceptable to transfer tenants to these units rather than modifying their current units. The short answer to this is that it would not necessarily be sufficient.

Harassment was also discussed. Many participants were not clear about the distinction between discriminatory harassment as defined by the *Code*, and harassment or “interference with reasonable enjoyment,” as defined by the *Residential Tenancies Act* (RTA). (The RTA will be discussed in more detail later in this report.) Many participants were not aware that housing providers have an obligation to intervene to stop discriminatory harassment in their buildings, including tenant-to-tenant discriminatory harassment.

Occupancy Policies

Many participants were unaware that housing providers cannot deny applicants because of their family size unless it violates local occupancy regulations. Participants reported being unaware that denying large families housing is contrary to the *Code*, and that occupancy policies should only be implemented in order to comply with health and safety by-laws.

Although it is contrary to the law, it was widely reported that many housing providers have “no pets” policies and deny applicants or charge them more rent if they have pets. Imposing additional security deposits on tenants with pets was also identified as a common practice in some communities.

Residential Tenancies Act

Many participants raised issues regarding repairs and health and safety concerns, which technically fall under the jurisdiction of the *Residential Tenancies Act*. RTA regulations are outside the scope of this project; however, these concerns shed light on the obvious linkages between discrimination in housing, RTA violations and the high incidence of FNMI people in

core housing need. These topics also highlighted the very real need for increased public education regarding housing legislation in general.

Participants reported that some housing providers increase rent without notice, sometimes up to three times within a year. Many housing providers implemented surcharges for air conditioning, water, property tax increases, and water meter installation onto tenants.

In every community, the failure to maintain and repair units was identified as an overarching problem. A tenant with a disability was told that his social housing provider could not afford to fix a window that would not open (the only window in the apartment). Participants reported that tenants would be blamed for damage and general wear to units. In Geraldton, it was reported that one housing provider's agent often ignored repair requests, leaving tenants living in deplorable conditions. Tenants complained about insect infestations that housing providers refused to address. Many participants reported that some housing providers did not complete regular fire and carbon monoxide alarms tests, and some units did not even have alarms installed.

One participant stated that a housing provider withheld their belongings until they paid off their rental arrears. Two tenants in Dryden claimed that a housing provider failed to return their last month's rent deposits and they were forced to pay last month's rent a second time.

Some housing providers felt that the Landlord and Tenant Board is biased in favour of tenants. They claimed it was difficult to evict "bad tenants." This perception could lead to landlords implementing increasingly restrictive (and possibly discriminatory) application criteria to avoid future incidences.

Social Housing Policies

Participants explained that social housing policies are restrictive and inconsistent across the province. Social Housing Providers are bound by agreements and guidelines enforced by their local service managers under the *Housing Services Act* (HSA). The relationship between social housing providers and service managers was characterized as non-existent in one community. At one session, a housing provider said they felt that their service manager held a "dictator role," communicating very little with them and providing few resources, especially with regard to human rights education. Some housing providers agreed that social housing occupancy policies created barriers for FNMI people, specifically those that prohibited larger families from occupying smaller units. Some social housing providers reported that when new units came up, transfers were often given priority over letting in new tenants. Some of the tenants at the sessions felt this was unfair, as those on transfer lists were already adequately housed, while waitlist applicants lived in precarious housing situations. The Thunder Bay service manager offers rent supplements to housing providers to offset the cost differential between market rent and affordable units for low-income people. However, there was concern that housing providers might withdraw from the program if challenged regarding discrimination or their duty to accommodate, leaving vulnerable tenants un-housed.

Another problem identified was that changes to social assistance programs no longer provide support for tenants who fall into rental arrears. Many participants conceded that discrimination against recipients of social assistance is prevalent, and that the lack of rental arrears support only further perpetuates existing biases and generalizations.

Housing Supply

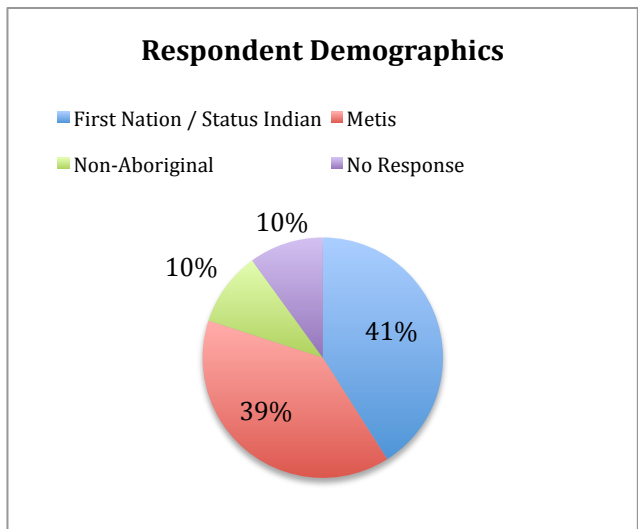
Lack of funding was identified as a major issue affecting the development of social housing in Northern Ontario. The Investment in Affordable Housing Program provides funding to local service managers to “improve access to affordable housing.” IAH provides flexibility for service managers to adapt housing programs based on the unique needs of their communities. Allocations are based on population and core housing need.³⁴ This allocation model is challenging for northern communities, as fewer funds are made available in northern regions despite great need.

Participants in Kenora reinforced that residents will often petition to stop social housing developments in their communities, creating a huge barrier to increasing the local housing supply. Lack of housing contributes to low vacancy rates, which overwhelming increases the number of “slum landlords” in the region. A lack of social housing combined with low vacancy rates leads to higher rents and monopolies that force many marginalized people (including many FNMI) into overpriced, dilapidated and unsuitable housing situations.

Survey Results

Since session participation was lower than expected and there was interest in additional outreach to northwestern communities outside of the five session locations, MNO and CERA released an online survey. The results of the survey reinforced the experiences described during the engagement sessions.

One hundred and two residents of Northern Ontario responded to the Northern Housing Rights online survey. Of the respondents, 41% self-identified as First Nation or Status Indian, 39% self-identified as Métis, and 10% as non-Aboriginal. Seventy-five percent reported that they live or have lived in northwestern Ontario. MNO and CERA restricted access to only those that identified as Northwestern FNMI or provided services to FNMI.



About 65% reported having lived in rental housing (25% did not respond to this question). Sixty-two percent did not provide a response regarding their current living situation, while 22% lived in rental housing, 3% in shared accommodations, 4% in subsidized housing, 8%

³⁴ Investment in Affordable Housing for Ontario: 2014 Extension Program Guidelines, August 2014

in a shelter, 2% in temporary housing and 2% in transitional housing. Twelve respondents were home owners (one stating that “mortgages are cheaper than rent,”) two were in a recovery home, one lived in On-Reserve housing, three with family or friends and one reported living on the street.

Twenty-four percent of respondents indicated they had at one point been denied housing for a discriminatory reason, with 39% providing no response to this question. Reasons given for discrimination were race, ancestry, ethnic origin, colour, disability, age, family status and sex, with receipt of public assistance listed as the most common reason. Other reasons given were occupation, pregnancy and “because I was a single mother.”

Sixteen percent felt they had at some point been treated differently from other tenants, with 39% providing no response to this question.

Qualitative

Respondents identified the following reasons they felt they were treated differently or discriminated against in their housing situation: pregnancy, sex, marital status, age (being a teenager), “being a single mother,” being “first nation,” “because I am [an] aboriginal woman,” because they were “Indian,” “just for being Aboriginal,” because they were “on welfare [and] Native,” because “they think I’m a drunk.” One respondent noted they were “treated like [they could not] afford rent,” while others felt they were discriminated against because they were a “young, single mother with a low income,” “used to be on Ontario Works,” “because [they] had native friends coming over to visit,” and “because [they were] in prison.” One respondent reported that they were “told [their] service animal for anxiety [was] not allowed despite other tenants having pets.”

Only two respondents reported contacting a human rights organization for assistance, with only one respondent contacting a legal clinic and FNMI organization respectively. None of those who accessed supports felt the situation improved as a result, and one respondent said the situation became worse after supports were contacted. Respondents gave the following reasons for not accessing supports: “I did not want the fuss,” there were “none to help,” they were “scared of the outcome [or] rejection,” they were “unsure of where to go and did not want to rock the boat and make it worse.” Three respondents felt there was “no point” in requesting assistance.

5. PROJECT FINDINGS

Feedback from the sessions and survey revealed that discriminatory housing practices that disadvantage FNMI tenants and limit access to housing are rampant in communities across Northwestern Ontario. Throughout the northwest, session participants and survey respondents echoed similar stories of housing discrimination, and the challenges they face in overcoming discrimination in their communities.

Feedback from session participants and survey respondents identified three (3) key themes.

Key Themes

1. Both direct and indirect discrimination create unique barriers for northwestern FNMI people when they attempt to access and maintain appropriate rental accommodations.

Our results aligned with statistics show that Northwestern FNMI people experience more challenges than other groups when attempting to access affordable quality housing in their communities. In isolated regions of the province, vacancy rates are often low, which limits many FNMI people's housing choices. In this environment, housing providers are more selective in rental application processes, and we found that they often use discriminatory criteria to eliminate certain applicants. Housing providers' ideas of what constitutes an undesirable tenant are often based on stereotypical thinking and discriminatory characterizations. Feedback provided by NHR session and survey participants bore out that FNMI are often denied housing or treated differently as a result of discriminatory attitudes based around race, creed, disability, receipt of social assistance, and family status, sometimes all at once. These discriminatory attitudes are systemic, and play out in interactions between housing providers and tenants on a regular basis, contributing to housing instability among FNMI people.

2. Accessible legal education and services for FNMI communities, housing providers, and community workers is an ongoing need.

It was evident from our outreach that understanding of how the *Code* applies to rental housing varies among renters. Many FNMI participants were unaware of their housing providers' obligations under the *Code*, while housing providers' understandings of their *Code*-related obligations varied significantly at the sessions. However, a willingness to learn was expressed by most participants.

Many participants were unaware of their rights or how to exercise those rights. Although a great deal of discrimination was reported, very few participants had sought supports or filed an application at the Human Rights Tribunal of Ontario. Many FNMI participants reported feeling discouraged from contacting legal clinics and other agencies because they feared retaliation from their housing providers, they did not believe supports would provide adequate assistance, or they did not believe the process would be effective.

3. A coordinated effort is needed in order to challenge and overcome entrenched attitudes and systemic conditions that contribute to the high incidence of discrimination and related housing instability faced by FNMI people.

Feedback made it clear that a coordinated effort will be required in order to overcome housing instability among FNMI people in Northwestern Ontario. Inconsistent and unaccommodating housing policies pose significant barriers to accessing quality affordable housing, especially in low vacancy markets. The limited housing supply that exists in Northwestern Ontario creates a housing monopoly that nurtures restrictive tenant selection policies that in many cases appear to violate legislation. Many of these policies have a direct or indirect discriminatory effect on FNMI people. Some housing providers found it difficult to balance meeting *Code* requirements with managing the long-term viability of their properties, especially with little support or resources available. The feeling that there is nowhere to turn for assistance reflects a need for ongoing coordinated efforts and increased access to services and supports. Participants' fear of retaliation by housing providers if they attempt to enforce their housing rights also indicates the need for further public education around housing discrimination and housing providers' legal obligations.

6. RECOMMENDATIONS

In light of these findings, MNO and CERA recommend the following measures:

1. Develop long-term consistent funding models to provide legal education initiatives for FNMI communities in partnership with FNMI communities and legal agencies.
2. Increase access to *Human Rights Code* educational initiatives for FNMI people, developed and delivered by FNMI organizations in collaboration with legal agencies.
3. Develop a provincial campaign to raise awareness about rental housing discrimination against FNMI in Ontario in collaboration with the Ontario Human Rights Commission, FNMI organizations and legal agencies.
4. Provide funding to research and investigate incidences of housing discrimination against FNMI people and the reason that so few FNMI cases go to the Human Rights Tribunal.
5. Increase access to resources and legal education for housing providers to clarify their legal obligations and mitigate discriminatory practices.
6. Mandate cultural competency and safety training for social housing providers developed by FNMI organizations.
7. Evaluate existing social housing policies to ensure alignment with obligations under the Ontario *Human Rights Code*.
8. Provide long-term, consistent financial commitment to meeting the goals and objectives set out in the OUR Framework.
9. Evaluate and streamline social housing policies and processes to ensure delivery is consistent across the province.

7. CONCLUSION

From our work throughout the years, MNO and CERA are aware of the pervasiveness of housing discrimination directed at FNMI communities. Overt discrimination and racism are barriers to obtaining housing; however, often more subtle discriminatory practices and competency of housing providers can create additional challenges. We know that the prevalence of discrimination relates to a number of factors. These include deeply held discriminatory attitudes of many non-Indigenous people, and that many rental housing providers are unaware of, or refuse to acknowledge their legal obligations under the *Human Rights Code*.

NHR was undertaken in order to examine the incidences of discrimination against FNMI across Northwestern Ontario, and to provide targeted resources to educate FNMI tenants and housing providers about human rights in rental housing. Achieving housing stability for FNMI groups will require a multi-dimensional coordinated effort between various levels of government, community agencies, housing providers and residents alike. The NHR project confirmed that housing instability and discrimination continue to pose significant barriers to housing for FNMI.

Our legal education workshops and targeted resources were undertaken to provide a basis for self-advocacy and access to supports. However, it is just one step in a larger coordinated process that is needed in order to end discrimination and achieve housing stability for FNMI communities. Awareness and communication are the vehicles through which this change will occur, and to this end it is essential to ensure that Métis, First Nations and Inuit people in Ontario are aware of their legal right to be free from housing discrimination, and the resources – both legal and non-legal – that are available to assist them with enforcing their rights. Although NHR was a success, there is a lot more to be done, and it's time to make this happen.

Appendices:

a. Qualitative Data

Group 1 (Dryden Housing Providers)

Participants reported that discriminatory advertising is common, and they felt individuals who receive social assistance, families with children and FNMI people experienced the greatest amount of discrimination, often being told that units are rented when they are not. Questions arose surrounding alcohol and tobacco addiction and how to balance accommodating these disabilities while maintaining the reasonable enjoyment of other tenants.

The average wait time for social housing was four to five years with individuals staying in shelters for up to eight months. Individuals and large families are the most difficult to appropriately house. The way the social housing wait list is managed was identified as having a discriminatory effect on larger families. Although there is a vast shortage of larger rental units, when a larger family applies for a 4-bedroom unit, they are not routinely offered a smaller unit when it becomes available. For example, if a family with 4 children is on the wait list for a 4-bedroom unit and a 3-bedroom unit becomes available, a person waiting to be transferred from a 2-bedroom unit will be offered the 3-bedroom unit, regardless of which applicant has been on the list longer. Families cannot get around this rule, because they are not permitted to apply for smaller “starter” units.

It was reported that social housing internal transfers sometimes took precedence over priority transfers with the rationale that internal tenants had been on the list for a long time. It was reported that several tenants on social assistance were over \$1000 in arrears with little recourse to pay it back. Evictions were reportedly difficult to obtain because the sheriff does not routinely enforce them.

Communication issues between the local district Service Board and housing providers were identified, with housing providers feeling that policies are put in place without ample consultation. There was also some concern that policies and practices were not uniform across regions.

Group 2 (Dryden Tenants)

Participants reported discrimination when accessing housing, and being told that units were unavailable when they were available. Participants reported being denied housing because they have an alcohol addiction, were homeless at the time, had a pet, or because of their clothing and appearance. Many had difficulty obtaining unit modifications for physical disabilities (some related to aging.) Tenants were threatened with eviction because they had pets and several housing providers proposed significant rent increases when tenants had pets or children.

Overall, it was apparent that there is a general lack of awareness of tenants’ rights on the part of housing providers, with frequent blatant discrimination especially against families with

children. It is common practice for housing providers to pass property and utility cost increases along to tenants. Several participants said their rent had been raised without notice up to three times per year for water and air conditioning costs. There was concern about the shortage of housing for a population of homeless male youth, and a shortage of adequate housing for seniors and people with disabilities.

Group 3 (Kenora Tenants)

Participants noted rampant human rights violations throughout the area, and interest was expressed in forming an advocacy group for tenants who are not able to advocate for themselves. There was widespread concern about “slum landlords”.

One notorious building was identified as a priority, with a participant stating that residents of this building lived in “absolute horror.” The shared accommodations in the building are unhygienic and kept in a state of abject disrepair. It was reported that 90% of the building’s tenants are on social assistance, and many are unable to advocate for themselves or call city inspectors. The housing provider has refused to allow safe disposal unit for needles. The housing provider owns at least three buildings that are “total slums” and there is concern that tenants will be locked out and the building will be condemned. There is concern about the impacts of speaking out about the issue in a small community. A possible application at the Human Rights Tribunal was being explored.

There is a shortage of affordable housing but it is difficult to get funders to commit to building housing that meets all regulations and requirements. The government has many housing regulations, but is not coming forward with funding for housing. The devolution of funding to the province has been problematic, as smaller areas that urgently need housing have been earmarked for very little money, as distribution is based on population. Concern was expressed that some tenants living in a particular social housing block should not have qualified, and that not enough mixed-use units are designated for Rent Geared to Income (RGI) tenants. Some residents worry that their property values will go down if social housing is built in their neighbourhood and lobby against it.

It is common for housing providers to refuse to make repairs and subsequently blame tenants for the state of the unit (this was corroborated by survey data.) It is common for housing providers to raise rent if additional tenants or pets are added to a unit.

Other issues identified were tenants being denied housing because they cannot put utilities in their own name, profiling of tenants, and failure of the city to investigate tenant complaints. Factors complicating housing scenarios included hoarding, bad credit and discriminatory rules about children.

Group 4 (Fort Frances)

A theme that emerged was the difficulties faced by seniors in social housing. Many are unable to perform snow removal and grass cutting, and as a result are being threatened with eviction for violating their lease.

Concerns were raised about a town bylaw regarding overcrowding. Alcoholism and nonpayment of rent were flagged as common housing issues. The adverse effects of social housing transfer policies were raised. An individual was to be transferred to a smaller unit because their household size had diminished since their children were under the care of CAS. However, if the tenant were moved to a smaller unit, they would lose the opportunity to regain custody of their children.

Group 5 (Geraldton)

A strong trend in lack of repairs was identified. The issue is not isolated to one housing provider, but is widespread. A participant reported that the local repairs person did not respond to requests. The participant felt the repairs person only did their job for “the pay cheque.” The repairs person refused to make repairs in one unit because the tenant is an alcoholic, and told another tenant that an ant infestation was acceptable. Reports of bedbugs are ignored. Snow removal for elders in social housing was identified as a problem. Social Housing applications require a bank account, address and income tax verification, which pose barriers to housing access for some FNMI people

An FNMI elder reported ongoing discriminatory treatment, and said they feel like they are “in jail” in their own building. When family visits, the individual is asked who her children and grandchildren are, why they are visiting, and how long they are staying. This does not happen to the non-FNMI tenants. The participant reported that another tenant told them the beaver they were cooking “smells like crap” and as a result they feel they cannot cook food in their own home.

Group 6 (Thunder Bay Housing Providers)

The lack of “valid” identification is a prevalent barrier to housing for FNMI people. Participants were concerned that housing providers could lose subsidies as a result of conflicts with tenants. The local social services administration offers supplement programs and there was concern that if challenged, housing providers might withdraw from the program, which would mean subsidized tenants could no longer afford their units. If there were a dispute, would there be a way to keep housing providers from withdrawing from the program? It was noted that since social housing is underfunded, modifying units is perceived to be impractical by many housing providers, and transfers are the preferred method of accommodation.

Group 7 (Thunder Bay Tenants)

Widespread discrimination on the basis of receipt of social assistance, disability, and FNMI status was identified. A participant reported being denied housing due to a disability. A trend of housing providers refusing to rent to disabled tenants because they do not want to be responsible for meeting accessibility standards was reported. An instance of a housing provider refusing to sign an OW form was reported. Discrimination against visibly FNMI individuals is common. One participant had inquired about a unit, and when the housing provider discovered

they were Aboriginal, asked them to call back the following week, at which time they said the unit was rented. Discrimination on the basis of receipt of social assistance is also common, and some housing providers have policies that they do not rent to tenants on social assistance.

Methodology – NHR

MNO and CERA completed 7 community workshop and engagement sessions for tenants, service providers and housing providers in Northwestern Ontario. Where social housing agencies existed, separate sessions were hosted for housing providers and tenants and their community workers with the exception of Fort Frances. A recent flood and precarious weather forced the two sessions to be combined. Evaluations received by attendees were overwhelmingly positive.

Location	Date	Type	Participants
Geraldton	May 21, 2014	Combined Session	5
Thunder Bay	May 22, 2014	Tenant Session	6
Thunder Bay	May 22, 2014	Housing Provider	8
Dryden	June 17, 2014	Tenant Session	11
Dryden	June 17, 2014	Housing Provider	4
Kenora	June 18, 2014	Combined Session	7
Fort Frances	June 19, 2014	Combined Session	9
<i>TOTAL SESSION PARTICIPANTS</i>			50

The Project Advisory Committee reviewed all workshop materials. MNO prepared invitations and posters for FNMI agencies and housing providers in the northwest. CERA’s lawyer facilitated the legal education session. Presentation outline:

Workshop Outlines	
Tenant & Service Provide	Housing Provider
<ol style="list-style-type: none"> 1. Project and partners overview 2. Three Housing Laws <ul style="list-style-type: none"> • Residential Tenancies Act; Ontario’s Human Rights Code; and, Housing Services Act 3. The Human Rights Code <ul style="list-style-type: none"> • Types of housing covered; Prohibited Grounds of Discrimination; Discrimination; Harassment; and Reprisal 4. Housing Practices and the Code <ul style="list-style-type: none"> • Discriminatory Advertising; Rental Applications; Use of Income Information; Credit and reference Requirements; Occupancy Policies; Co-signors and Guarantors; Rent Deposits; Reasonable Children’s Noise 5. Duty to Accommodate 6. Housing Search Strategies 7. Human Rights Tribunal application process 8. Resources 	<ol style="list-style-type: none"> 1. Project and partners overview 2. Three Housing Laws <ul style="list-style-type: none"> • Residential Tenancies Act; Ontario’s Human Rights Code; and, Housing Services Act 3. The Human Rights Code <ul style="list-style-type: none"> • Types of housing covered; Prohibited Grounds of Discrimination; Discrimination; Harassment; and Reprisal 4. Housing Practices and the Code <ul style="list-style-type: none"> • Discriminatory Advertising; Rental Applications; Use of Income Information; Credit and reference Requirements; Occupancy Policies; Co-signors and Guarantors; Rent Deposits; and, Reasonable Children’s Noise 5. Duty to Accommodate <ol style="list-style-type: none"> a. Accommodation Process; limitations; and, Undue hardship 6. Resources

Engagement Session Questions

1.	What kind of information do landlords request?
2.	What reasons do landlords give for refusing to rent to someone?
3.	What kinds of barriers have you faced in accessing appropriate housing?
4.	What kinds of barriers have you faced in maintain appropriate housing?
5.	How have you dealt with these barriers?
6.	What do you think need to be done so that these barriers do not arise in the future?

Participants were asked a number of questions and encouraged to share their stories about housing discrimination and challenges they faced. Two project representatives recorded the discussions. These notes were combined and a coding chart created. Coding heading were categorized as 1) Discrimination: a) Disability & Public Assistance; b) Race; c) Sex and Family Status; d) Adverse Effect Discrimination; 2) The Residential Tenancy Act; and 3) Challenges: a) Policy and Funding; b) Housing Supply, and d) Compliance. Data was categorized into to the key themes. The coding chart and notes were used to summarize each session.

An online survey was initiated to obtain further data from tenants and their community workers in the northwest. Survey participants were entered in a draw to win an iPad to encourage participation. One hundred and two (102) Northwestern tenants and service providers participated in the survey. Survey instrument used was as follows:

- INFORMED CONSENT -

The Métis Nation of Ontario (MNO) and the Centre of Equality Rights in Accommodation (CERA) invite you to participate in a survey about discrimination against urban and rural First Nation, Métis, and Inuit people in Northwestern Ontario. You must be 18 years of age or older to participate or have left parental control to participate in the survey.

Your participation involves approximately ten minutes of your time to complete a survey about your current housing situation and any experiences of discrimination in housing.

As a special thank you for your participation, **First Nation, Métis and Inuit tenants are eligible to enter into a draw for an iPad.** Contact information will be used for draw purposes only, and will not be linked to your responses during analysis of the questionnaire. Should you choose to remain anonymous your responses will be accepted, however your name will not be entered into the draw.

This survey is part of the *Northern Housing Rights: Promoting Housing Rights among Métis, First Nation and Inuit people in Northwestern Ontario* project, funded through the Law Foundation of Ontario. Information gathered through the Northern Housing Rights community outreach sessions and the collective results of this survey will be used by the MNO and CERA to develop a report on the incidences of housing discrimination directed at Métis, First Nation and Inuit people in Northwestern Ontario.

This survey is anonymous. Only group findings will be reported (aggregate form). No response will be connected with any individual participant. Only MNO and CERA project coordinators will have access to the completed surveys for the purposes of analysis. Completed surveys will be destroyed once the final draft of the report is completed.

Your participation in this survey is voluntary. If you choose to participate, you may skip any question on the survey. You may also choose to withdraw from the survey at any time and your decision will in no way affect the services that you receive from the MNO and/or CERA.

If you have any questions or require additional information, please contact:

Metis Nation of Ontario
Robynn Maluga, SR Housing Policy Analyst
Telephone: 800-891-5882 Ext 28
Email robynnm@metisnation.org

Centre for Equality Rights in Accommodation
Annie Hodgins, Programs Manager
Telephone: 800-263-1139
Email: annie@equalityrights.org

SURVEY

1. If you are Métis, First Nation or Inuit, do you identify as:

- | | |
|---|--|
| <input type="checkbox"/> Métis | <input type="checkbox"/> First Nation (neither Status or non-Status) |
| <input type="checkbox"/> Inuk/Inuit | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> First Nation/Status Indian | <input type="checkbox"/> I am not Aboriginal |
| <input type="checkbox"/> First Nation/Non-Status Indian | |

2. Are you a service provider offering services to Métis, First Nation and Inuit people in Northwestern Ontario?

- Yes No

If yes, please complete the survey based on what you've heard from your clients.

3. Do you currently live or have lived in Northwestern Ontario (includes the Districts of Thunder Bay, Kenora and Rainy River)?

- Yes No

4. Do you currently, or have you previously, sought or lived in rental housing?

- Yes No

5. Which statement best describes your current living situation?

- | | |
|--|--|
| <input type="checkbox"/> Market rental house, apartment or condo | <input type="checkbox"/> Shelter |
| <input type="checkbox"/> Shared accommodation or Rooming House (renting a room with shared kitchen and bathroom) | <input type="checkbox"/> Transitional housing |
| <input type="checkbox"/> Co-operative Housing | <input type="checkbox"/> Temporary housing, such as a hotel, motel or hostel |
| <input type="checkbox"/> Subsidized Housing (rent geared to income, and affordable housing) | <input type="checkbox"/> On the streets |
| | <input type="checkbox"/> Senior's Housing |
| | <input type="checkbox"/> Other: _____ |

6. Have you ever been denied housing for a reason you believe was discriminatory?

- Yes No

7. What was the reason (choose all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Citizenship | <input type="checkbox"/> Family Status |
| <input type="checkbox"/> Colour | <input type="checkbox"/> Sex (including pregnancy, gender identity) | <input type="checkbox"/> Disability (including addiction) |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Receipt of Public Assistance |
| <input type="checkbox"/> Creed (religion) | <input type="checkbox"/> Age | <input type="checkbox"/> Other (please specify): _____ |
| <input type="checkbox"/> Place of Origin | <input type="checkbox"/> Marital Status | |
| <input type="checkbox"/> Ethnic Origin | | |

8. Have you ever been treated differently than other tenants for a discriminatory reason?

- Yes No

9. If so, why were you treated differently?

10. Has a landlord ever denied or ignored your requests for repairs, an apartment transfer or any other requests for a discriminatory reason?

- Yes No

11. If you have been discriminated against, what supports did you access:

- | | |
|--|--|
| <input type="checkbox"/> I didn't access supports | <input type="checkbox"/> Non-Aboriginal Organization |
| <input type="checkbox"/> Aboriginal organizations | <input type="checkbox"/> A family member or friend |
| <input type="checkbox"/> CERA | <input type="checkbox"/> Local legal clinic |
| <input type="checkbox"/> The Human Rights Legal Support Centre | <input type="checkbox"/> Other: _____ |

12. Once assistance was provided, did the situation improve:

- It got worse
- no change
- little improvement
- A lot of improvement
- It was completely resolved

13. If you did not seek out supports, please explain your reasoning:

14. Please share any experiences or comments you have regarding your housing experience.

This report was funded by the Law Foundation of Ontario.

It was researched and co-authored by Annie Hodgins from The Centre for Equality Rights in Accommodation, and Robynn Maluga from The Métis Nation of Ontario.

Disclaimer

The Northern Housing Rights Public Report is a reflection of the information provided by session participants and survey respondents. The report is not intended to provide definitive data on housing discrimination in Northwestern Ontario; it is intended as a means to further guide discussion of and promote awareness of housing discrimination against Métis, First Nation and Inuit people in Northwestern Ontario.