

Workshop series: Claiming the Right to Housing in the GTA

Addressing Systemic Discrimination in Housing

- *RECAP* -

Workshop #2
July 6, 2021



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



Who, what, where, when...





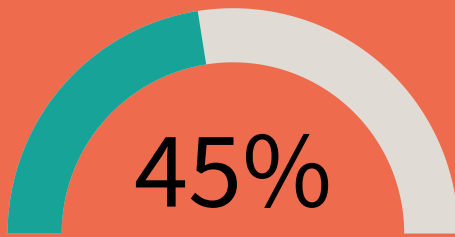
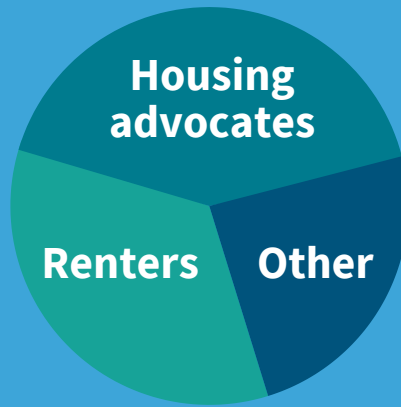
**49 participants
gathered from across
the Greater Toronto
Area...**

**...to discuss how to
address systemic
discrimination in
housing...**

**...on July 6, for the
second workshop in a
series taking place in
the spring, summer &
fall of 2021...**

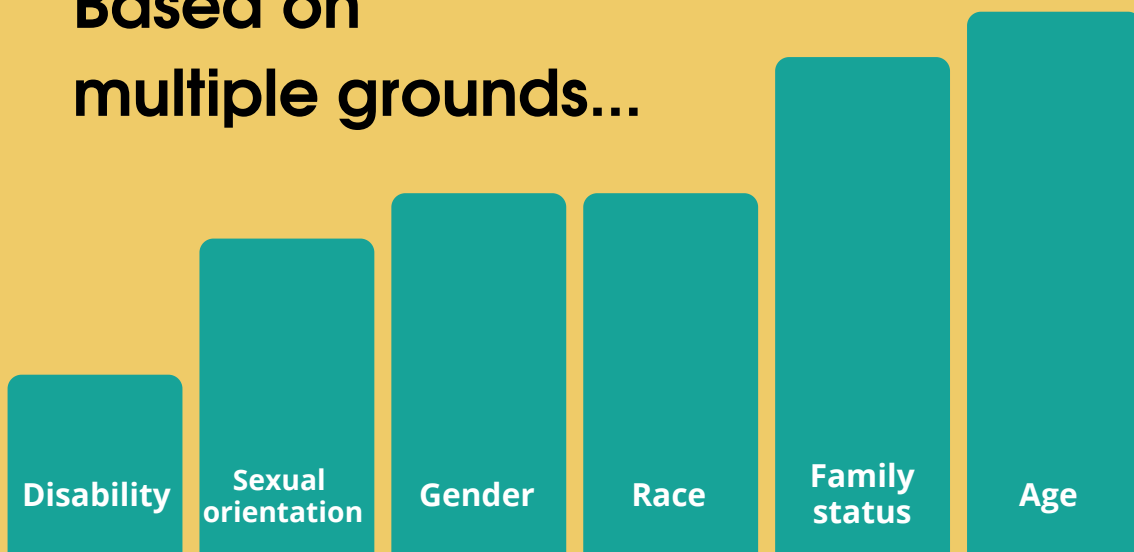
**...hosted by
the Centre for Equality
Rights in Accommodation
and the Right to
Housing Toronto.**

**In the
room
were...**



**Experienced
discrimination in
their housing**

**Based on
multiple grounds...**



**We heard about what
discrimination in housing is and
how renters can be protected...**



The Ontario Human Rights Code

Renters can experience discrimination by landlords at many stages of the housing process, including when they are searching for housing, when they apply for housing, or while they are living in their home.

Discrimination can be direct or indirect and can prevent people from accessing housing.

The Ontario Human Rights Code states that housing providers cannot discriminate against renters based on any of the following personal attributes, which are referred to as 'protected grounds':

- Race
- Colour
- Ancestry
- Place of origin
- Citizenship
- Ethnic origin
- Creed (religion)
- Age
- Sex
- Disability
- Gender identity
- Gender expression
- Sexual orientation
- Marital status
- Family status
- Receipt of public assistance

Identifying discrimination

People dealing with housing discrimination often experience discrimination on a number of interrelated grounds. This is commonly referred to as 'intersectional discrimination.'

To establish discrimination under the *Ontario Human Rights Code*, a renter must show that:

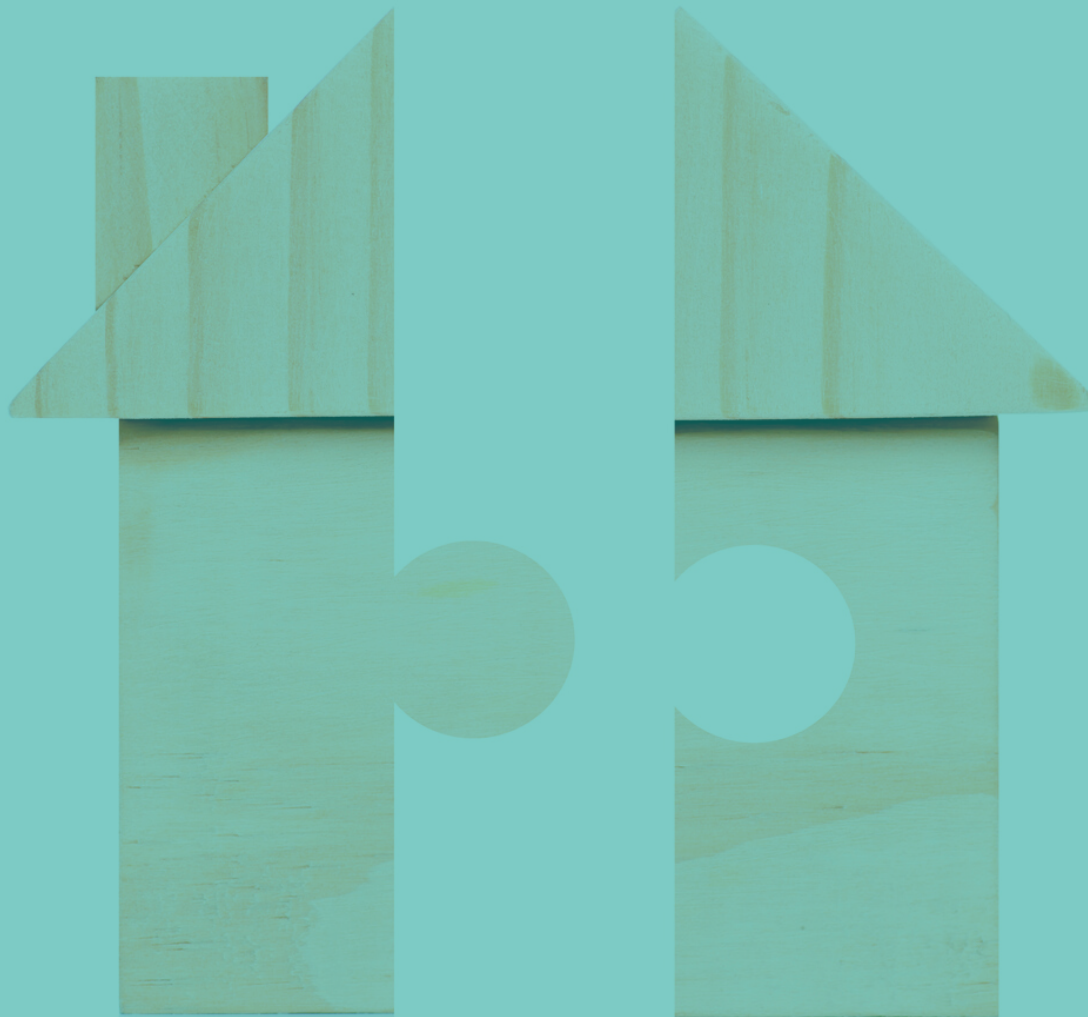
they have a characteristic protected by the Code (e.g. race or family status)

they experienced an adverse treatment or impact (e.g. when accessing housing)

the protected characteristic was a factor in the adverse treatment or impact

If a renter believes that they experienced discrimination, they can file an application with the Human Rights Tribunal of Ontario. The process of filing an application and having it heard by the Tribunal can take up to a year, and cases of discrimination can often be difficult to prove.

**We heard about how systemic
discrimination in rental housing
can be addressed...**



What is systemic discrimination?

Discrimination is systemic when...

**it is caused
by patterns of
behaviour,
policies or
practices**

**it is part of
the social or
administrative
structures of an
organization**

**it creates a
position of relative
disadvantage for
persons identified
by the *Code***

Click the image below to read:

Discrimination in Rental Housing
- A Primer -



Addressing systemic discrimination through the National Housing Strategy Act

Systemic discrimination in rental housing can be addressed by realizing the right to housing for all.

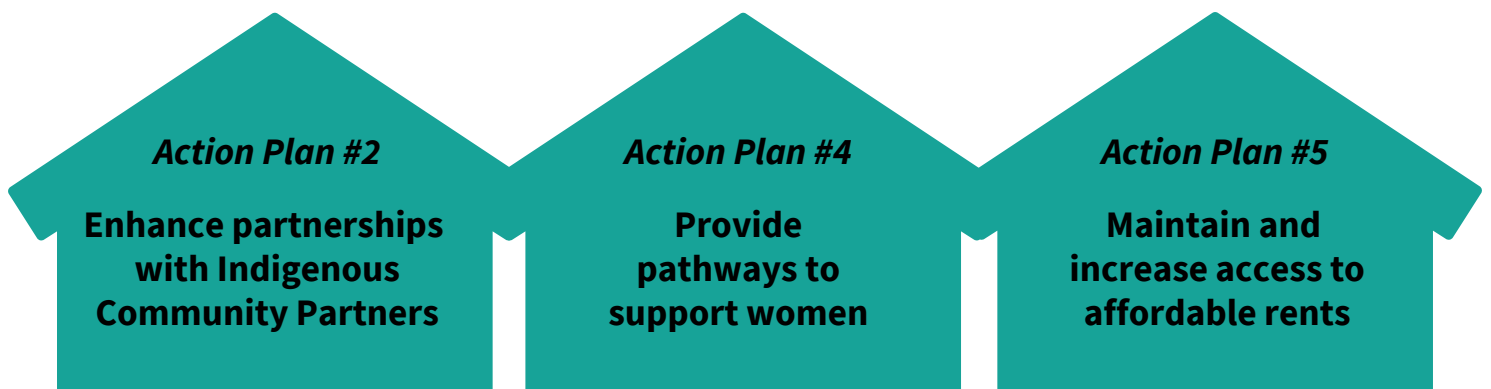
The right to housing is recognized under international human rights law, and the Government of Canada has committed to progressively realize the right to housing through its National Housing Strategy Act (NHSA).

Mechanisms under the the NHSA can be used to address discrimination in housing. For example, an affected group can make a submission to the Federal Housing Advocate to report systemic discrimination against their community. The Advocate could then investigate the issues raised in the submission and submit its findings and recommendations to the responsible Minister, who would then be required to respond to the submission within 120 days. The Advocate can also refer an issue of systemic discrimination to a Review Panel to hold a hearing in which the affected group can be heard, giving them an avenue to claim their right to housing.

Addressing systemic discrimination through the HousingTO 2020-2030 Action Plan

The City of Toronto has also committed to realize the right to housing through its [HousingTO 2020-2030 Action Plan](#).

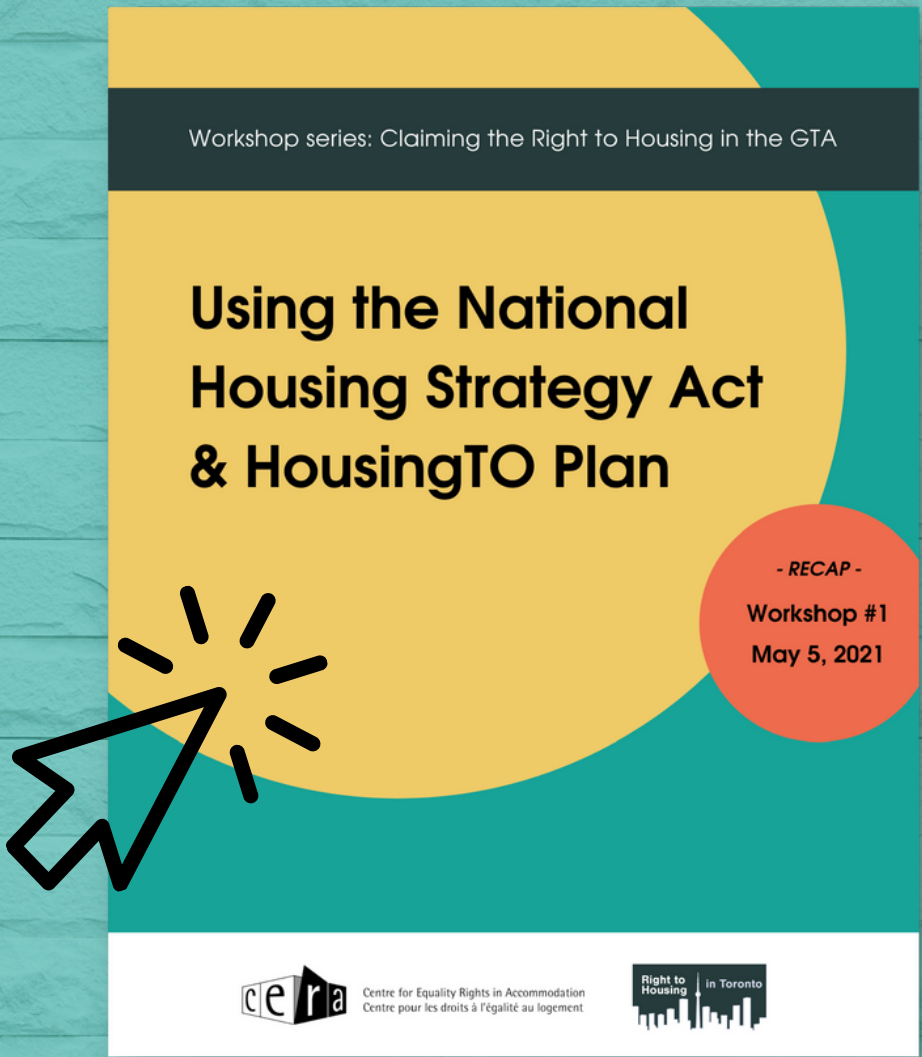
The Plan provides a blueprint for 13 strategic actions across the full housing spectrum. These three Action Plans are examples of how the City can address housing discrimination:



The Plan also outlines that the City will establish an [Office of the Housing Commissioner](#) to address systemic housing issues like discrimination. However, to date, this key role that is needed to advance the right to housing has not yet been established.

For a deeper dive into how the National Housing Strategy Act and the HousingTO 2020-2030 Action Plan can be used to claim the right to housing, read the recap of our first workshop in this series.

Click on the image below to read the recap.



We heard from lived experts who have faced discrimination in rental housing...

"Even though we looked good on paper, we never heard back from any landlords..."

- Dorrett White

"While other 17 year-olds were thinking about prom dresses, I was thinking about homelessness..."

- Jasmine Jennings

"Somehow paying a lower rent translates into 'This is what you're paying, what do you expect?' When your rent is so cheap, you take what you can get..."

- Sheila Warner



Dorrett White

Working actor, wife
and mother

It's very difficult to be a renter in the city, especially as a Black racialized person.

Even when you look great on paper, if the landlord doesn't want to rent to you, they simply won't.

It was really difficult to by-pass certain things when you're judged on the colour of your skin, your age, or the type of work you do.

I hope this discussion on systemic discrimination leads to reform and great change.

As a young Black woman, Dorrett has dealt with micro-aggressions and discrimination while looking for a suitable home for her family of three.


When Dorrett and her husband tried to rent their first apartment, they provided 15-20 landlords with their information – good credit scores, personal references and employment letters – but they did not hear back from any of them. They were often told "you can't have parties," "you can't invite people over," "you can't afford this place."

Eventually after they had a child, they looked for a bigger apartment. This time around they were told "this won't work for your family," "no children allowed."



Jasmine Jennings

Social work student and
social justice advocate



It feels like the odds are stacked against me.

Being left to live in spaces that aren't safe has been really challenging.

I don't think that stable housing is a 'want.' It's a 'need.' It's a social determinant of health.

It's my hope that youth who age-out of the care system can experience safety and what it feels like to be 'home.'

As a former youth in care and Crown Ward, Jasmine is trying to unlearn many of the lessons that she learned while in foster care where she dealt with abuse, mistreatment, and instability.

After leaving the care system, she faced discrimination from landlords based on her identity and status as a Black woman living with a disability and low income. She found that landlords often do not want to rent to someone who receives ODSP. She was left with few options but to accept housing in unsafe conditions that didn't meet her accessibility needs.

Jasmine says that support workers need to help youth aging out of care by ensuring they know their rights. Support workers also need to implement anti-oppressive practices, and to understand how race impacts the likelihood of securing safe and stable housing.



Sheila Warner

May-may-zey May-ga-zay

Gitxsan, licensed paralegal

It's very stressful to go through a formal dispute resolution process. I can't imagine what it would be like for a tenant to go through that alone, without representation from a housing support worker.

It's really beneficial when people can sit down with their landlord and tell their side of the story. Tenants have a chance to be heard, and the landlord can see them as a person and not as a name or number on a file in their office.

As an Indigenous woman who works as a paralegal at Aboriginal Legal Services, Sheila has worked with many low-income Indigenous residents in Toronto who are dealing with complex housing issues.

Sheila has also faced discriminatory treatment in her housing from her own landlord, who has harassed her, spoken to her disrespectfully, and neglected to deal with a long-standing mould problem in her unit.

She says that tenants need to know their rights, but even when they do, dealing with harassment and discrimination is very stressful, and can be difficult to resolve issues on your own.

Sheila encouraged anyone who is facing discrimination to get in touch with a housing support worker, and use services like the Indigenous Circle at Aboriginal Legal Services to resolve disputes with landlords.

Click on the image below to read more about what Dorrett, Jasmine and Sheila shared in the workshop:

"All the odds are stacked against me"
Stories of discrimination in housing



**We heard from participants
about their experiences with
discrimination and their
solutions to address the issues...**



What we heard...

Types of systemic discrimination in housing

Participants at the workshop met in small groups to discuss the types of systemic discrimination that they have faced in housing. Some of the common grounds that participants had experienced discrimination were based on...

Ethnicity

Disability **GENDER IDENTITY**

Mental health **Race**

CRIMINAL HISTORY **Sexual orientation**

Addiction **Age**

Income

What we heard...

Examples of systemic discrimination

- 1 Renting policies that require a credit history exclude people with low incomes, those who receive social assistance, and newcomers.
- 2 Renting policies that require guarantors or co-signers exclude newcomers.
- 3 Buildings which refuse to rent to families with children discriminate against them based on family status.
- 4 People who are racialized are disproportionately facing evictions at the Landlord and Tenant Board.

What we heard...

How we can address systemic discrimination

1

Education and awareness:

- Educate landlords on their obligations and on the right to housing.
- Increase renters' awareness about their rights.
- Develop a comprehensive list of resources so that renters know where to go if they face discrimination, and who should be held accountable.

2

Community collaboration:

- Create a Housing Advisory Committee to bring forward cases of systemic discrimination to different levels of government.
- Ensure that there is representation of community organizations and advocates within service agencies.

3

Advocacy:

- Use election time to push housing issues front and center and hold politicians accountable to their promises and plans.
- Support ongoing initiatives to raise awareness of systemic discrimination in housing.
- Advocate for landlord licensing and mandatory training to help prevent discrimination against renters, and to hold landlords accountable if discrimination occurs.

Stay tuned for the
next workshop
in this series:



Check out more
resources from
this series:



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

EqualityRights.org



Right2HousingTO.ca