



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

**Access and Equality for Renters in
Receipt of Public Assistance:
Update Report to Stakeholders**

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Letter of Transmittal

November 15, 2021

The Honourable Gord Wyant, Q.C.
Minister of Justice and Attorney General
Legislative Building
Regina, Saskatchewan

Dear Minister Wyant,

I am pleased to deliver the 2021 update report on Access and Equality for Renters in Receipt of Public Assistance.

This report highlights the activities of the Renters in Receipt of Public Assistance Systemic Advocacy Committee over the past 3 years.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Wilcox', with a long horizontal stroke extending to the right.

Barry Wilcox, Q.C.
Chief Commissioner

Chief Commissioner's Message

In 2018, the Saskatchewan Human Rights Commission established a systemic advisory committee to pursue and address issues that emerged from a public consultation process about housing-related issues facing people who receive public assistance.

Over the past five years, provincial and federal efforts have focused on improving housing access. Individuals, advocates, community groups, and government organizations are working daily to improve housing security for everyone. As a result, there have been significant changes in the housing sector and to public assistance programs. Still, challenges remain.

Many stakeholders gave their time and expertise to participate in the Commission's systemic initiative to address access and equity for renters in receipt of public assistance. This report represents a culmination of this effort, capturing many of the outcomes related to their work. While this initiative is concluded, the Commission continues to work with stakeholders on specific issues facing renters who receive public assistance.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Wilcox', with a long horizontal stroke extending to the right.

Barry Wilcox, Q.C.
Chief Commissioner

I. INTRODUCTION

Background

Housing is recognized as a basic need, fundamental to human development. Children who live in affordable, good quality accommodations in safe neighbourhoods have better educational, social, and health outcomes. Stable, secure, adequate, and affordable housing is also associated with higher levels of employment and improved health and economic status for adults, particularly for those from vulnerable groups. Clearly, quality of life is impacted by housing. Discrimination which impedes equal access to housing has a significant detrimental effect on its victims.

The Saskatchewan Human Rights Commission has a legislated mandate to conduct research into, offer public education about, and eliminate systemic discrimination. In 2015, in response to inquiries received from advocates working with renters in Saskatoon receiving public assistance, the Commission launched a systemic advocacy initiative to address discrimination in housing.

Advocates from multiple agencies told the Commission their clients were facing a multitude of problems, including: discriminatory advertising for rental accommodation; landlords refusing to rent to people receiving public assistance; and income or damage deposit requirements that, in effect, prohibited those in receipt of public assistance from obtaining housing. People in these situations were vulnerable to becoming homeless if they are evicted, and were hesitant to bring forward a complaint.

At that time, the Chief Commissioner and the Director of the Office of Residential Tenancies (ORT) issued an open letter criticizing discriminatory practices against renters receiving public assistance and encouraging coordinated efforts to address the problem:

Many families live on fixed incomes of pension benefits, disability benefits, or provincial income assistance benefits. The struggle to secure safe, appropriate and affordable housing is real.

...

We recognize municipal and provincial government organizations are working with community-based organizations to end homelessness and poverty in our province. Fair treatment of landlords and tenants in all rental arrangements is one way to support these initiatives.

Working with community organizations, the Commission hosted four public consultations. Renters affected by discrimination spoke of a lack of affordable housing options, the inadequacy of some of the available rental accommodations, and policy barriers to securing and maintaining housing, as well as direct discrimination by landlords.

The Commission launched a systemic advocacy initiative to address discrimination in housing.

In May 2018, the Commission released a comprehensive, 40-page report called, “Access and Equality for Renters in Receipt of Public Assistance: A Report to Stakeholders” (known as the “Red Report” for its red-coloured cover). The Red Report addressed the discrimination and inequity experienced by people on fixed incomes of pension benefits, disability benefits, or provincial income assistance benefits. Seven key issues were identified:

1. Increase Awareness of Rights and Responsibilities
2. Improve System Navigation
3. Address the Disparity between Public Assistance and Market Rent
4. Improve Supports for those with Addictions/Mental Health Problems
5. Make Complaint Resolution Processes More Accessible
6. License Landlords to Improve Property Maintenance and Pest Control
7. Increase Affordable Housing

Systemic advocacy addresses differential treatment, policies, rules or actions that unfairly disadvantage an identifiable group.

The Commission then established the Renters in Receipt of Public Assistance Systemic Advocacy Committee. This committee included representatives from stakeholder groups, including landlords, renters, community groups, Government of Saskatchewan agencies, and the City of Saskatoon.

The Committee heard from stakeholders and experts, and discussed ways to reduce barriers and address systemic patterns of discrimination.

This report is an update to the 2018 Red Report, summarizing successes and highlighting remaining challenges.

Systemic Advocacy

Discrimination is an action, policy, or practice that puts a person at a disadvantage by treating them differently from others, or by applying the same rule to everyone, which can result in a person being denied opportunities or receiving fewer benefits.

Systemic advocacy addresses differential treatment, policies, rules, or actions that unfairly disadvantage an identifiable group. In short, systemic advocacy addresses systemic discrimination. Section 24(h) of *The Saskatchewan Human Rights Code* (“Code”), states that the Commission shall, “promote and pursue measures to prevent and address systemic patterns of discrimination.”

What is “Public Assistance”?

Public Assistance within the context of *The Saskatchewan Human Rights Code* means benefits received via the *The Saskatchewan Assistance Act* and *The Saskatchewan Income Plan Act*. Over the past three years this has included the following Government of Saskatchewan programs:

- Seniors' Income Plan (formerly the Saskatchewan Income Plan);
- Saskatchewan Assured Income for Disability (SAID);
- Saskatchewan Income Support (SIS);
- Saskatchewan Assistance Program (SAP);¹ and
- Temporary Employment Allowance (TEA).²

II. LEGAL ANALYSIS

When Canada acceded to the *International Covenant on Economic, Social and Cultural Rights* in May 1976, it made a commitment to recognize the right of everyone to an adequate standard of living, including adequate housing.³ However, there is no established “positive right” to housing within the Canadian *Charter of Rights and Freedoms*. Recently the Ontario Court of Appeal refused to affirm that such a positive obligation could be placed on governments in a case regarding housing and homelessness as a ground for discrimination.⁴

New federal Canadian legislation, the *National Housing Strategy Act* (the *Housing Act*), was assented to on June 21, 2019.⁵ The *Housing Act* asserts that it is the housing policy of the Government of Canada to “recognize that the right to adequate housing is a fundamental human right affirmed in international law” and to “further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.”⁶

The *Housing Act* recognizes an obligation of the Government of Canada to establish a housing policy that promotes the realization of the provisions of the International Covenant on Economic, Social and Cultural Rights relating to the right to adequate housing.

The *Housing Act* obliges the Government of Canada to establish a National Housing Strategy which is founded on the “key principles of a human rights-based approach to housing.”⁷ One of the requirements of the National Housing Strategy is that it must “focus on improving housing outcomes for persons in greatest need.”⁸

Canada made a commitment to recognize the right of everyone to an adequate standard of living, including adequate housing.

¹As of August 31, 2021, the Saskatchewan Assistance Program (SAP) and the Transitional Employment Allowance (TEA) are closed.

²Ibid.

³ Article 11(1) of the *International Covenant on Economic, Social and Cultural Rights*, United Nations, Treaty Series, vol. 993, p. 3.

⁴ *Tanudjaja v Canada*, 2014 ONCA 852.

⁵ Enacted by section 313 of chapter 29 of the Statutes of Canada, 2019, in force July 9, 2019, see SI/2019-62.

⁶ Section 4(a) and (b) of the *National Housing Strategy Act*, supra note 1.

⁷ Ibid section 5(1).

⁸ Ibid section 5(2)(c).

Discrimination Faced by Renters in Receipt of Public Assistance

Persons receiving public assistance are sometimes denied their right to housing by landlords or the justice system. Renters in receipt of public assistance may be discriminated against during the tenant screening process or when they appear before adjudicatory bodies.

Landlords sometimes screen out prospective tenants by requesting personal information, including the prospective tenant's income details. Landlords are governed by the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and provincial privacy laws. Landlords must inform tenants or prospective tenants of the reasons for requesting or collecting their personal information, collected information can only be used for the purposes for which it is collected and landlords must keep the information confidential.⁹ While a landlord may ask for a prospective tenants employer and income, the landlord can only use the information to determine the ability of the tenant to pay rent. A landlord cannot discriminate against a prospective tenant on the basis of their source of income, as long as the source of income is legal.

Renters in receipt of public assistance have been discriminated against on the basis of their source of income.

Renters in receipt of public assistance have been discriminated against on the basis of their source of income. The Human Rights Tribunal of Ontario, in the case of *Sinclair v. Morris A. Hunter Investments Ltd*¹⁰, relied on four expert opinions in considering the effect of income and employment criteria on access to rental housing. It was determined that income-based discrimination in rental markets results in the segregation of low-income and many racialized residents to poor housing.

Renters who receive public assistance may be saddled with discriminatory practices by property owners before and after entering into tenancy agreements. Prospective tenants are not required to disclose their source of income, and if the landlord finds out after the fact that a tenant is on public assistance, that is not a justifiable ground to terminate the tenancy agreement. In the case of *Desjarlais v. Kanganilage and Another*,¹¹ a property owner found out from a third party that her tenant was on welfare and was heard making the comment that “they prefer tenants who are students and not people on welfare.”¹² The British Columbia Human Rights Tribunal held that the tenant's source of income was one of the considerations that led to the termination of the tenancy agreement.

The property owner was found to have discriminated against the tenant on the basis of his lawful source of income.

9 Office of the Privacy Commissioner of Canada, “Privacy in the Landlord and Tenant Relationship” online: <<https://www.priv.gc.ca/en/privacy-topics/landlords-and-tenants/privacy-in-the-landlord-and-tenant-relationship/>>.

10 2001, 41 CHRR 98 (ON HRT).

11 2012 BCHRT 243.

12 Ibid at paragraph 93.

Renters in receipt of public assistance can be further denied their rights in housing when they have to appear before adjudicative bodies. Social housing and landlord-tenant cases require low-cost legal supports.¹³ Due to the high demand placed organizations that provide legal assistance to low-income earners, landlord-tenant issues are sometimes deprioritized. The Saskatchewan Legal Services Task Team reported that the supply of low-cost legal supports does not match the demand for their services in some areas of law which includes criminal law and administrative law. In a system where landlords have legal representation and tenants do not, tenants are at a disadvantage in pursuing their rights. A recent analysis found that landlords were successful in obtaining eviction orders at an ORT hearing more than 90% of the time.¹⁴

For renters in receipt of public assistance to access their right to housing, landlords' screening processes for prospective tenants must comply with privacy laws, the discriminatory practices of landlords must be checked, and tenants must be granted access to a fair judicial process through the availability of low-cost or community based legal representatives.

III. SUMMARY OF RED REPORT (2018)

The Commission's first Red Report documented the findings from the consultation process in 2016. Some of the views captured were conflicting, highlighting the complexity of issues pertaining to discrimination in that report.

Intersectionality

As individuals, renters in receipt of public assistance often also belong to other groups who experience discrimination in housing due to perceived race, disability, family status, gender identity and/or sex. The Code also prohibits discrimination based upon these characteristics. The experience of discrimination in housing is often multi-faceted and complex.

Public Assistance, Costs, Affordability

The cost of rent was the most often cited concern of participants. They reported on their inability to cover the cost of rent with the amount received through public assistance. Many of the participants felt that rent was increasing at an unreasonable rate. Furthermore, there was a limited supply of affordable housing available for renters whose income meets the criteria. Most participants also spoke of the need to spend money from their food budget to cover their rent.

Where landlords have legal representation and tenants do not, tenants are at a disadvantage in pursuing their rights.

¹³ Legal Service Task Team, "Final Report of the Legal Services Task Team: For Consideration by the Minister of Justice and the Benchers of Law Society of Saskatchewan" (August 2018) online: <file:///C:/Users/layotund/Downloads/107840-Legal_Services_Task_Team_Report_August_14,_2018.pdf>.

¹⁴ Buhler, Sarah. "Pandemic Evictions: An Analysis of the 2020 Eviction Decisions of Saskatchewan's Office of Residential Tenancies." *Journal of Law and Social Policy* 35. (2021): 68-99.

The Saskatchewan Landlord Association offers a Tenant Assistance Program aimed at reducing the impact of significant rent increases – but few renters take advantage of this assistance.

Landlords

Credit checks are frequently used in screening applicants to help predict whether a person will pay rent on time. However, some advocates said that credit checks are used, intentionally or unintentionally, in a discriminatory manner.

Housing providers pointed out there is little practical recourse when public assistance recipients cause damage to their property.

Tenant screening practices can also serve to exclude applicants who are in receipt of public assistance. Some rental companies require applicants to demonstrate that they earn two or two-and-a-half times the amount of the rent per month – a requirement that disqualifies all those in receipt of public assistance.

For some public assistance programs, in accordance with the *Residential Tenancies Act*, a “letter of guarantee” is offered to landlords in lieu of a damage deposit. However, participants reported instances where landlords refused the letter and insisted on a cash deposit.

Housing providers pointed out there is little practical recourse when public assistance recipients cause damage to their property, though they recognized this was rare and not limited to public assistance recipients.

Access to Justice

Participants gave several reasons for not engaging in the dispute resolution services of the Office of Residential Tenancies (ORT) or the Human Rights Commission. The most common reason was that renters were unaware of their rights. Many also feared repercussions from landlords for complaining. One advocate suggest that renters are “just trying to make it through the day” and unable to dedicate the time and effort need to pursue justice.

The ORT builds relationships with many of the larger landlords and can intervene in a timely manner to help resolve minor disputes.

Accessing Public Assistance

Renters voiced a number of concerns about the practices of the Ministry of Social Services, including difficulties navigating “the system,” delays in the receipt of benefits, and the limitations of public assistance programs.

Property Maintenance

Throughout the consultations, renters and advocates raised concerns about the adequacy of housing that people on public assistance are able to obtain.

Issues to be Addressed

Based on the information that emerged during the consultations, the Commission identified the following seven issues to be addressed:

1. Increase Awareness of Rights and Responsibilities
2. Improve System Navigation
3. Address the Disparity between Public Assistance and Market Rent
4. Improve Supports for those with Addictions/Mental Health Problems
5. Make Complaint Resolution Processes More Accessible
6. License Landlords to Improve Property Maintenance and Pest Control
7. Increase Affordable Housing

IV. STAKEHOLDERS AND THE SYSTEMIC ADVOCACY COMMITTEE

The Committee included a number of different stakeholders and groups that are active in the housing sector, including: the Saskatchewan Landlord Association, Renters of Saskatoon and Area (ROSA), Saskatoon Housing Initiatives Partnership (SHIP), Prairie Harm Reduction, Camponi Housing Corporation (CHC)/Sask Native Rentals Inc. (SNR), Northern Saskatchewan Independent Living Centre (NSILC), Community Legal Assistance Services For Saskatoon Inner City Inc. (CLASSIC), and the Saskatoon Indian Metis Friendship Centre. These groups continue to pursue initiatives aimed at assisting those in need of housing support. Some of their work is outlined below.

Throughout the systemic advocacy project, the City of Saskatoon and Saskatchewan Government Ministry of Social Services offered support and collaboration. Contributions to the work of the committee also came from other government organizations, including the Office of Residential Tenancies, Saskatchewan Housing Corporation, and the Saskatchewan Health Authority.

V. WHAT HAS CHANGED SINCE THE RED REPORT?

Since the release of the Red Report, there have been some significant developments affecting the housing sector and the system of public assistance in Saskatchewan:

Summary Statistics of Housing-related Human Rights Complaints

Since 2015, the Commission has proceeded with 28 formal human rights complaints involving rental housing. There were an additional 12 inquiries specifically about rental housing and the receipt of public assistance. However, none of these 12 inquiries proceeded to a formal complaint for a variety of reasons, including the successful informal resolution of the concerns.

The Government of Canada has begun to implement its National Housing Strategy, which is expected to see new investments in housing programs.

Government of Canada National Housing Strategy

The Government of Canada implemented its National Housing Strategy, which is expected to see new investments in housing programs reach \$20.5 billion. Provinces are required to cost-match roughly half of this total investment. The National Housing Strategy sets ambitious targets to ensure that new investments and new programming deliver results. This includes:

- cutting chronic homelessness by 50%,
- removing 530,000 families from housing need,
- renovating and modernizing 300,000 homes, and
- building 125,000 new homes.

The Saskatchewan Income Support Program

The Saskatchewan Income Support program (SIS) launched in July 2019. SIS provides a financial benefit for shelter and basic needs, that also recognizes other sources of income (such as a part-time job and the federal Canada Child Benefit) and provides increased earned income exemptions. Under the Saskatchewan Income Support program, clients are responsible for paying their rent, damage deposits, and utilities directly to landlords and utility companies. This is not new for income assistance clients in Saskatchewan, as most Saskatchewan Assistance Program and Transitional Employment Allowance clients paid their own bills on those programs.

SIS is designed to be more client friendly, with an online application tool.

According to the Ministry of Social Services, SIS replaced the Saskatchewan Assistance Program (SAP) and the Transitional Employment Allowance (TEA) which had been in place for many years and which clients and stakeholders often said were too complex and didn't effectively help clients gain skills and independence. They were also time consuming to administer and difficult for clients to navigate. In SIS, staff help clients learn to manage their benefits, budget for household expenses and make changes in their lives to reach their goals and become self-sufficient to the best of their abilities - this includes helping clients obtain a bank account, set up automatic bill payments and establish repayment plans if they fall into arrears. Staff also refer clients for financial literacy training with community-based organizations.

The benefit application and administration process is simpler. SIS is designed to be more client friendly, with an online application tool so clients can apply whenever it is convenient. There is also an increase to the earned-income exemption.

Stakeholder Reactions to the Saskatchewan Income Support Program

Many stakeholders have expressed concern about some aspects of the SIS program. A key concern was the elimination direct payments of rent from Social Services to landlords. Under SIS, recipients are expected to handle

their own financial transactions. Under SIS, “letters of guarantee” were eliminated. The letters of guarantee previously allowed recipients of social services benefits to forgo making a damage deposit. In SIS, Social Services provides a payment for an amount up to their shelter benefit to the client, who would then pay the damage deposit to the landlord. Letters of guarantee continue to be offered in the Saskatchewan Assured Income for Disability (SAID) program, as there are no changes to that program.

Under other public assistance programs, a landlord was able to contact a tenant’s social worker if the tenant failed to begin the tenancy or if there were concerns about rent payment, or property damages. However, under SIS, a landlord has no way of communicating with a tenant’s social worker. The Saskatchewan Landlord Association requested changes to the SIS program.

SIS recipients are encouraged to apply on line, and an email account is required. While this is beneficial for some clients, online access remains a barrier for many low income and low literacy individuals. Individuals without online access can still apply in-person, with support from an income assistance worker.

Through the SIS program, benefits are allocated directly to the client. There is no option for direct rent payment and direct utility payment. Clients with active addictions, poor life skills, and low numeracy skills struggle to prioritize their housing expenses and often quickly end up in arrears.¹⁵

For these clients, ministry staff can help them to make arrangements for a trustee to manage their benefits for them. A trustee can be a friend, family member, community-based organization or advocate. The SIS program does not offer advances or over-payments to help tenants who fall behind. All these factors contribute to greater housing instability. As well, the SIS program only permits renters to access a damage deposit once every 24 months. However, an additional damage deposit can be paid to clients who do not have an overpayment in place and have paid the amount of any previous damage deposit. As well, an additional damage deposit can be paid to clients in situations beyond their control, such as a fire, or if a client is fleeing inter-personal violence.

Impacts on the Red Report’s Issues to be Addressed:

Governments, agencies, and organizations across Saskatchewan have worked to improve the housing situation for all people in Saskatchewan. The following list summarizes some significant improvements and developments made by key stakeholders, organized according to the Red Report’s 7 Issues to be Addressed:

Using a new approach called Motivational Interviewing, Social Services staff work alongside clients to make positive decisions.

¹⁵ On November 12, 2021, the Ministry of Social Services announced it will begin providing direct payments of shelter benefits available for rent, utilities and security deposits on behalf of high-needs SIS clients with complex challenges who are at risk of homelessness.

1. Increase Awareness of Rights and Responsibilities

Camponi Housing Corporation (CHC) has collaborated with the Saskatoon Housing Initiatives Partnership (SHIP), Saskatchewan Housing Authority (SHA) and the Office of Residential Tenancies (ORT) to develop and implement a “Rent Ed” program for renters, educating them on their rights and responsibilities as renters. The ultimate goal is for successful completion of this program to effectively serve as a landlord reference. The program is in the final stages of development. The Rent Ed program requires further funding to implement.

The goals of the program are to:

- Educate first time renters and tenants with poor or no rental histories on:
 - How to find housing;
 - Rights and responsibilities of the landlord;
 - Rights and Responsibilities of the tenant;
 - Life skills such as budgeting;
 - Eviction prevention; and,
 - Good neighbor practices.
- Provide successful participants with a Certificate of Completion (to be used as a landlord reference for first time renters and tenants with poor rental histories).
- Improve housing security and stability for tenants at risk of eviction and homelessness.
- Make the program easily accessible to community organizations and other rental agencies across Saskatchewan.

2. Improve System Navigation

Launched in July 2019, the Saskatchewan Income Support program was designed to be more client friendly, with an online application tool so clients could apply whenever it is convenient. The benefit itself is also simpler.

Some community organizations provide direct assistance to people trying to navigate public assistance administration. For example, Camponi Housing Corporation hired two full-time Wrap Around Service Coordinators to assist applicants and tenants with these processes. This often involves helping clients complete the application for income assistance programs, communicating directly with income assistance workers on behalf of the client, acquiring benefits for moving costs, furniture grants, and direct rent and utility payment.

Coordinated Access

Under the direction of the Government of Canada’s *Reaching Home* initiative, and aligned with local projects like the City of Regina’s *Plan to End Homelessness*, community organizations have begun to create

Systems and services that are designed to target specific demographics are difficult to integrate.

a Coordinated Access System (CAS) for people in need of housing. CAS is seen as an essential element of any effort to prevent and end homelessness. By standardizing the intake and assessment process, sharing information in real-time within a community, adopting uniform prioritization policies, and coordinating referral processes, coordinated access systems connect people to the right housing and supports as efficiently as possible based on their preferences and level of need.

The Saskatoon Housing Initiatives Partnership (SHIP) is currently pursuing a CAS project for Saskatoon, and in Regina Flow Community Projects is working to create a CAS for that city.

Mapping the Housing Sector

Sometimes, community based agencies do their work in a responsive and reactionary mode, often driven by funding opportunities and perceptions of need across the sector. Systems and services that are designed to target specific demographics are difficult to integrate and often result in that targeted population missing opportunities for potential programs/ services.

SHIP undertook a months-long consultation in Saskatoon to seek to better understand the inter-sectoral and inter-jurisdictional aspects of the housing sector. That research indicates that there are 5 components to the housing sector in Saskatoon:

- Unsheltered (without safe, affordable, appropriate housing)
- Emergency Sheltered (temporary up to 2 weeks)
- Short term supported housing (from 2 weeks to 2 years)
- Long term supported housing (longer than 2 years)
- Affordable/market rental housing (any rental property)¹⁶

SHIP undertook a months-long consultation in Saskatoon to better understand the inter-sectoral and inter-jurisdictional aspects of the housing sector

3. Address the Disparity between Public Assistance and Market Rent

To some degree, the Saskatchewan Income Support program has changed the public assistance benefits. At the time of this report, a single adult living in Regina receives a Basic Benefit of \$285, with an additional Shelter Benefit of \$575. For some clients, additional dollars are available over and above the basic benefit and shelter amounts. This includes stabilization benefits to secure stable housing, additional dollars for emergency health and safety needs or support for starting a new job. SIS is not the only source of income clients receive – for example, they may have a part-time job or access to the federal Canada Child Benefit or Canada Pension Plan.

Results from Canada Housing and Mortgage Corporation's (CHMC) Rental Market Survey indicates that, during the 2020 reporting period, the average rent for a bachelor suite in Saskatoon was \$729/month, while the

¹⁶ Saskatoon Housing Initiatives Partnership (2019). "Saskatoon Housing Sector Process Mapping." August 2019.

average rent for a one-bedroom apartment was \$957. CMHC *Rental Market Report: Canada and Selected Markets* for January 2021 indicates that rental vacancies in Regina and Saskatoon remained stable throughout 2020.¹⁷

4. Improve Supports for those with Addictions and Mental Health Problems

In June 2018, Housing Corporation opened Edwards Manor in Saskatoon. Edwards Manor was developed in response to a recognized community need for a specialized housing program for hard to house individuals with active addictions. Edwards Manor has 22 independent suites of long-term supported housing for individuals experiencing episodic or chronic homelessness due to ongoing mental illness and addictions. The clients are supported through a lens of harm reduction and receive interdisciplinary care with 24-hour support. Edwards Manor Programming was developed in partnership with the Saskatoon Indian and Métis Friendship Centre (SIMFC), Saskatoon Crisis Intervention Services (SCIS) and the Saskatchewan Health Authority (SHA) under a 3C Model of care: Clinical, Culturally appropriate care with Community support.

In February 2020, the Safe Community Action Alliance released “A Community Response to Crystal Meth in Saskatoon” – a detailed report listing 29 strategic actions for responding to the current reality of crystal meth in the community.

In September 2020, a joint community outreach project – Sawêyihotân – was announced. Funded by the Saskatoon Tribal Council (STC), City of Saskatoon, Ministry of Social Services and Ministry of Justice, the team will include members from STC, the City/Saskatoon Police Service and the organizations that are part of the Saskatoon Inter-Agency Response to Safety and Well-Being group. Two staff members from the Ministry of Social Services and one staff member from the Saskatoon Housing Authority will join the team, with support from the Saskatchewan Health Authority. The team is based in Saskatoon’s White Buffalo Youth Lodge. The team will work with individuals to develop case plans, establish supports, and help them secure and maintain stable housing in downtown Saskatoon.

5. Make Complaint Resolution Processes Accessible

Through outreach to community-based organizations, the Commission will generate greater awareness of complaint processes by providing pre-complaint assistance and publishing easy-to-use pamphlets.

6. License Landlords to Improve Property Maintenance and Pest Control

In 2019, the City of Saskatoon Community Services department researched options for landlord licensing in Saskatoon. The Commission and members of the Systemic Advocacy Committee participated in consultations on new

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¹⁷ *Rental Market Report: Canada and Selected Markets*. Canada Mortgage and Housing Corporation, 2021, p. 30-40.

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landlord and property maintenance regulations. In January 2020, a report and recommendations were sent to City Council for review and approval. An option for a landlord licensing was included in the report:

Rental property licensing provides a framework through which the rental dwellings can be regulated, inspected and enforced. Under these programs, landlords would be required to obtain a license, which could be revoked or suspended for infractions under a variety of bylaws.

There are approximately 650 multi-unit sites containing 21,635 individual dwellings in Saskatoon and an additional 15,330 rental units located in one-unit dwellings, two-unit dwellings and townhouses.

A rental licensing program would have significant financial implications and would take a minimum of two-years to implement. Other City licensing programs are operated on a cost-recovery basis, and are not supported by the mill-rate. It is anticipated that prior to the start of the program the City would incur staffing and program costs which would not be able to be recovered. Further, once the program is in operation, licensing revenue for a rental property licensing program is anticipated to be insufficient to support the ongoing operation of the program, and that it would need to be partially funded through other sources. If this option is selected, additional engagement and reporting on bylaw amendments for regulations will be undertaken, including program specifics and details regarding the additional staff resources required to implement, administer and enforce such a program.

The report noted that such a system could lead to positive outcomes, but also had a number of disadvantages. The City of Saskatoon opted not to create a landlord licensing system. Instead, Council voted to increase staffing to facilitate pro-active property maintenance inspections.

7. Increase Affordable Housing

In 2019, the Saskatchewan Housing Corporation (SHC) and EGADZ Saskatoon Downtown Youth Center Inc. created a new housing partnership called Fusion 22. Through this partnership, SHC leases a 24-unit government-owned building in Saskatoon to EGADZ to help residents move toward independent living and to keep at-risk families together. Residents live in 22 of the units, and the remaining two units will be used as offices for support staff. This partnership gives 22 families and young adults safe and secure housing, and the support they need to create positive lifestyle changes and achieve their goals. The SHC will help EGADZ include a trades/training component to the program which will provide participants with training, employment experience, wages, and the personal reward of helping people in the community.

The City of Saskatoon opted not to create a landlord licensing system.

In February 2020, the Governments of Canada and Saskatchewan, along with the City of Saskatoon and SaskNative Rentals Inc. (SNR), officially opened a new affordable rental housing project for six families in need of a safe and comfortable home. The project consists of three semi-detached houses containing a total of six, two- and three-bedroom units. Units are located in Saskatoon and are designed for families with one to three children. The project is designed for independence and affordability and is fully accessible to individuals with mobility disabilities.

In September 2020, the City of Saskatoon approved Camponi Housing's new Hart Road Development, which will add 75 new affordable units in the first phase of development as well as onsite supports and community resources for tenants.

VI. COVID-19 AND HOUSING

The coronavirus pandemic created a new operating environment for housing agencies and organizations and put new pressures on renters in receipt of public assistance.

Public Assistance administration:

At points during the pandemic, public libraries and other support agencies were closed, which for many low-income persons is their only source of internet access. As a result, some people had difficulty applying for SIS. As well, many income assistance workers have been working from home and are unavailable for in person visits.

Evictions:

The Government of Saskatchewan mandated a freeze on regular evictions during the height of the pandemic (March 26 to August 4, 2020). However, some stakeholders were concerned that some evictions occurred during this time. Research analyzing all ORT decisions in 2020 found that applications for urgent/emergent evictions more than doubled in June and July 2020 compared to other months.¹⁸ Regular evictions resumed as soon as the freeze was lifted, without much consideration of the circumstances of the pandemic on tenants. The paper called for Hearing Officers to learn more about equitable jurisdiction.

Mental Health Supports:

COVID-19 added to the challenges of providing addiction and mental health support to tenants. At the beginning of the pandemic, Camponi Housing Corporation restricted home visits to emergency situations only. Many of their clients did not have access to internet or phone, making communication difficult during the pandemic. Counselling, addiction services, and other community supports were temporary suspended. This made identifying and connecting clients to mental health and addiction supports especially difficult.

The Government of Saskatchewan mandated a freeze on regular evictions during the height of the pandemic.

¹⁸Buhler, Sarah. "Pandemic Evictions: An Analysis of the 2020 Eviction Decisions of Saskatchewan's Office of Residential Tenancies." *Journal of Law and Social Policy* 35. (2021): 68-99.

Saskatoon Inter-Agency Response to COVID-19:

In response to the emerging coronavirus pandemic, the Saskatoon Inter-Agency Response to COVID-19 team was formed with more than 50 organizations, including community-based organizations and front-line services and representatives of government agencies. Funding came from the reallocation of existing donor or grant funds among the partner agencies, and from a specific fund established by the Saskatoon Community Foundation and the United Way of Saskatoon and Area.

The Inter-Agency Response prioritized the support of agencies working to assist residents experiencing deep food and housing insecurity:

Due to the lack of affordable housing, emerging pandemic-related homelessness, the reticence of landlords to rent to new occupants during the pandemic, and capacity constraints in shelters, sector leaders identified the need for isolation support in hotels and transitional housing access.

Leaders from CBOs worked through the Inter-Agency Response to collaborate with Provincial Ministries as they considered a provincial and local hotel strategy. Response partners offered and provided in person wraparound services to support successful isolation in hotels by residents without appropriate housing and to residents in transitional housing units when they can be secured.¹⁹

Individual CBOs and the Inter-Agency Response to COVID-19 team reported that there remain ongoing concerns, policy gaps, and resource challenges.

The Saskatoon Inter-Agency Response to COVID-19 prioritized the support of agencies working to assist residents experiencing deep food and housing insecurity.

¹⁹ Jacob Alhassan, Hilary Gough, Bonnie Heilman, Lori Hanson, Colleen Christopherson-Cote (2020). "Report on COVID-19 Vulnerable Sector Response in Saskatoon March-May 2020." Saskatoon Inter-Agency Response to COVID-19.

VII. CONCLUSION

There have been improvements and promising new projects aimed at reducing discrimination in housing. However, challenges remain:

- Renters, landlords, and housing organizations continue to adjust to the new Saskatchewan Income Support program.
- For many stakeholders, market rents compared to the public assistance rates remains a concern.
- The coronavirus pandemic has changed the operating environment, adding new challenges for renters.
- There is an ongoing demand for “hard to house” persons with active addictions and mental health issues for renters.
- Timely and equitable access to effective tenant-landlord dispute resolution remains a challenge.

This report brings to a close the Commission’s 2018 systemic initiative on renters in receipt of public assistance. The Commission continues to collaborate with stakeholders and other committees on select and emergent issues, and we continue to work with individual complainants seeking resolution to discrimination complaints in the area of housing.

The Saskatchewan Human Rights Commission would like to thank the people and organizations that dedicated their time and resources in collaboration on this project, including: Government of Saskatchewan Ministry of Social Services, Office of Residential Tenancies, Saskatchewan Housing Corporation, Saskatchewan Health Authority, City of Saskatoon, Saskatchewan Landlord Association, Renters of Saskatoon and Area, Saskatoon Housing Initiatives Partnership, Prairie Harm Reduction, Northern Saskatchewan Independent Living Centre, Saskatoon Indian Métis Friendship Centre, Camponi Housing, Community Legal Assistance Services For Saskatoon Inner City Inc., Flow Community Projects, and Professor Sarah Buhler (University of Saskatchewan, College of Law).

9. Appendix A – The Saskatchewan Human Rights Code, 2018

Definitions

2(1) In this Act:

“prohibited ground” means one of the following prohibited grounds of discrimination:

...

(n) receipt of public assistance;

...

“receipt of public assistance” means the receipt of:

(a) assistance as defined in The Saskatchewan Assistance Act; or

(b) a benefit as defined in The Saskatchewan Income Plan Act; (« réception de l’aide sociale »)”

Discrimination in rental of property prohibited

11(1) No person, directly or indirectly, alone or with another or by the interposition of another, shall, on the basis of a prohibited ground:

(a) deny to a person or class of persons occupancy of any commercial unit or any housing accommodation; or

(b) discriminate against a person or class of persons with respect to any term or condition of occupancy of any commercial unit or any housing accommodation.

Duties of commission

24 The commission shall:

(a) forward the principle that every person is free and equal in dignity and rights without regard to religion, creed, marital status, family status, sex, gender identity, sexual orientation, disability, age, colour, ancestry, nationality, place of origin, race or perceived race or receipt of public assistance;

(b) promote an understanding and acceptance of, and compliance with, this Act;

(c) develop and conduct educational programs designed to eliminate discriminatory practices;

(d) disseminate information and promote understanding of the legal rights of residents of Saskatchewan and conduct educational programs in that respect;

(e) further the principle of the equality of opportunities for persons, and equality in the exercise of the legal rights of persons, regardless of their status;

(f) conduct and encourage research by persons and associations actively engaged in the field of promoting human rights;

(g) forward the principle that cultural diversity is a basic human right and fundamental human value;

(h) promote and pursue measures to prevent and address systemic patterns of discrimination; and

(i) promote and pursue alternative dispute resolution methods in resolving complaints.

