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Bill 252

An Act to recognize housing as a human right

Co-sponsors:
Mr. F. Hassan
Ms S. Singh

Private Members' Bill

1st Reading February 22, 2021
2nd Reading
3rd Reading
Royal Assent



EXPLANATORY NOTE

The Bill enacts the *Housing is a Human Right Act, 2021*. The Act provides that in interpreting all Acts, regulations and policies, the Government of Ontario shall be guided by the principle that housing is a human right. The Act also provides that the Minister of Municipal Affairs and Housing shall establish a Housing Inequities and Disparity Working Group.

The Act also amends the *Ministry of Municipal Affairs and Housing Act* by adding a new section 13. Section 13 establishes the Office of the Independent Housing Commissioner.

An Act to recognize housing as a human right

Preamble

Housing in Ontario is in a state of crisis. Racialized, newcomer and refugee communities are disproportionately affected by this crisis. Various studies have demonstrated a pattern with respect to key indicators of inequities and disparities that exist in rental housing, including the lack of affordable housing, unsuitable or overcrowded housing and housing in need of repair.

There is a need for further study and research into housing through the lens of housing as a human right. The Government of Ontario needs to examine and identify the troubling social, racial and spatial inequities and social exclusion that exists regarding housing disparities.

The Government of Ontario must undertake an examination of the existing data and conduct research into the ways government policy and actions affect the marginalization and social exclusion associated with racialized and immigrant status in housing. We need to develop housing strategies that deliver on the human right to housing.

It is only by examining the housing crisis with a view to ensuring that housing plans and strategies are made in collaboration with meaningful community engagement that we can ensure housing is a universal human right and social good.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Interpretation

1 In interpreting all Acts, regulations and policies, the Government of Ontario shall be guided by the principle that housing is a human right.

Housing Inequities and Disparity Working Group

2 (1) The Minister of Municipal Affairs and Housing shall establish a Housing Inequities and Disparity Working Group.

Composition

(2) The Working Group shall be composed of nine members appointed by the Lieutenant Governor in Council.

Same

(3) Each member appointed under subsection (2) must have the following:

1. Expertise and extensive experience in socioeconomic policy and research regarding inequities and disparities, including poverty, as they relate to housing.
2. General knowledge regarding the economic and financial challenges with respect to housing faced by Ontarians in relation to the following markers of identity:
 - i. Indigenous identity.
 - ii. Race.
 - iii. Immigration status.
 - iv. Gender.
 - v. Sexual orientation.
 - vi. Age.
 - vii. Disability status.
 - viii. Socioeconomic status.

Same

(4) In appointing members, the Lieutenant Governor in Council shall have regard for the importance of the Working Group reflecting the diversity that exists in Ontario.

Functions

(5) The Working Group shall study the following:

1. Disproportionate disparities and inequities that exist in Ontario in relation to housing.
2. The impact of residential evictions and how they affect racialized Ontarians and Ontarians of lower socioeconomic status.
3. The conditions of individuals living in overcrowded housing and the effect of overcrowded housing on these individuals and their communities.
4. Housing on the basis of it being a human right for individuals and groups.
5. Housing policies and programs that address spatial exclusion and segregation and that provide suitable rental and housing access in Ontario.
6. Barriers that exist to affordable home ownership for both younger and older Ontarians.
7. Potential interventions that would help mitigate income inequality and wealth inequality and that would help to ensure an effective and just economic recovery following the COVID-19 pandemic.
8. Disparities and inequities in housing in Ontario associated with,
 - i. Indigenous identity,
 - ii. race,
 - iii. immigration status,
 - iv. gender,
 - v. sexual orientation,
 - vi. age,
 - vii. disability status, and
 - viii. income.
9. The effectiveness of existing policy in addressing the disparities and inequities referred to in paragraph 1.

Ministry of Municipal Affairs and Housing Act

3 The *Ministry of Municipal Affairs and Housing Act* is amended by adding the following section:

Independent Housing Commissioner

13 (1) The Office of the Independent Housing Commissioner is established.

Same

(2) The Minister may appoint the Commissioner and fix their terms of reference.

Duties of Commissioner

(3) The Commissioner shall,

- (a) collect data relating to the inequities and disparities that exist in Ontario with respect to housing and,
 - (i) race,
 - (ii) immigration status, and
 - (iii) socioeconomic status; and
- (b) conduct research into strategies to prevent evictions.

Findings reported to Minister

(4) The Commissioner shall report their findings with respect to the duties set out in subsection (3) to the Minister of Municipal Affairs and Housing.

Remuneration and expenses

(5) The Lieutenant Governor in Council may determine the remuneration and expenses of any person appointed under subsection (2).

Appropriation required

(6) Subsection (5) does not apply unless money has been appropriated by the Legislature for the purpose of that subsection.

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Housing is a Human Right Act, 2021*.