

# RIGHT TO ADEQUATE HOUSING IN CANADA: FAILING THE UNDER- HOUSED AND HOMELESS

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Moderator:  
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# The Right to Adequate Housing in Canada

“The right to adequate housing is the right to live somewhere in security, peace, and dignity.”

— *The United Nations Committee on Economic, Social, and Cultural Rights*



**What does it mean?**

**What does it look like?**

**How do we get there?**

**What is already being done?**





**Michael Brooks**

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**Cheryll Case**

Founder and Executive  
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**Emily Paradis**

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Vice President,  
Woodgreen Community  
Services

# Goals for Today's Panel

1. Ignite a new conversation about the R2AH and what it could look like in Canada
2. Highlight some of the work already being done in this space

## Our new roles...

We're setting the stage for the new roles we find ourselves taking on...

- **Rights holders**
- **Responsibility holders**
- **Duty bearers**

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## Our Conversation

1. What is the R2AH?
2. What might a role for each sector look like in realizing the R2AH?
3. What are each of us contributing to this initiative?
4. What big questions, tensions, and shifts will we have to navigate to get to this desired future?





**Emily Paradis**

Senior Policy Advisor,  
Office of the Federal  
Housing Advocate

[https://www.youtube.com/watch?time\\_continue=3&v=ol3w9Ad7I\\_g&feature=emb\\_logo](https://www.youtube.com/watch?time_continue=3&v=ol3w9Ad7I_g&feature=emb_logo)







# THE HUMAN RIGHT TO HOUSING IN CANADA

Presented at Urban Land Institute National Housing Week webinar  
“Right to adequate housing in Canada: Failing the under-housed and  
homeless” 25 November 2022

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# Housing is a human right

The human right to adequate housing is **more than just four walls and a roof**. It is the right of every woman, man, youth and child to gain and sustain **a safe and secure home and community in which to live in peace and dignity**.

*UN High Commissioner on Human Rights*

- Adequate housing is defined under international law as:
  - *Secure*
  - *Affordable*
  - *Habitable*
  - *Accessible*
  - *Provide basic services*
  - *In a location that is close to employment and basic social services*
  - *Culturally appropriate*
- Everyone should be able to access adequate housing without discrimination or harassment
- Adequate housing is a precondition for other human rights

# Federal Housing Advocate

- Marie-Josée Houle appointed 21 February 2022
- Human rights-based approach
  - Systemic advocacy – not individual recourse mechanism
  - Participatory
  - Focus on priority groups
- Mandate & duties:
  - Monitor the right to housing & the National Housing Strategy
  - Conduct research & studies
  - Receive submissions from individuals and organizations
  - Review systemic housing issues
  - Provide recommendations
  - Annual report to the Minister of Housing and Diversity and Inclusion





# Duties under the National Housing Strategy Act (2019)

- Canada's housing system must advance “progressive realization” of the right to housing. Governments must:
  - Adopt effective measures;
  - Apply all appropriate means;
  - Invest the maximum available resources;
  - Prioritize those in greatest need, Indigenous people, disadvantaged groups
  - Ensure non-discrimination, prevent retrogression, address urgent threats
- Human rights take primacy over other legal rights & responsibilities
- New roles under a human rights framework:
  - Rights holders (people – especially disadvantaged groups)
  - Duty-bearers (governments at all levels)
  - Responsibility holders (others who affect the housing system)

# Homelessness and the Housing System

“Who is in favour of homelessness? **Who lobbies for homelessness?**  
Which economists tell us homelessness is good for the economy? If no one is doing these things, why does homelessness persist? ...

**Homelessness is the “natural” outcome of the way we have organized our housing system**, and the way we allocate or fail to allocate income and support services when they are desperately needed. Though no one favours homelessness, many contribute to it by doing what societal norms and government laws and regulations allow.”

Hulchanski et al – “Homelessness: What’s in a word?” p.8  
[https://www.homelesshub.ca/sites/default/files/Intro\\_Hulchanski\\_et\\_al\\_-\\_Homelessness\\_Word.pdf](https://www.homelesshub.ca/sites/default/files/Intro_Hulchanski_et_al_-_Homelessness_Word.pdf)



Michael Brooks  
CEO  
REALPAC



Leadership.  
Influence.  
Impact.



# Right to Adequate Housing: ULI Panel: Q1 How We See R2AH

Michael Brooks, CEO, REALPAC

November 25, 2022

2022

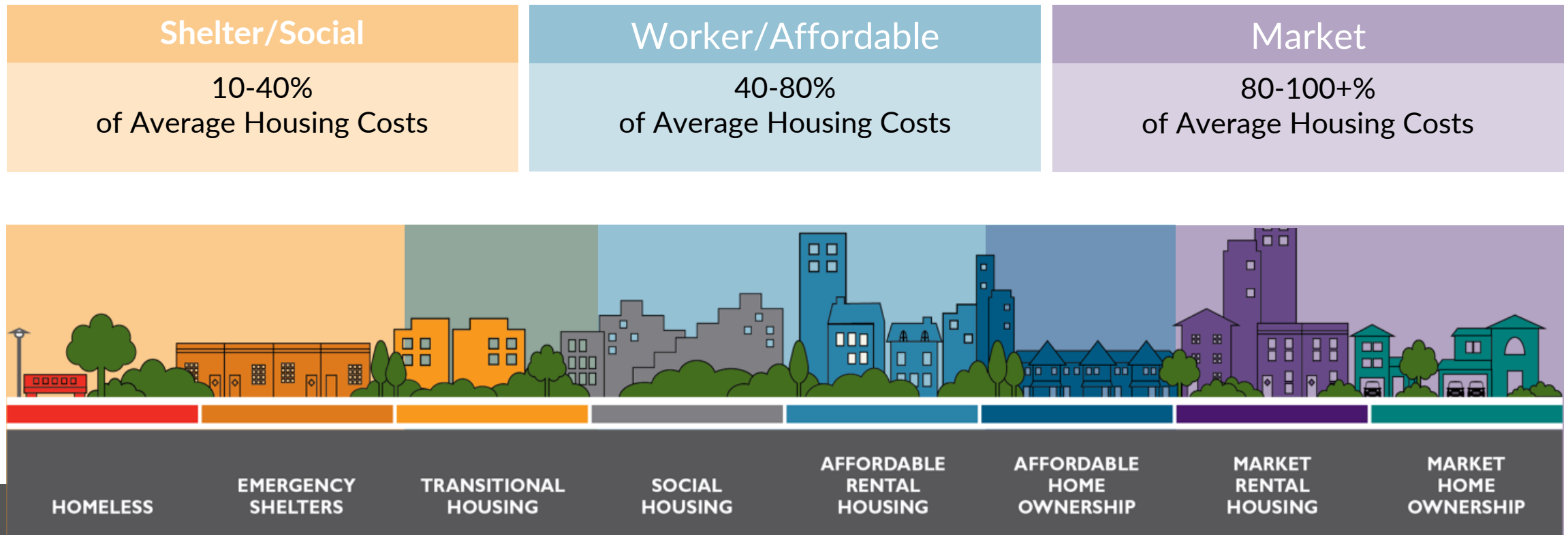


## Who We Are

- **REALPAC** represents Canadian commercial and institutional investment **real estate owners**, including owners of purpose-built rental housing.
- Our members include **130+** of the largest commercial real estate companies in Canada.
- Our members represent:
  - approximately **\$1 Trillion CDN of real estate assets under management**, domestically and globally in institutional grade real estate.
  - **over 200,000 rental units**, coast to coast, owned by pension funds, fund managers, REITs, Private Equity, and large family companies.
  - **millions of Canadian retail investors collectively and indirectly** through their real estate equity investments and pension plans.
- REALPAC and our members are very **concerned about the housing crisis** and the struggles that many Canadians are experiencing.
- We believe that the **private sector has a role to play** in the long term solution.
- **Not the job of the Private Sector to build deeply affordable Housing.**
- **BUT it can help slowing the slide backwards.**

## Visions for R2AH: How we see the Market

- **“Affordability”** is a floating target which is defined as both 30% of Household Income and as 80% of Average Area Housing Costs (100%+ being market)
- **“Appropriate”** has become a new floating target – as certain household makeups can afford housing, but the units are not appropriate. This has led to the rise of “family-sized” units being required in specific areas (2 bedroom+)





## An Ideal Housing System

RENT CONTROL incents well off free riders to stay in place when they could “move up” and free up lower rent units

### In a healthy market:

- Demand approximately meets new supply
- Old supply degrades at >1% to market per year (mostly rental/high density)
- New supply creates opportunities to move up from Social to Affordable to Market
- Opportunities to enter any section of the market based on Household Income

Build Equity + Savings to “move up” the property ladder; room for new entrants

### In a stressed market:

- Demand exceeds supply
- Old supply matches new supply and does not degrade in value (rental/high density)
- Additional demands on new supply drive costs up, make deals unviable (now, interest rates and op costs)
- Existing owners/tenants' benefit



## Policy Problem: Loading AH onto New Development pushes costs onto Market, or Kills deals

New developments have been subjected to increased pressure to achieve social objectives. This has widened the band of housing that a new development is responsible for but has not broadened avenues through which feasibility can be improved.



Increased responsibility requires cross-subsidization from one part of the continuum to another.

## Multi-Family Housing

- Average yield of apartment REITs: **3.3%** (well below other asset classes). 2 year GIC's = 5%.
- Boardwalk: **\$1,203** average monthly two-bedroom occupied rent.
- Killam: **53%** of units rented at or below **\$1,200/month**.
- CAPREIT:
  - **45%** affordable according to CMHC's definition.
  - **\$1356** average monthly rent, **\$422** for manufactured homes.
- Many members provided rent relief programs throughout COVID-19 and continue to do so.
- With the costs to purchase, develop and operate real estate, inflation, rising interest rates, nat gas up 40%, interest costs up 2.5X + - rental housing providers cannot survive if they do not pass on costs. NEED suite turnover.