Transcript
Episode 06: When a House is not a Home, with Alyssa Brierley

Intro

[intro music plays]

Hi! I'm Rosie Yeung, your host on Changing Lenses. In this podcast, we change our lens, to change what we see. Because seeing differently, lets us live differently.

[intro music ends]

If you currently own a house or condo that you rent out; or if you are thinking about buying property for investment purposes – please listen to this episode. Because you're not just a landlord, or an investor – you're holding someone's life in your hands.

Somewhere along the way, a house, or a condo, has changed from being a place to live and a shelter for our families, into a profit-making business – something to help us retire earlier. The right to adequate housing is recognized internationally in the Universal Declaration of Human Rights. But it has also been widely commodified through such things as AirBnB, individual rental properties, and big real estate developers.

Even someone like me, who doesn't own a rental property (although if I'm honest, I'm jealous of the people who do) – I've helped commodify housing by investing in mutual funds and Real Estate Income Trusts.

So in this episode, we'll look at housing and homelessness through the lens of human rights lawyer, Alyssa Brierley. She gives real-life examples of tenant discrimination and fraudulent eviction; talks about the role of government; and challenges us to consider whether profit has taken priority over people.

You can find the shownotes, transcript, and all episodes on my website, changinglenses.ca/podcast.

Thanks for listening!

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Welcome and Guest Introduction

Rosie: Hello, I'm glad you joined us for this episode of Changing Lenses. Today, we'll be talking to Alyssa Brierley, a human rights lawyer and public policy professional who has done extensive work researching and defending various human rights, including housing and health. Alyssa previously served as a United Nations advisor on the right to food, a policy advisor to the provincial government and Ontario College of Teachers, and she's now the Executive Director for the Centre for Equality Rights in Accommodation, or CERA for short. Alyssa is currently completing her PhD in political science, focused on the development of a right to food in India.

And as much as she is a lawyer, I do want to be clear that as my guest on the podcast, we are talking about housing in Canada, housing rights, but please do not construe anything of what we are saying today as actual legal advice or something you should go and act on in a legal way, because that's not the capacity that Alyssa's here in today.

Alyssa and I actually met virtually during COVID, as I was exploring more about inequality and inclusion in Canada. And she really inspired me with her own journey, which I kind of hope to follow, in that we come from corporate backgrounds, but we really want to do more with our experience and what we can do to help than just stick with a corporate job.

So Alyssa, so thankful and grateful that you're able to make time to meet with us today.

Alyssa: Thanks so much Rosie. It's great to be here and I'm looking forward to the conversation.

Rosie: Awesome. Thanks, me too.

So today, as I mentioned, we are going to be talking about housing and homelessness in Canada. And I think the real crisis that we face in our housing. And as Executive Director of CERA, Alyssa is well positioned to do this with us because she leads their work to advance the right to adequate housing. And they provide services such as helping marginalized tenants to remain in their homes.

CERA has been recognized internationally as a world leader in promoting and protecting human rights and housing and addressing the issues of homelessness and poverty, and even has special consultative status with the United Nations.

Safe Space Commitment

Before we get into this really important topic, I do want to share something with you and Alyssa, as we do on every episode, because some of what we discuss might be sensitive or challenging for us to say, and for you to hear. But I really want us to have an open and genuine conversation. One goal of Changing Lenses is to be a safe and brave space for these conversations, and for us to be our real selves. So I welcome you, our listener; and you, Alyssa; into this safe space. And I invite you to call me out if I say anything inappropriate, or use the wrong terms.

Land Acknowledgment

That being said, I also want to acknowledge that before we can talk about housing and rights to housing, that we ourselves as Canadian residents have actually lived in the land that belongs to people that have lost property and lost rights to us. We can't have this discussion without first acknowledging the entire population of Indigenous peoples who are cast out of their homes and lost their land and property.

And myself as a Canadian who so-called owns a home on the traditional territory of the Anishinaabe, the Huron-Wendat, and the Haudenosaunee Confederacy, I have to acknowledge the legacy of violence, theft, murder, and more, committed by my government for the last few hundred years, and which I am an heir to, and I'm complicit in, by my land ownership and by my inaction.

So I call upon myself and my fellow non-Indigenous Canadians to not just verbally acknowledge this, but also take the time to learn the true stories of our Indigenous neighbors. And to take steps to do the calls to action towards reconciliation.

Homelessness in Canada – it's not just on the streets

Okay. So I think it's really important that we say this and the topic actually is also really important. Because we pride ourselves in Canada that we're very equitable. I don't think anyone would deny that all people, no matter your race, creed, etc., has the right to housing. But we see it every day on the streets, we know it's out there, we see it in the media. Not everyone does have housing. I think we would all agree there's a housing crisis.

And Alyssa, maybe you can just start us off with just talking about - why do we in Canada, this supposedly developed, financially well-off country - why doesn't every Canadian have a home?

Alyssa: That is a great question. And maybe I'll just start off by providing just a little bit more context in terms of the scope and scale of the problem, before getting to the why, because I think, I think that's a really important question.

Rosie: Sure.

Alyssa: So in terms of scale, we know that 235,000 Canadians, give or take, experience homelessness in a given year. And this manifests in a number of different ways. I think when most people think about homelessness, they think of people that they see who are sort of sleeping rough on the streets.

But this also includes folks who are relying on shelters, folks who are perhaps staying with friends, family, couch surfing, and folks who perhaps might be living in their vehicle. And certainly since, COVID, started, we've seen particularly most obviously in our cities and urban centres, a real explosion of folks who are sleeping outside in particular, out of a concern about the safety of staying in some of these congregate living situations in the shelter system.

So this has become, I think, very front and centre for a lot of people, even though this has been a real crisis for many, many years. And in terms of asking why, I think one of the largest sort of, contributing factors to why people don't have homes in Canada is because they can't afford them. This really is an

affordability crisis. And we've been in the midst of an affordability crisis for decades across Canada. And there's a few reasons for that.

Two reasons for the housing affordability crisis

Governments have significantly reduced investments that they were making in affordable housing stock. So it left very few options for folks who were, on the sort of lower end of the income scale. So there's a number of reasons why we have an affordability crisis and have been for a number of decades. First and foremost, we have had for the last 30 years, a complete lack of investment in affordable housing stock, from government. And it used to be the case that the federal government made fairly consistent investments in rental housing stock over the course of decades particularly in the post-war period, through the latter part of the 20th century. And that came to an abrupt halt in the 90's. And -

Rosie: And Alyssa, just a question, when you say housing stock, is that like, this may be an ignorant term, but like low-income housing? Like, I mean, government built housing specifically for people to live in?

Alyssa: Exactly. So when we talk about the stock of housing, that term just refers to available housing for folks.

Rosie: Okay.

Alyssa: So when governments build it, typically, when we're talking about options that are available to folks on the lower end of the income scale, that has looked different throughout the course of our history, depending on the way that governments do this. But that includes things like social housing, subsidized housing, more recently, governments are exploring ways of providing folks with sort of direct cash payments to cover housing expenses. so that's a different way of approaching the housing, question rather than governments building housing directly, providing sort of a cash payment to support that. But not to get too far into sort of that, but it doesn't necessarily fix the problem of, well, what do you do when you have money to pay for housing, but there is no housing available to you? Which is the situation that we're in.

So just going back to what I was saying earlier, the federal government in particular pulled out of its housing investment in the 90's. And since that time, there's been a virtual sort of stoppage of construction on social and subsidized housing. And the other thing that's happened at the same time is, it used to be the case that the private sector built some degree of purpose-built rental buildings. So these sort of larger apartment buildings that were all rental. And since around the same time that the federal government stopped investing in housing in the 90's, any large multi-unit building that has been constructed, for the most part, the vast majority of them have been condos, not rental buildings.

So those two things happening at the same time, resulted in what most economists would call a market failure. So the market just failed to provide housing for a huge subset of people who needed it, in the way that they needed it. And so, that's sort of one factor that's causing this affordability issue.

Why tenants are being evicted into homelessnes

Another thing that is happening at the same time is that, on an individual level, landlords have a very significant financial incentive to evict tenants who pay a level of rent that is under the market rate, and replace those tenants with individuals who can pay more. And they can do that because we have, at least in Ontario and in many jurisdictions in Canada, we have provisions for rent control. Which limit the amount of, increase, that can happen from one year to the next, for tenants who are in housing. But there's no limit on how much the rent can increase when one tenant leaves and another tenant comes in.

And so you can imagine a situation of somebody having been in their rental unit for say, 30 years in Toronto. That person could very well, be paying, you know, $800 a month for their unit. The current market rents, earlier this year, were somewhere in the whereabouts of $2,300, $2,400 a month. And so there's a huge incentive for landlords to get rid of the person paying $800 and bring in the person who's going to pay three times as much.

And so we at CERA regularly hear from people who are in that situation and they're faced with the loss of their housing. If they are looking to go and find a new place to live at current market rates, there is no way that they are going to find anywhere to live. And so individuals in those circumstances are effectively being evicted into homelessness.

Rosie: That gap is insane. I can understand the financial incentive, but I can't really imagine the, kind of the heartlessness, to be honest, right? Of people that, landlords, I guess, who would want to do that? I mean, you said that you deal with this a lot. I don't want to call it a ranking of issues, but maybe what are the most common issues or how big of this issue is it? So if there is such a thing as a top three ways that people in housing are at risk, what would those be?

Alyssa: I would say affordability would, would occupy the top spot. Absolutely. And I think that the two pieces that I've just spoken to would be part of that.

So the piece about just not having sufficient income to cover the cost of rents generally, we know that the majority of eviction applications filed by landlords, are for arrears. So for tenants who fall behind on their rent. And so it is absolutely an affordability issue.

And we know that there's this, underlying incentive for landlords to move their tenants along who aren't paying market rent. There's another layer to this as well that I'll touch on. And it's the trend of financialization.

Financialization – the business model of de-housing vulnerable people

Financialization in the housing market is happening all over the world. It's not just going on in Canada. But it is a particularly kind of nefarious manifestation of what I've just talked about. And effectively, there are large, often multinational corporations whose business practice is to purchase typically older buildings that many people would use words like "rundown" or "in need of renovation" to describe. And those, typically again, multinational corporations will renovate the building, kick out all

the current tenants in the process. Sometimes through legal means, sometimes through pressure, sometimes through offering financial incentives to get them out the door. And then bringing in new tenants that will pay the new market rent that they can command with, you know, the renovation of the building that they would have done.

There are companies who have done this all over the world who have displaced thousands, probably more, of the world's most vulnerable tenants. And that is their actual business model. And that is unconscionable. And that is happening all over Canada as well. And if that wasn't the worst of it, there's also I guess, what people would call passive investors. Including things like real estate income trusts or REITs, which you may have heard of, and pension funds, that are providing the money to allow this to happen.

And these types of investment vehicles are often present in many kind of standard investment portfolios these days, whether it's mutual funds or exchange traded funds, etc. So it is a very, sophisticated system operating sort of behind the scenes to, make money off of this very unconscionable business practice of kicking out, and displacing and de-housing very vulnerable people from their homes.

Rosie: There's a lot I want to comment on in there. I have a question about the financialization. And I don't think it's exactly the same thing, but something that I've been hearing a lot about is gentrification. And I worked at a charity not too long ago where, we serve vulnerable people in low income communities or at-risk communities.

And that was one of the things we were hearing is, we were serving students and they were getting displaced out of schools because they were getting displaced out or their homes, right? So they were getting moved to other neighborhoods. And as you're describing this, I think that's what they were talking about.

But it wasn't, they weren't saying it as obviously as bigger corporations coming in and buying the homes. It was, Oh, we're gonna, you know, we're improving the neighborhood. Like it was really gentrification. And I know we've probably read in the media about the sort of pros and cons or, well the cons tend to be for these vulnerable communities.

It's also really good awareness for me as you're saying this cause I have invested in REITs. And I'm sure that there's those big pension funds, like all of our Canadian pension funds that would do this. Do you think that these big investors, they're just not aware? Or they're not understanding the full impact, like the down the line impact and what's happening? Cause I mean, the government's been great, so to speak, they create policies around foreign investment, right. And blocking foreign investors that then also drive up housing rates or preventing people from getting access to housing. So, you know, why aren't we doing something about this?

Alyssa: That is a great question. I don't think that the larger investment firms or actors are unaware. I don't think that's the issue. In fact, when real estate income trusts go to secure financing for their activities, they have to be transparent about what they're doing in those documents, because there

are disclosure requirements when you're looking to raise funds for investment purposes. And so it's all there in the investment documents.

It's not phrased in the language that I just phrased it in, but the business model is premised on a certain amount of tenant turnover. And that's very clear in their business model. So I don't think it's a lack of understanding of the institutional investors, because also keep in mind that these are sophisticated institutions who have the ability to engage analysts, to dig into.

And my understanding of how this all works is that they do engage analysts to dig into protect potential investment opportunities. And so this either is, or ought to be known to them in the scope of the work that they do. I think it's reasonable to say that individual investors in whether it's a pension fund or an investment portfolio, I'm not sure that individuals are necessarily aware of this. I talk to people quite a bit about this phenomenon and they're always very shocked to hear about it. And so I think there's a lot to be done sort of on the education front.

Whether that makes a difference in people's behavior is another question all together. I mean, we've known about the dangers of polluting industries, certain types of, manufacturing industries, tobacco industries, and it took a really long time for the markets and investors in the markets to disinvest from some of those activities. And many of it is still happening.

So I'm not sure that people knowing that this is going on, necessarily equates to a change or decision not to invest in these. The sad reality is, is that many of these investments are very profitable. It is a very profitable business to kick low-income tenants out of their homes and bring in people who will pay more. And so, you know, it would rely on an individual investor saying that somebody else's human rights are more important than my retirement portfolio.

Rosie: Yeah. I don't think that's likely to happen very often, sadly. I am really glad that I really didn't have any idea how insidious this is or that this was happening because I mean, I see condo buildings going up all around me.

I see property development happening all around me. And I assume because I also see buildings getting torn down to build up these new things. And I just make the assumption that those people that are - first, that it's a choice for them to sell their homes. Maybe it is, maybe it isn't. Second that they're getting a fair price.

I remember when I moved into my condo about 12 or 13 years ago, it was maybe five years old at the time. And I thought, great, I've got a clear view, there aren't a ton of other condo buildings around me that blocked my view. And there were actually already buildings in place, like, I think they're actually low-income housing. I wasn't totally sure. And then within, I don't know, five years, those buildings got torn down, and condo buildings went up. Rental properties, other large fancy looking condo buildings. And as you were saying this, like, that's exactly what happened cause there's still some of those older buildings still in place, but a lot of them got torn down.

And now I wonder who was living there, who got displaced and where are they now? Like maybe they're in some of the tents that we're seeing in the news, of people who can't get it because

someone decided that it was more profitable to build a condo building there. When you were talking about people getting evicted or kicked out so landlords could get higher rents.

I just couldn't imagine how they could legally do that. Like, I can't imagine like, "Oh, well you're only paying $800 a month. I'm going to make up some excuse to get you out of here." How are landlords doing that, so to speak legally? I don't think it's ethical, but how are they putting this under the mask of, it's okay to remove a lower paying person, to get a higher paying person in?

How landlords legally, but immorally, coerce tenants into leaving

Alyssa: Yeah, that's a great question. So there's a couple of things to keep in mind here. You're absolutely right that legally, that is not something that a landlord could do outright. However, it is our experience, working in the sector, we've seen time and time again, that lots of landlords don't necessarily operate within the bounds of the law. So there's a whole lot of, just straight up illegal activity going on. That could be posting of, an eviction notice and putting pressure on a tenant to leave without allowing them to go through the proper channels.

Every tenant in Ontario can only be evicted through a process that is outlined in law. They are entitled to go through that process, and that process allows them both procedural rights to appear before an adjudicative body, which is in this case, the landlord and tenant board, to have a hearing about the matter. But they're also entitled to various substantive rights under law, which protect them from being evicted in all but exceptional cases.

And so where we see the landlords sort of operating contrary to what's provided for in legislation is by evicting for reasons that are not permitted under the law, asking their tenants to leave for reasons that are not permitted. And making the living situation very difficult for them, making it clear that they are expecting the tenant to leave, and applying pressure on them to leave. Intimidation tactics.

Sometimes they offer incentives. You know, just from an economic standpoint, if the landlord stands to gain an extra $10,000 a year by kicking somebody out, by removing their current tenant and replacing them. Then they can throw a few thousand dollars at the tenant to make them leave now, which might be appealing to the tenant at the time. But actually in the long run hurts them because they're never going to find a place that will meet their affordability needs over the long-term, if they, you know, leave a longer tenancy and try to find a place, in the current market. That's roughly sort of how we see these things taking shape. Mm-hm.

Rosie: Right. And what kind of intimidation tactics do you see? Like how do they make things difficult? Like, as soon as you said, I'm thinking mafia, right? Like this, this can't be good. I can imagine how, you know, you can make an environment very unpleasant. But like, yeah, can you give us some examples or, what are some of the things that tenants have come to you with that you're like, wow, I can't believe this is happening?

Alyssa: Often landlords will stop responding to requests from the tenant. So if there's repairs that need to be done, landlords will refuse to do that. I mean, there's all sorts of things landlord can do. If they're sort of in a unit that is nearby, making noise to disrupt and bother the tenant. Hanging around,

making the tenant feel like they're being watched. Just, you know, regular communication with the tenant to make them feel unwelcome and let them know that they are expecting them to leave and that they need to leave. Posting of eviction notices. And I use that in kind of air quotes because in many cases, those may not be real eviction notices. Because they don't comply with the requirements or align with one of the legal grounds for evicting someone. But sort of continually posting notes on the tenant store that they need to leave, that type of thing.

Rosie: Wow. Okay. I mean, hanging around and making them feel uncomfortable, that sounds like stalking. Like they're just, basically uncomfortably on hand where there's no business for them to be there, but technically they're allowed to be there, and so... And they're probably not in the tenant's own unit, but clearly the tenant's like, I don't like this, I don't feel safe maybe. Is that what you mean?

Alyssa: Yeah, it could look like that. I mean, I can't really go into any specifics.

Rosie: Right, yeah.

Alyssa: But that could be part of it, certainly. Mm-hm.

Rosie: Wow. So I've been trying to think of what excuse, a landlord could - And I want to give a plug out. I know not every landlord is bad. I know landlords are going through a tough time now with COVID too. So this isn't necessarily to pick on landlords, but the fact is that, you know, that is the power dynamic, right. The landlords have the power, they're the ones who control the rent. And, you know, I know a lot of landlords, this is their business, they do provide housing. So, you know, I don't want this to be all just about criticizing them. But I think this is a really important awareness to bring about these unfair practices and issues that tenants face. It's not strictly a business transaction of, you know, I give you money. You give me a place to stay. Home should be about safety as well. And that makes me think of, not just quality where hopefully if the toilet's plugged up the landlords fixing it, but the fact that landlords could just, "Oh, oh, yeah, yeah, I'll get to that. I'll get to that", and they never come.

Or, I mean, I know someone who is a refugee, a family of refugees here, two parents and a adult child. And I think, when the adult child came, the adult child wasn't always here, they were living in a one-bedroom apartment at the time. They're still living in a one bedroom apartment. They've asked the landlord to move into a bigger apartment. And just somehow, they're always on a list, but they're not getting anything, even though they see apartments coming up, and it looks like other new people are moving in. And I wasn't clear on the situation, but it all just seemed to come down to the issue of money, right.

Just whatever the landlord can do to, get a higher paying rent than the current tenant or prospective tenant could currently pay. I mean what are some other excuses or reasons that a landlord could come up with other than not paying rent, to say that they're going to evict someone, even if they don't have the right to do it.

Landlord fraud – evicting tenants on false pretenses

Alyssa: The other sort of big area where we see landlords using as a way to get tenants to leave is there's a provision in the residential tenancies act that allows landlords to evict tenants legally, if they're going to be using the unit. So that's another way that landlords are getting tenants to leave.

And the use of this provision has skyrocketed in recent years. And there are a number of other organizations who work on this issue in a much more focused way than we do. And so they're, better able to speak to this, certainly than I am. But folks who are keeping eyes on this, are very confident that there's a significant amount of fraud happening in the use of this provision. And I think the use of the word fraud is a really important framing of this, because it is fraud. You know, you are removing somebody from their home and having a significant economic impact on them under false pretenses, and gaining from that under false pretenses. And that is fraud.

And the reality is, for all sorts of reasons, I think, to do with, you know, the relative priorities of governments vis-a-vis certain populations, vis-a-vis certain interests. We don't deal with fraud in these circumstances, the way that we deal with fraud in other circumstances. or to say it slightly differently, this type of fraud is really allowed to happen without consequence. And what it has done is allowed for a significant number of evictions that otherwise wouldn't happen. And has led to, over the aggregate, an acceleration of the unaffordability driving up of market rates for everyone. So it's a real problem.

Rosie: And, you know, this is how I know I'm in privilege, is I think I know more people in my network or my colleagues who are on the landlord side of that than on the tenant side of that. And I, I do know what you're talking about because I've heard it directly from people, and some people who I call my friends, who are like, "Oh yeah, I want to make an Airbnb. And so I have a tenant right now in my property. And I'm going to either tell them I'm moving in or I am going to move in, briefly, to make use of that clause.

And then either they'll be able to rent it out as an Airbnb, which they may not even technically be able to do. And so I would think that's another type of fraud where even their own condo rules say they can't do it. But they do it until they get caught, right? Like that's what seems to be happening is they'll do it until someone actually forces them to stop.

And I think what I'm hearing from you is there's not a lot of enforcement , or people actually stopping that from happening. Which then I think is also bringing to mind that this isn't a big corporation problem alone. Like they probably have the most financial clout, but I think we all need to take responsibility cause there's a lot more individual real estate investors, property owners. I know this isn't CERA's specialty either but, in your opinion, how much is - like the Airbnb phenomenon. We all praise Airbnb for how innovative it is. And this is the new gig economy and look how great, new business thinking comes to mind. But how big are these individual investments and Airbnb, is that also a big part of the financialization and lack of affordable housing?

Housing as a human right, vs. a market commodity

Alyssa: Yeah, it's been a huge factor in a lot of housing markets all around the world. And it has led to, and contributed significantly to affordability problems, because it's removed a lot of housing stock that would otherwise be on the market.

And, you know, if you go back and look at what their model was initially, at least as my understanding of Airbnb is that, is that their model started off as one where you would, bring people into your home, in an extra bedroom or extra basement room type of thing. It was never intended as a place where people would rent entire units. And then, when the users of Airbnb really shifted to that model, you actually saw an even further perversion of the market where people were actually buying units for the sole purpose of putting them on Airbnb.

Which, you know, not to get too esoteric, but I think this points to a much larger phenomenon, which is, you know, we've just allowed the private sector to run completely amok in the area of housing, at the same time that governments have taken a huge step back .

And so we have the private sector in this situation of, trying to provide, or being the main provider for what is a fundamental human right, and a social good for people. And I would, I don't blame the private sector for acting the way the private sector typically acts because it is designed to do that.

I think the failure here, is allowing the provision of this very important, fundamental human right to be left to the private sector. I think certainly there's a role in the private sector in housing, there's no question. but I think what we've learned over the last number of years is that we can not expect the private sector to deliver public goods.

It is totally inappropriate for governments to have taken a step back in the way that they have. They have a responsibility. They are ultimately where the responsibility lies for providing people with the right to housing, and recognizing, and progressively implementing the right to housing, which they absolutely have an obligation to do. Canada is a signatory to the international instruments that commit governments around the world to the right to housing. We have signed onto that. Most recently last year, the federal government has passed legislation that acknowledges and agrees to progressively implement the right to housing. So there's a huge responsibility of governments here, and they really do need to step up.

And on the Airbnb front. I know that there are many governments around the world who have taken measures to regulate the use of Airbnb. And I understand as well, that Airbnb actually announced, not too long ago, that it would be returning to, or sort of refocusing on, its original business model, which was having folks rent out additional rooms in their homes rather than totally separate units. I don't know much about that, but that's interesting. I was very interested when I read that. I'm not sure whether this is driven by a moment of realization of just how bad of an impact Airbnb has made on people's right to housing. Or because they saw the writing on the wall with a number of jurisdictions around the world, regulating them and, you know, an interest in coming out ahead of that. But, I think all of that are important steps in the right direction. We have to de-commodify housing.

Rosie: Yeah. That's a really good word. Cause I was just starting to think the same thing. And in a way I feel like you're a kinder on the private sector than I am in my mind right now. Because I mean, I agree, private sector is private sector. Public is public. But somewhere along the way we turned. I mean, houses are supposed to be homes, right? Like the original house was for you to live in because you need shelter and that's to your point exactly about that.

I would like to think that we have a right to be safe from the elements, to be sheltered and warm and it's part of life. We literally need it to live. So somewhere along the way, that essential right to life has turned into, "How do I make money off of this?" And the more people want to make money off of this, the harder it is for people to get this basic essential need met. And part of the discussions that I want to have on this podcast is to change what we have seen through a certain lens all along. And honestly, I've been feeling that I've seen through a totally different lens or maybe multiple lenses now talking to you, which I'm really, really grateful for.

How would you want us as just regular people - I mean, again, I think it's easy to separate ourselves from the problem and say, "Oh, well, it's those, you know, those big property people, the big name corporations building condos. And maybe even I as a, a normal resident, I don't like it because it crowds my transit systems or the roads get busier, but that's as far as I really take it, that's as far as I think about it.

What different way would you like us as Canadian residents, Canadian citizens, to be seeing this? So that we as individuals can start to make a dent in this massive problem?

Alyssa: I think that it's really important, just coming back to the last comments I made around the right to housing. I think that really needs to be the shift in, understanding or to use your language, the lens that needs to change.

Housing has always been treated as a commodity in Canada, to some extent. I think what we're seeing in recent years in some of the things that we've talked about today in terms of the trends around financialization, and Airbnb, is the most recent manifestation of commodification of housing. And certainly an amplification of those trends, in a very disturbing and accelerated way.

But it's not as though housing wasn't commodified before the REITs came in or Airbnb came in. So I think, if we just sort of take it back a level to your point, just a few moments ago. I mean, these are fundamental human rights. They do attach to the right to life. You cannot live a life in dignity without adequate housing. It is not possible. And adequate housing requires a number of things, including affordability, including some degree of security of tenure for people.

It requires accessibility for folks who have accessibility needs. It needs to be culturally adequate, for folks who have specific cultural needs. It needs to be located in appropriate locations, close to services, employment, etc. And on the sort of converse side, it needs to not be located near environmentally sensitive areas, or areas that cause health issues as a result of environmental factors.

So there's all sorts of important elements of adequate housing. And so when we sort of think about how we're providing housing in Canada and we ask ourselves, honestly, if we're providing housing in a way that aligns with all of those rights, I think the answer is no. And so what does that mean then?

So to me what that means is individuals need to, I hope, increasingly understand the importance of housing. And certainly the work that we do at CERA is aimed at educating folks, both who are most affected by this, but also the general public about the fact that housing is a human right, and why it's a human right. And that because it's a human right, it means that it matters more than other things. You know, that's really what it comes down to. Something that is a right, it matters more, it deserves more consideration than other things that might be at issue in a policy discussion, or even in a conversation about whether we should build a particular development or not.

So that's sort of at the general level, the lens that I'd love to see change. At the level of landlords as individuals involved in the system, I think it's really important that they understand.

The privilege and responsibility of landlordship – enabling the right to life

And maybe I'll just, before I dive into that, I think you're absolutely right. Certainly, I would never say that all landlords are bad. I don't even know that most landlords are bad. I hear about the bad ones because of the work that I do. but there are lots of good people out there doing good work. And so I certainly wouldn't want anybody to have the impression that everybody is, perpetuating these issues of discrimination and human rights violations that I'm referring to today.

And I certainly wouldn't want anybody to take away that that's sort of our starting point in our work. But we do know that there are problems. And so, I think landlords need to really understand that they're in the business of providing a fundamental human right to people. And because of that, they have responsibilities and obligations that wouldn't necessarily arise if they were in the business of doing something else.

And so they need to be providing housing to people in accordance with the laws and protections and the rights that their tenants have. And I think realistically, a lot of people buy investment properties as a way to make some additional income. And they don't really appreciate that this is a massive responsibility with a lot of legal obligations that come with it. And so, you know, I think it's really important that landlords understand that.

And I also think that there's a role here for government to provide landlords with the tools that they need to be able to do that. If we're going to continue to have a rental market that is predominantly relying on individuals putting their second properties on the market to provide to people. Because increasingly so, that is the rental stock that we have in Canada because we stopped building these purpose-built rentals many, many years ago.

CERA work for tenants' rights

And then the last thing I'll say is just with respect to tenants as individuals. I think it's really important that folks understand their rights. Because the first and most important step to asserting rights is to know what they are in the first place. And certainly organizations like ours can help with that. We've got a lot of resources on our website. We have caseworkers that are available to assist tenants, understanding their rights and navigating, whether it's the eviction process or addressing any human

rights violations that they're experiencing. So I would encourage anybody who is, having any of those issues to reach out to us and we'll certainly do our level best to help out.

We have a free hotline, we serve clients over the phone, and we've got caseworkers available, 9 to 5, Monday to Friday, answering phones and assisting people with their eviction or human rights challenges.

Rosie: Wow. That's so amazing. I'm really glad that you guys are available to do that. Cause clearly there's a lack of knowledge about that out there and a huge need. And I think that's a really important thing for us all to remember as well. I mean, I'm not a landlord. I have thought before because I, sort of jealously see people around me who are able to invest in property as part of, like you said their retirement fund, right. And I've thought, Oh, you know, that seems to be the new way to make money. I should diversify my portfolio. But I never thought about the fact that owning an investment property, it's not an investment for your retirement fund or not only that.

It's actually providing a basic fundamental human right. And so that's actually, that's a privilege as well. It's an honor that you'd have the ability to do that. And I truly never saw it that way. It was just like, well, everyone else is getting in on this real estate market thingy. I wish I had the money to do that too.

But it's an awesome responsibility, now that you point that out, to care for another human being in this way, by providing them shelter, basic shelter. And so it's not just - I mean it's important to support shelters, for, you know, people who truly cannot get any kind of housing and they have to stay in a shelter or something. But that's not the only way we can support. Those of us who are able to own homes, own property that can be someone's home, are providing very directly shelter in that way as well. And so we need to realize the responsibilities that come with that.

So thank you so much, Alyssa, for just opening our minds to this and the incredible work that you're doing. Oh, I did want to ask, to the point of potentially more government involvement or regulation, is there anything else we can do to advocate, or to help support CERA's advocacy, and get involved if we're so led.

Alyssa: Absolutely, and thanks for asking. We are, at CERA, always keeping our ear to the ground on policy developments. And so if folks are interested in learning more about that and supporting our advocacy work, I would encourage people to check us out. You can find us online at www.equalityrights.org. You can stay in touch with us on social media at CERA Ontario. We've got newsletter updates. And we're also, at CERA, supporting and coordinating the right to housing Toronto network, which is focused on advancing, and advocating for the right to housing here in Toronto. And so you can check out, our work there at R2HTO.ca, or using the hashtag #right2housing on social media.

Rosie: Awesome. And is CERA's work across Canada as well? So we're serving every province and territory?

Alyssa: Our service work is focused on Ontario, because as you can probably appreciate, the rights and the procedures are all specific to provincial legislation.

So our services, at the moment are focused in Ontario and predominantly, we receive calls from folks in Toronto. But our work is focused, and increasingly so, at the national level, in terms of our policy research and advocacy work. And we're actually, next week, convening a call with advocates and communities across Canada to start a conversation about using the new mechanisms that will be available through the national housing strategy to claim the right to housing for communities facing systemic violations of their rights.

Rosie: Amazing.

Alyssa: So stay tuned for more information on that.

Rosie: Great. Thanks. And I look forward to following the progress and certainly in continuing to support you guys and whatever changes need to be made.

I'm really glad that you were there to spearhead that change going forward. And we'll also have, all the links to the sites that you mentioned in our show notes, so that if you didn't catch it, when you were listening, you'll be able to access that from my website, changinglenses.ca, where we'll have all the details for this podcast, including how to get in touch with CERA and any follow up questions you might have.

So again, Alyssa, we're just really honored that you took the time out. I know how busy this is, and clearly, it's been extra busy for you. I'm sure during COVID as well, and all the craziness that's been here happening. So thank you so much for coming here and, you know, changing our lenses really, and hopefully opening all of our eyes to really important issues and things that we didn't realize before.

Alyssa: Thanks Rosie. It's been a great chat with you and it's been a pleasure to spend time with you. So thanks for the invitation.

Outro

[outro music plays]

Thanks for joining us – I hope today's episode helped to change your lens and expand your worldview. If you enjoyed listening, please rate and subscribe to Changing Lenses, available wherever you get your favourite podcasts. For more about how I'm changing my lens, please check out my website at changinglenses.ca. You'll also find the shownotes and transcripts for each episode, and you can leave comments or questions, or send me a message – I would love to hear from you!

I'm Rosie Yeung, inviting you to join me for the next episode of Changing Lenses. Until then, take care!

[outro music ends]