



National
Housing
Council

Conseil
national du
logement

Review Panel —

The Financialization of Purpose-Built Rental Housing

REPORT

Respectfully submitted to the Minister of Housing, Infrastructure
and Communities, the honourable Sean Fraser

May 2024

Letter from the Chair

Dear Minister Fraser,

It has been a privilege to chair Canada's first ever review panel on a systemic housing issue. The report that follows is the result of a considerable amount of thoughtful input from people from across Canada and from around the globe. The main message is that the financialization of rental housing is a growing challenge in Canada's housing system that requires urgent and deliberate intervention by the federal government.

I want to thank the many people who participated in this historic review panel. A diverse and representative group of people who bravely told us their stories, described their struggles, and shared their hopes for the future. I also want to acknowledge the incredible work undertaken by my colleagues on the panel, Dr. Ann McAfee and Maya Roy, as well as the outstanding support we received from the Secretariat of the National Housing Council.

Canada has recognized the right to housing in legislation and the government must take steps forward to ensure that this right becomes a reality for everyone across the country. The review panel believes that **we must view the right to adequate housing through the same lens as the right to universal health care**, ensuring that everyone in Canada has access.

The review panel has weighed the evidence and concluded that **it will not be enough to simply boost the overall supply of rental housing. The right kind of housing must be built, and existing affordable rental housing must be protected.** The proportion of households who rent their homes has increased in recent years. Many of these tenants struggle to find and maintain places that are suitable and affordable. The evidence clearly shows that the cost of rental housing is affecting households in Canada, partly because **affordable rental units are being lost at a rapid rate** (from 2016 to 2021, Canada lost 230 000 affordable rental units¹). This issue is not restricted to metropolitan centres. It also impacts people living in mid-sized cities, rural, and remote parts of the country.

¹ [Updated-Analysis-on-Housing-Erosion-from-2021-Census-Steve-Pomeroy.pdf \(chec-ccrl.ca\)](#)

The housing market, left to its own devices, is not delivering what is needed. Some financial actors make it their business to purchase rental housing units and manage these buildings strictly to produce a short-term financial return for their investors—this is the financialization of rental housing, and the review panel heard sufficient evidence to conclude that this practice, if left unregulated, can seriously harm those who live in these rental units.

The federal government has a role to play in convening other orders of government to ensure that tenants in all parts of the country are protected from prejudicial practices or resulting evictions. The right to housing is a shared responsibility, but one where **the Government of Canada must lead the way.**

It is noteworthy that the federal government has recently outlined significant investments and proposed concrete actions in its [Housing Plan](#) and [Budget 2024](#). The recommendations that follow in this report were prepared prior to the release of these foundational steps by the Government of Canada. Many of the proposed actions align with the recommendations provided by the review panel. Actions aimed at ending homelessness, ensuring that the current stock of affordable housing doesn't continue to disappear, and accelerating the building of purpose-built rental housing. The recommendations proposed by the review panel also provide additional considerations that will ensure the success of these government actions for generations to come. We encourage the government to **act quickly**, as the social and financial costs of not acting will grow exponentially in future years.

This report is dedicated to everyone who participated in this first review panel, with the sincere hope that the Government of Canada will **take decisive action** to make the human right to housing a practical reality for everyone.

Sincerely,

A handwritten signature in black ink, appearing to read "SWatts", written in a cursive style.

Sam Watts, Chair

Executive Summary

As the growth in the number of renter households in Canada outpaces the growth of homeownership,² tenants, property owners and researchers are sounding the alarm that more can and must be done to recognize the right to adequate housing in Canada. Central to these calls is a better understanding of the role that the financialization of housing plays in the provision of rental housing and what is needed to ensure that tenants have access to affordable, adequate housing that meets their needs. In response, the Federal Housing Advocate made a request to the National Housing Council (NHC) to establish a review panel on one aspect of this broader systemic issue: the financialization of purpose-built rental housing.

Throughout this review panel, the three appointed NHC members engaged with over 200 participants through a two-phased written and oral hearing. These participants shared many tenant experiences that do not align with the right to adequate housing. The panel is deeply concerned about these experiences and emphasizes that financial strategies that adversely impact tenants' rights and reduce affordable rental housing supply must be discouraged by the

Government of Canada. At the same time, the panel emphasizes how several decades of underinvestment in non-market rental housing has decreased the availability of housing that is best positioned to support populations in greatest need. Moreover, the panel recognizes how the current economic climate hinders both non-market and market housing providers' efforts to increase and operate affordable purpose-built rental housing in Canada.

There's an urgent need for the Government of Canada to take the lead in responding to these challenges. It's not enough to simply advocate for more housing, particular types of housing are needed. At the heart of this response is treating housing as a universal right. Similar to healthcare, this approach will require stable, long-term housing policy which engages all levels of government and stakeholders, including the market and non-market sectors, as well as tenants, to play a role. The recommendations proposed in this report reflect both the panel's opinion and what was heard from the participants throughout the review panel on the financialization of purpose-built rental housing.

² Statistics Canada. (2022) *The Daily — Housing challenges remain for vulnerable populations in 2021* (statcan.gc.ca).

These recommendations provide a blueprint for the Minister to advance the progressive realization of the right to adequate housing³.

These recommendations can broadly be understood as:

Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

- Incentivize the development of new affordable rental housing supply, especially within the non-market sector.
- Actively protect existing affordable rental supply through a rental acquisitions program for non-market rental housing providers.
- Establish a comprehensive non-market rental housing plan to manage and distribute federal funding and lending to increase the supply of affordable non-market rental housing to match commitments made by other developed OECD countries.

Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections.

- Implement housing support for tenants facing housing precarity⁴.
- Serve as a convener to bring all actors to the table to identify national consensus standards for tenant protections.

³ In alignment with the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) and the United Nations Committee on Economic, Social, and Cultural Rights (UN CESCR) standards to progressively realize the right to adequate housing such as maximum available resources, all appropriate means, minimum core obligations, etc., the reasonableness standard, and the seven components of adequate housing.

⁴ e.g., The NHS priority populations (2017): women and children fleeing domestic violence, older adults, young adults, Indigenous people, people living with disabilities, people living with mental health and addiction issues, veterans, members of the 2SLGBTQIA+ community, racialized groups, recent immigrants, including refugees & people experiencing homelessness. [About the National Housing Strategy | A Place to Call Home](#)

National Housing Council

The National Housing Council (NHC) is an advisory body that promotes participation and inclusion in the development of Canada’s housing policy. The NHC is appointed by, and provides advice to the Minister of Housing, Infrastructure and Communities on urgent housing issues — including how to improve the National Housing Strategy. The NHC’s work puts marginalized voices and the needs of those made vulnerable by systemic issues at the forefront. For more information on the work performed by the NHC, please visit the website: [National Housing Council - Shaping the future of housing in Canada through inclusion and participation \(nhc-cnl.ca\)](https://www.nhc-cnl.ca)

Review Panels

The Federal Housing Advocate has authority under the *National Housing Strategy (NHS) Act* to issue a request to the NHC to establish a review panel on a systemic housing issue that falls within the jurisdiction of Parliament. Review panels are a new, participatory human-rights based accountability mechanism incorporated into the NHS Act in 2019 to support the progressive realization of the right to adequate housing in Canada, as recognized under the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*.

The review panel on the financialization of purpose-built rental housing, including this report, were initiated upon the request of the Federal Housing Advocate. For more information regarding this review panel and “what was heard” from participants please see the supplementary materials.

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Introduction

As per the *National Housing Strategy (NHS) Act* (2019), the Government of Canada commits to further the progressive realization of the right to adequate housing as recognized under the *International Covenant on Economic, Social, and Cultural Rights (ICESCR)*⁵. Under this legislation, the Federal Housing Advocate has the authority to issue a request to the National Housing Council (NHC) to establish a review panel on a systemic housing issue that falls within the jurisdiction of Parliament.⁶ As the number of renter households continues to grow across the country,⁷ tenants, property owners and researchers have highlighted the pressing need to further explore the role of financialization in rental housing.

In response, the Federal Housing Advocate made a request to the NHC to establish a review panel on one aspect of this broader systemic issue: the financialization of purpose-built rental housing.⁸ The first of its kind in Canada and internationally, this review panel marks a historic precedent in advancing the progressive realization of the right to adequate housing.

This report underscores the shift that has occurred within the Canadian housing system as a result of affordable housing stock being targeted as an asset class - a vehicle for wealth and investment - and provides context of how government actions and inactions have reinforced the financialization of rental housing.



In 2020-21, most industrialized OECD countries spent between 0.5-1.5% of GDP on non-market housing...In contrast, Canada spends between 0.1-0.2% of GDP on all subsidized housing, with the majority on unaffordable market housing. Even if provincial and municipal government expenditure was included, this quantum would not be enough to redress three decades of under-investment in non-market housing [which is] so necessary to ending homelessness and core housing need...

— CAROLYN WHITZMAN,
HOUSING ASSESSMENT RESOURCE TOOLS

⁵ [National Housing Act \(justice.gc.ca\)](https://www.justice.gc.ca)

⁶ "A systemic housing issue is an issue which inhibits the full and equal enjoyment of the right to adequate housing in Canada and is rooted in the housing system or other public and private-market systems." [Federal Housing Advocate - Frequently asked questions \(housingchrc.ca\)](https://www.housingchrc.ca)

⁷ Statistics Canada. (2022) *The Daily — Housing challenges remain for vulnerable populations in 2021* ([statcan.gc.ca](https://www.statcan.gc.ca)).

⁸ The Federal Housing Advocate's request defines the financialization of purpose-built rental housing as "the acquisition of purpose-built multi-unit rental housing by financial firms such as private equity funds, real estate operating companies, real estate investment trusts, asset management companies, and institutional investors such as pension funds, hedge funds and sovereign wealth funds. Units may be pooled into financial assets and funds for which shares are traded on the global market." [Federal Housing Advocate - Request to Establish a Review Panel EN.pdf \(nhc-cn1.ca\)](https://www.housingchrc.ca)

An overarching question that came to the forefront during the review panel was: What kind of housing system do we want in Canada? Despite differing views, backgrounds and expertise, all hearing participants emphasized the need for stability within a complex housing system. For example, tenants told the panel that there was a need for housing stability to maintain their security of tenure and uphold their housing rights.

Non-market housing⁹ providers shared their need for funding stability to ensure that they had the means to provide adequate rental housing for priority populations identified under the NHS. Industry representatives underlined the need for market stability through better support for construction and operation to increase rental housing supply.

Finally, researchers noted how inadequate and inconsistent data is contributing to the challenge of identifying housing needs to target effective responses. To reflect these diverse perspectives, the panel's recommendations to the Minister promote long-term, stable policy responses¹⁰.



Current [federal] funding structures do not allow for not-for-profits to move with the same agility for-profit actors can, and steep financial barriers require substantial organizational resources that often take years to secure; resulting in new [deeply affordable] supply taking upwards of a decade to become available for Canadians.

— THE SALVATION ARMY

⁹ Housing that is government-subsidized and is sometimes referred to as public housing, community housing, social housing, and/or subsidized housing. This housing may be fully or partially owned/operated by co-operatives, community organizations, tenant associations, non-profit organizations, Indigenous organizations, land trusts, municipalities, etc. Rental prices are typically set independently of market rates.

¹⁰ In alignment with the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) and the United Nations Committee on Economic, Social, and Cultural Rights (UN CESCR) standards to progressively realize the right to adequate housing such as maximum available resources, all appropriate means, minimum core obligations, etc., the reasonableness standard, and the seven components of adequate housing.

The Financialization of Purpose-Built Rental Housing

In Canada, only 4% of the housing stock is dedicated to non-market housing.¹¹ This means that the majority of housing, including purpose-built rental housing, is used as a financial investment. Everyone in Canada is affected by the financialization of purpose-built rental housing either directly as property owners, rental applicants and tenants, or indirectly through firms investing in rental housing. Over the past five decades, the financialization of purpose-built rental housing has expanded. At the same time, Canada has significantly underinvested in non-market housing when compared to other developed countries under the Organisation for Economic Co-operation and Development (OECD).¹²

This shift has played a large role in shaping the housing system, reducing the supply of non-market rental housing that is better positioned to support tenants in greatest need. In addition, financialization presents differently in rural regions, remote regions, mid-sized urban centres and metropolitan regions.

These differences create challenges that need to be considered, particularly in the North of Canada. It is not surprising then that the panel heard many different perspectives on the financialization of purpose-built rental housing. Listening to these diverse perspectives and engaging with communities affected by the issue about their experiences, was an important step toward identifying the proposed recommendations.



My current rent works out to 64 percent of my pension income, making me severely cost-burdened. B.C. has a rent subsidy for low-income seniors that's called safer. When safer is counted towards my income, my rent works out to 57 percent of the total – still leaving me severely cost-burdened.

— DIANNE VARGA



I'm really interested in having a productive discussion with you all about how the purpose-built rental industry can achieve the human right to housing and how we can find a collective way to move forward and provide new homes for people to live in.

— MICHAEL BROOKS

¹¹ OECD, Affordable Housing Database: [Affordable Housing Database - OECD](#).

¹² In 2020-2021, most developed OECD countries spent an average of 0.5%-1.5% of their GDP on social housing, whereas Canada spent only 0.1%-0.2%. C.Whitzman (2023) Recommendations on the Financialization of Purpose-Built Rental Housing. [Financialization-submission-to-National-Housing-Council-Carolyn-Whitzman.pdf \(housingrights.ca\)](#).

Housing as a Human Right

Housing as a human right was a central theme of the review panel. The panel heard from many participants¹³ that the financialization of purpose-built rental housing frames the provision of rental housing as a means of generating profit rather than as a fundamental human right.¹⁴ These participants shared tenant experiences of unaffordable, inadequate and insecure accommodation emphasizing the need for more affordable, non-market housing and improvements to legislation governing rental tenancies. Indigenous participants and organizations, for instance, highlighted how framing housing as a commodity is misaligned with traditional ways of understanding the land. These traditional ways of understanding mean that more diverse types of housing options must be made available to Indigenous Peoples both on- and off- reserves.¹⁵ Other participants emphasized how certain financial strategies¹⁶ have an adverse impact on NHS priority populations. This adverse impact often limits the affordable rental housing options available to priority populations and/or creates

additional barriers to them securing adequate rental housing that meets their needs. To view the communities most frequently identified as affected by the systemic issue during the review panel, please see the supplementary materials.

In contrast, several participants¹⁷ shared that a lack of rental housing supply, rather than financialization, is affecting human rights.



When I was evicted. We stayed at a motel and everyone on the first and second floors, were all families that were evicted so the landlords could raise the rent and get new tenants who could pay it. Most of these families were single parents or families with members who have disabilities. It hurt my heart and I was stunned.

— CANDACE KITCHKEESICK

¹³ e.g., human rights organizations, individuals affected by the issue, organizations that represent and/or serve people and communities affected by the issue, housing organizations and experts, Indigenous people and organizations, national and international researchers.

¹⁴ e.g., as recognized under the NHS Act [National Housing Strategy Act \(justice.gc.ca\)](#) as well as under international standards such as the *International Covenant on Economic, Social and Cultural Rights*, the *Convention on the Elimination of All Forms of Discrimination Against Women*, the *Convention on the Rights of People with Disabilities* and the *United Nations Declaration on the Rights of Indigenous Peoples*, etc. International standards | OHCHR

¹⁵ In alignment with obligations under the *United Nations Declaration on the Rights of Indigenous Peoples*.

¹⁶ e.g., targeting affordable rental housing stock for redevelopment to increase profits from sales of rental properties and/or from rent increases after renovations, demolitions, and/or tenant turnovers.

¹⁷ e.g., housing organizations and experts, national and international researchers, representatives from the market rental sector, etc.

These participants outlined how exponential increases in demand¹⁸ are contributing to a lack of supply of both affordable non-market and market rental housing.¹⁹ For example, industry participants commonly conveyed their commitment to the right to adequate housing despite increasing development and operational costs (e.g., labour and construction costs, taxes, insurance, utilities, and inflation). Researchers shared how housing definitions (e.g., “affordable housing”, “core housing need”) can lead to the underestimation of both the supply of, and demand for, affordable rental housing.

Although participants had differing views on the impact of the financialization of purpose-built rental housing, the participants agreed that more support is needed to eliminate housing precarity and homelessness in Canada. In particular, housing precarity and homelessness have an acute impact on NHS priority populations who face systemic barriers to accessing adequate and affordable housing. These participants discussed with the panel the inconsistency of tenant protections and supports across the country and the effect that these regulations have on both property owners and tenants.

Finally, the participants shared with the panel key Government of Canada actions and inactions that act as barriers to realizing housing as a human right. For example, market and non-market housing providers both identified the need for increased intergovernmental collaboration, long-term funding stability, and the protection of affordable rental housing supply in Canada. The panel has detailed the Government of Canada actions and inactions shared by the participants in the supplementary materials.



Researchers have documented that these types of apartment investor firms target older-stock housing in working class and racialized neighbourhoods where existing rents tend to be below the average market rent. These types of firms not only target areas already undergoing gentrification but actively engage in gentrifying practices.

— ANDREW CROSBY & GUILLAUME LESSARD

¹⁸ e.g., demand for purpose-built rental housing is increasing due to factors such as the increasing cost of living, increasing immigration rates, the aging population, fewer people in Canada pursuing home ownership, etc.

¹⁹ Market rental housing: rental housing that is privately owned by an individual (or a company) who does not receive direct government subsidies to purchase or maintain it. However, they may receive low interest construction loans. Rental prices are set by the private market.

Panel Members' Opinion

The panel contends that housing must be viewed through the same lens as the principle of universal access to adequate health care. Access to health care services is essential – so is access to adequate housing. While most housing in Canada is financialized, the panel is concerned about the use of financialized strategies that aim to refinance existing affordable rental stock to increase profit.²⁰ It is the opinion of the panel that these strategies have an adverse impact on the right to adequate housing and significantly reduce affordable rental housing supply.

To act in support of universal access to adequate housing, the Government of Canada can and must do more to protect existing affordable rental housing stock and to diversify the housing market. The panel is particularly concerned that Canada is not using the maximum resources available to support non-market rental housing options in Canada; particularly since non-market housing options are critical to adequately house NHS priority populations. For example, the panel observes that when compared to other developed OECD countries (0.5%-1.5% of GDP), Canada is spending significantly less of its gross domestic product (GDP) on social housing (0.1%-0.2% of GDP).²¹ While the panel notes that the Government of Canada is directing some resources to immediate interventions (e.g., Housing Accelerator Fund), minimal resources are being directed to long-term solutions.

²⁰ e.g., targeting affordable rental housing stock for redevelopment to increase profits from sales of rental properties, and/or from rent increases after renovations, demolitions, and/or tenant turnovers, etc.

²¹ C.Whitzman (2023) Recommendations on the Financialization of Purpose-Built Rental Housing. [Financialization-submission-to-National-Housing-Council-Carolyn-Whitzman.pdf \(housingrights.ca\)](#)

The panel is also concerned with how changes in governmental priorities over the past several decades have contributed to inconsistent funding levels that have reduced non-market development capacity and supply. Treating access to adequate housing as a universal right will ensure that affordable non-market housing providers can obtain stable, permanent funding, enabling immediate and long-term planning. The panel contends that all stakeholders must play a role in this shift, including private industry by embracing their expertise in rental housing development, construction, and operation. In addition, while tenant protections and supports are primarily under provincial, territorial, and municipal jurisdiction, the panel contends that the Government of Canada has a responsibility to convene all affected stakeholders²² to establish consensus standards for tenant protections as well as provide immediate and permanent tenant supports for individuals facing housing precarity and homelessness.

Finally, the panel contends that there is a lack of data availability, data coordination, and data transparency that is preventing a complete understanding of the connection between the financialization of purpose-built rental

housing and human rights on a national scale. For example, the panel was not always able to distinguish between tenant experiences of living in purpose-built rental housing versus tenants' experiences of living in other types of rental housing (e.g., secondary suites). On the other hand, the panel is concerned about the number of tenant experiences that were shared by the participants that do not reflect housing being considered as a human right and wish to draw attention to these experiences to emphasize the wide-ranging effects that living in inadequate housing has on tenants and their health (see the supplementary materials). Moreover, the participants raised a wide variety of issues that require the Government of Canada's attention that were beyond the scope of this review panel or that require further analysis to develop actionable recommendations. [Appendix B](#) expands on some of these topics that require additional research.

²² e.g., all levels of government, non-market and market rental housing providers and affected communities.

Recommendations

In practical terms, the progressive realization of the right to adequate housing means that the Government of Canada will take steps forward to ensure that everyone, in all regions of the country, can obtain and remain in affordable, adequate housing. To do so, sustainability must be built into housing policy, so that once in place, housing can be maintained as a universal right.

Like access to health care, access to adequate housing is a determinant of overall health. Implementing recommendations that align with human rights standards ([see Appendix A](#)), will result in a corresponding reduction in the number of people who rely on emergency health, housing, and social services and who experience homelessness.

Canada is at a crossroads. It's unwise to continue to apply patches to a response system that was built to address past needs. Today's realities require a different set of responses. The evidence presented in this review panel demonstrate that an ever-increasing number of people living in Canada are unable to find and remain in adequate, affordable rental housing. At the same time, the panel heard about the challenges of delivering adequate and affordable rental housing in today's economic environment.

There's an urgent need to respond to these challenges. Doing so, will require coordinated and courageous actions by all levels of government, with the federal government leading the way.



Today, relying primarily on the markets to produce new affordable housing has been clearly shown to be a failed policy. Meanwhile, the older stock of affordable housing has progressively disappeared because of poor rent regulations that allow rent increases to push out lower income residents, the redevelopment of older buildings that have displaced long-term residents from their communities, and acquisitions of existing rental housing by larger financial entities.

— CANADIAN CENTRE FOR HOUSING RIGHTS

With this in mind, the panel provides the following recommendations to the Minister. These recommendations reflect the panel's opinion and are based on what was heard throughout the review panel on the financialization of purpose-built rental housing in Canada. This is not the first Canadian review on the impacts of financialization on housing. In October 2023, the House of Commons' Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) conducted a broader independent review on the financialization of housing in Canada. As such, some of the recommendations in this report align with those that have been previously presented to the Minister.²³

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.1. Incentivize the development of new affordable rental housing supply, particularly in the non-market sector.

- Federal government assistance (funding, lending, tax incentives, etc.) to market and non-market rental housing providers should be directed toward actions that increase the supply of rental housing that is kept affordable in perpetuity (based on 30% of the income of low-income tenants²⁴).
- Transactions involving the purchase or refinancing of existing purpose-built rental housing between private-sector entities should not be eligible for federal government funding, lending, or support.
- Explore the creation of non-market housing bonds to provide a stable financial investment that can fund non-market rental housing providers' acquisition and operation of deeply affordable rental housing.

²³ Asterisks have been used to identify the recommendations proposed in this report that align with the recommendations that were provided to the Minister by HUMA in 2023: [Financialization of Housing \(ourcommons.ca\)](https://ourcommons.ca/Financialization-of-Housing).

²⁴ all tenants whose income is equal to or falls below the average income in Canada.

1.2. Actively protect existing affordable rental supply through a rental acquisitions program for non-market rental housing providers*.

- This acquisitions program would provide non-market housing providers with funding to acquire, own, renovate, and operate existing affordable rental stock.
- Ensure that any acquisitions program reflects both discounts to the purchase price to address outstanding maintenance/ significant repairs as well as funding for on-going operation and preventative maintenance.
- Impose regulatory restrictions to ensure that rental units funded through the rental acquisitions program remain in the non-market rental sector in perpetuity.

1.3. Establish a comprehensive non-market rental housing plan to manage and distribute federal funding and lending to increase the supply of affordable non-market rental housing*.

- Move to align federal non-market housing funding to match the average funding provided for social housing by other developed OECD countries (0.5%-1.5% of GDP).²⁵
- Establish targets and timelines for increasing non-market rental housing's share of Canada's total housing stock to align with other developed OECD countries (from 3.5% to 6.9% of Canada's total housing stock²⁶) by 2034.
- To support the rapid development of non-market housing, establish a process within the non-market rental housing plan that accelerates the transfer of ownership of Crown-owned land in suitable locations²⁷ to local jurisdictions for the exclusive purpose of developing non-market housing.
- Produce annual reports to Parliament on the progress being made towards reaching OECD non-market housing and funding targets.

²⁵ C.Whitzman (2023) Recommendations on the Financialization of Purpose-Built Rental Housing. Financialization-submission-to-National-Housing-Council-Carolyn-Whitzman.pdf (housingrights.ca)

²⁶ OECD, Affordable Housing Database: [Affordable Housing Database - OECD](#).

²⁷ e.g., rental housing that allows access to employment options, health-care services, schools, childcare centres and other social facilities in alignment with the location component of adequate housing. [No. 4: The Right to Adequate Housing \(Art. 11 \(f\) of the Covenant\) | Refworld.](#)

2. Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections.

2.1. Implement housing support for tenants facing housing precarity*.

- Establish the Canada Housing Benefit as a permanent federal program and broaden eligibility criteria to include all low-income tenants²⁸ spending over 30% of their household income on rent. This benefit will increase long-term housing stability by ensuring that eligible individuals automatically receive housing support similar to the Canada Child Benefit.
- Until the Canada Housing Benefit is expanded and established as a permanent program, provide immediate emergency funding to provincial, territorial, municipal, and non-market housing agencies so that they can provide housing subsidies and supports to tenants facing housing precarity that could lead to homelessness.

2.2. Serve as a convener to bring all actors to the table to identify national consensus standards for tenant protections.

- Take a leadership role in bringing together all levels of government, non-market, and market representatives, as well as communities affected by the issue to identify best practices in tenant protections that are required to increase the adequacy of rental housing²⁹ (such as security of tenure and habitability).
- The national consensus standards should include a data strategy that aims to identify unmet housing needs to adequately protect and support tenants.
- Establish tenant protection agreements (like the Multilateral Early Learning and Child Care Agreements) with each province and territory to fund and support regional implementation of the national consensus standards for tenant protections with an annual requirement to report to Parliament on progress.

²⁸ Including all tenants whose income is equal to or falls below the average income in Canada.

²⁹ In alignment with the seven components of adequate housing. No. 4: [The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#).

Review Panel Overview

The review panel included a two-phased hearing (a written phase and an oral phase) to allow the panel members to gather evidence to improve their understanding of the financialization of purpose-built rental housing and to inform their recommendations to the Minister. The hearing participants included: the Federal Housing Advocate; human rights organizations; people affected by the issue; organizations that represent and/or serve people and communities affected by the issue, including Indigenous Peoples and Indigenous organizations; individuals and organizations with housing expertise; national and international researchers; as well as representatives from the market rental sector.

Participation in the review panel was open to everyone, however, written and oral submissions were not received from government. Following the hearing, the panel members engaged in ground-truthing, a process of fact checking, to ensure that what is presented in this report aligns with previously accepted and verified data.

Written Phase

From April to August 2023, the panel received 116 written submissions from individuals and 79 written submissions from organizations

on the financialization of purpose-built rental housing. For a list of the participants who provided consent to publish their written submission as part of the hearing record as well as an overview of the demographic and background information on the participants who provided a written submission, please see the supplementary materials.

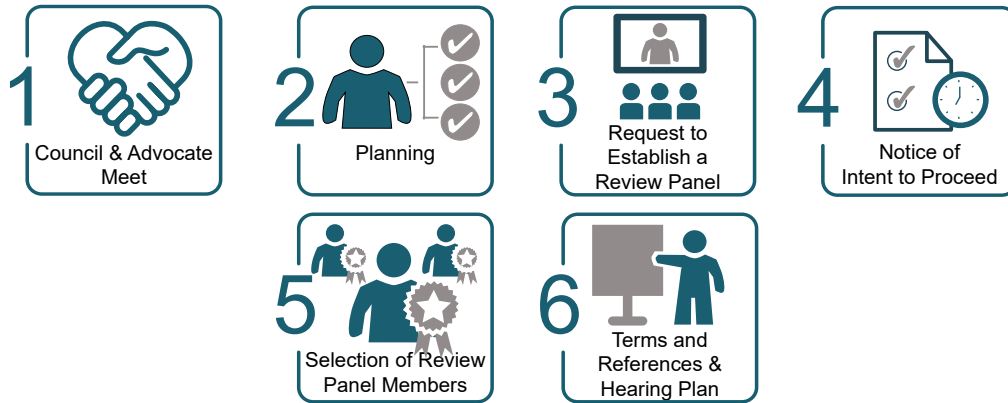
Oral Phase

From September to December 2023, the panel members heard from 53 participants during eight oral hearing sessions on the financialization of purpose-built rental housing. Within these sessions, the panel members asked questions to the participants as a follow-up to the submissions that were received during the written phase of the hearing. The Federal Housing Advocate and her guests, Dr. Nemoy Lewis and Dr. Martine August introduced the oral phase of the hearing by providing an overall framing of the systemic issue and the initial steps required to progressively realize the right to adequate housing in Canada. For a full list of the participants who provided evidence during the oral phase of the hearing please see the supplementary materials.

Review Panel Process

PHASE 1 - Establishing Review Panels

Timeframe: 3-4 months



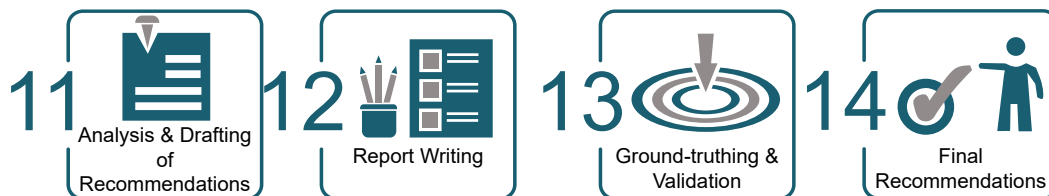
PHASE 2 - Written & Oral Hearings

Timeframe: 4-6 months



PHASE 3 - Findings & Recommendations

Timeframe: 2-3 months



PHASE 4 - Response & Monitoring

Timeframe: Minister's response: 6 months, Monitoring: on-going



Note: the duration of the review panel process and phases may vary depending on the nature and scope of the systemic issue.

Appendices

Appendix A Rationale for Recommendations

In the table below, the panel has provided a rationale for each of the recommendations proposed. To support the Government of Canada to advance the progressive realization of the right to adequate housing, the table identifies how each recommendation aligns with human rights standards. For more information on what was heard during the review panel on the financialization of purpose-built rental housing and how it informed the panels' recommendations please see the supplementary materials.

In addition, [Appendix B](#) highlights areas in need of further research that require the Government of Canada's attention. These topics were either beyond the scope of this review panel or require further analysis to be able to develop actionable recommendations.

³⁰ The *International Covenant on Economic, Social and Cultural Rights* (ICESCR) and the United Nations Committee on Economic, Social, and Cultural Rights (UN CESCR) identify fundamental standards to support States to progressively realize the right to adequate housing such as maximum available resources, all appropriate means, minimum core obligation, etc. These standards, along with the reasonableness standard [1] Respond to the circumstances of the claimants and ensure their human dignity, 2) Prioritize those in greatest need, 3) Address underlying systemic racism, colonialism and socioeconomic inequality, 4) Adopt a comprehensive approach so as to meet a diversity of needs, and 5) ensure participation and meaningful engagement with rights holders] provide guidance to governments on how to take steps to advance housing as a human right.

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.1. Incentivize the development of new affordable rental housing supply, particularly in the non-market sector.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Federal government assistance (e.g., funding, lending, tax incentives) to market and non-market rental housing providers should be directed toward actions that increase the supply of rental housing that is kept affordable in perpetuity (based on 30% of the income of low-income tenants³¹).</p>	<ul style="list-style-type: none"> • Maximum Available Resources³² • Shortest Possible Time³³ • Non-Discrimination³⁴ • Reasonableness Standard³⁵ 	<p>The panel observes that changing government priorities over the past several decades have greatly affected funding stability, which has contributed to Canada’s long-term underinvestment in the non-market housing sector. The panel maintains that all federal funding and lending to the rental housing sector must aim to increase the supply of affordable rental housing that is kept affordable in perpetuity. This approach will support the development of long-term affordable rental housing that is protected from changing governmental priorities.</p> <p>While increasing the stock of non-market housing is a priority, the panel recognizes that most rental housing will continue to be built and managed by the private sector. As such, the panel recommends that all assistance for the private sector that is provided by the Government of Canada (e.g., funding, lending, tax incentives) should be directed toward supporting actions that increase the supply of new affordable rental housing stock.³⁶ As noted in the 2023 National Housing Council’s Report on Renewing Canada’s National Housing Strategy,³⁷ while key private-sector funding programs at the national level (such as the Apartment Construction Loan Program) have increased the stock of rental housing, they have not delivered units that are affordable to lower-income renters. This is in part because these programs use a definition of ‘affordable’ that references the average income in the area. To address the need for housing affordability, the panel recommends that federal funding programs use a definition of “affordable” that references 30% of the household income of tenants’ whose income is equal to or falls below the average income in Canada. In addition, the panel notes that affordable housing programs provided by the Government of Canada (like the Apartment Construction Loan Program) will require on-going monitoring to ensure that programs that specify the number of affordable units retain ‘affordable rents’ between tenancies.</p>

³¹ Including all tenants whose income is equal to or falls below the average income in Canada.

³² In Article 2(f) of the ICESCR, outlines that “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant...” [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

³³ In General Comment No.4, the UN CESCR identifies that member states must ensure that, “the measures being taken are sufficient to realize the right for every individual in the shortest possible time...”. [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(f\) of the Covenant\) | Refworld](#)

³⁴ In General Comment No.3, the UN CESCR outlines the right to non-discrimination and equal enjoyment of the right. [General Comment No.3: The Nature of States Parties’ Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

³⁵ Aligns with the reasonableness standard by addressing underlying systemic racism, colonialism and socioeconomic inequality. [Progressive Realization of the Right to Adequate Housing: A Literature Review \(nhc-cn1.ca\)](#)

³⁶ “Affordable rental housing” refers to units whose rents are no higher than 30% of the income of low-income tenants (all tenants whose income is equal to or falls below the average income in Canada).

³⁷ [Renewing Canada’s national Housing Strategy: A report to the Minister of Housing and Inclusion on the national Housing Strategy from the national Housing Council \(nhc-cn1.ca\)](#)

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.1. Incentivize the development of new affordable rental housing supply, particularly in the non-market sector.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Transactions involving the purchase or refinancing of existing purpose-built rental housing between private-sector entities should not be eligible for federal funding, lending, or support.</p>	<ul style="list-style-type: none"> • Maximum Available Resources • Shortest Possible Time • Non-Discrimination • Reasonableness Standard 	<p>The panel is concerned that certain financial strategies, such as refinancing units to increase investment attractiveness, and renovations to increase rents, are leading to the displacement of vulnerable tenants. It is the opinion of the panel that transactions involving the purchase or refinancing of existing purpose-built rental housing between private-sector entities should not be eligible for federal funding, lending, or support. This recommendation is particularly important to address systemic racism, colonialism and socioeconomic inequality within the housing system since priority populations identified in the National Housing Strategy (NHS) are more likely to be impacted by these transactions due to the loss of affordable rental housing.</p>
<p>Explore the creation of non-market housing bonds to provide a stable financial investment that can fund non-market rental housing providers' acquisition and operation of deeply affordable rental housing.</p>		<p>The panel contends that the Government of Canada can encourage socially motivated investors to support non-market rental housing. For example, providing a program such as a non-market housing bond would be advantageous to actors in the housing system by establishing a stable investment while also generating funding for non-market rental housing providers to acquire and operate deeply affordable rental housing.</p>

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.2. Actively protect existing affordable rental supply through a rental acquisitions program for non-market rental housing providers.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>This acquisitions program would provide non-market housing providers with funding to acquire, own, renovate, and operate existing affordable rental stock.</p>	<ul style="list-style-type: none"> • Minimum Core Obligation³⁸ • Non-Discrimination³⁹ • Reasonableness Standard⁴⁰ • All Appropriate Means⁴¹ 	<p>The panel is concerned about the rate at which affordable rental housing is decreasing across the country.⁴² It is the opinion of the panel that existing affordable rental stock is more likely to remain affordable in perpetuity within the non-market sector. As such, the panel contends that helping non-market rental housing providers own, renovate, and operate existing affordable rental stock is essential to protect affordable rental housing supply in Canada.</p>
<p>Ensure that any acquisitions program reflects both discounts to the purchase price to address outstanding maintenance / significant repairs as well as funding for on-going operation and preventative maintenance.</p>		<p>The panel acknowledges that existing affordable rental stock is aging and has not necessarily been maintained in good repair. The panel advises that any acquisitions program developed should include careful property assessment to ensure that the purchase price reflects any outstanding maintenance or significant repairs. In addition, the panel recommends that the acquisitions program be designed to include funding for required upgrades, on-going operation, and preventative maintenance to ensure that non-market providers are not burdened by the deteriorating condition of existing affordable rental housing stock.</p>
<p>Impose regulatory restrictions to ensure that rental units funded through the rental acquisitions program remain within the non-market rental sector in perpetuity.</p>		<p>The panel identifies that the Government of Canada must use all appropriate means, including regulatory measures to ensure the long-term protection of affordable rental housing supply in Canada.</p>

³⁸ In General Comment No.3, the UN CESCR outlines that each State has "a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights." [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

³⁹ In General Comment No.3, the UN CESCR identifies the right to non-discrimination and equal enjoyment of the right. [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

⁴⁰ Aligns with the reasonableness standard by ensuring to prioritize those in greatest need. [Progressive Realization of the Right to Adequate Housing: A Literature Review \(nhc-cn.ca\)](#)

⁴¹ In Article 2(f) of the ICESCR "Each State Party to the present Covenant undertakes to take steps...with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including legislative measures." [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

⁴² Updating Analysis on erosion of lower rent stock from 2021 census: [Updated-Analysis-on-Housing-Erosion-from-2021-Census-Steve-Pomeroy.pdf \(chec-crr.ca\)](#)

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.3. Establish a comprehensive non-market rental housing plan to manage and distribute federal funding and lending to increase the supply of affordable non-market rental housing.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Move to align federal non-market housing funding to match the average funding provided for social housing by other developed OECD countries (0.5%-1.5% of GDP).⁴³</p>	<ul style="list-style-type: none"> • Maximum Available Resources⁴⁴ • Minimum Core Obligation⁴⁵ • Reasonableness Standard⁴⁶ • Shortest Possible Time⁴⁷ 	<p>It is the opinion of the panel that the Government of Canada can and must do more to redress the underinvestment in non-market rental housing and foster long-term funding stability. To do so, the panel recommends equating “maximum available resources” with the average funding for social housing dedicated by most developed countries under the Organisation for Economic Co-operation and Development (OECD).</p> <p>The panel notes that in 2020-2021, most developed OECD countries spent an average of 0.5%-1.5% of their gross domestic product (GDP) on social housing, whereas Canada spent only 0.1%-0.2%.⁴⁸ To address this underinvestment, the Government of Canada must align federal non-market housing funding with the average funding provided for social housing by other developed OECD countries (0.5-1.5% of GDP).</p>
<p>Establish targets and timelines for increasing non-market rental housing’s share of Canada’s total housing stock to align with other developed OECD countries (from 3.5% to 6.9% of Canada’s total housing stock⁴⁹) by 2034.</p>		<p>The panel contends that the current rental market is not positioned to attend to the diverse housing needs of NHS priority populations. To support housing equity in Canada, the Government of Canada must implement both immediate and long-term strategies to increase and diversify the rental housing market. It is the opinion of the panel that non-market rental housing providers are better positioned to support the diverse housing needs of vulnerable populations. As such, the panel recommends establishing targets and timelines for increasing the percentage of non-market rental housing in Canada to align with most developed OECD countries (from 3.5% to 6.9% of Canada’s total housing stock) by 2034. The panel recognizes that there has been an underinvestment in non-market housing for many decades, and thus the period from now until 2034 is likely the shortest possible time that it will take to address this deficit.</p>

⁴³ C.Whitzman (2023) Recommendations on the Financialization of Purpose-Built Rental Housing. [Financialization-submission-to-National-Housing-Council-Carolyn-Whitzman.pdf \(housingrights.ca\)](#)

⁴⁴ In Article 2(f) of the ICESCR “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant...” [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

⁴⁵ In General Comment No.3, the UN CESCR outlines that each State has “a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights.” [General Comment No. 3: The Nature of States Parties’ Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

⁴⁶ Aligns with the reasonableness standard by ensuring to prioritize those in greatest need. [Progressive Realization of the Right to Adequate Housing: A Literature Review \(nhc-cn1.ca\)](#)

⁴⁷ In General Comment No.4, the CESCR identifies that member states must ensure that, “the measures being taken are sufficient to realize the right for every individual in the shortest possible time...”

⁴⁸ [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

⁴⁹ OECD, Affordable Housing Database: [Affordable Housing Database - OECD](#).

⁴⁹ OECD, Affordable Housing Database: [Affordable Housing Database - OECD](#).

1. Supply: Advance the progressive realization of the right to adequate housing in Canada by increasing, diversifying, and protecting affordable rental housing.

1.3. Establish a comprehensive non-market rental housing plan to manage and distribute federal funding and lending to increase the supply of affordable non-market rental housing.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>To support the rapid development of non-market housing, establish a process within the non-market rental housing plan that accelerates the transfer of ownership of Crown-owned land in suitable locations to local jurisdictions for the exclusive purpose of developing non-market housing.</p>	<ul style="list-style-type: none"> • Maximum Available Resources • Minimum Core Obligation • Reasonableness Standard • Shortest Possible Time 	<p>The panel is concerned about the ways in which low-income tenants, like those in the service industry, are being displaced due to gentrification. The panel contends that more must be done to attend to the location component⁵⁰ of non-market rental housing to ensure that low-income tenants can reside in the communities in which they work. To do so, the panel recommends that a process be included within the non-market rental housing plan that transfers ownership of Crown-owned land to local jurisdictions in suitable locations. This requirement will ensure that tenants have access to employment options, health-care services, schools, child care centres and other social facilities that are essential to support their daily living.</p>
<p>Produce annual reports to Parliament on the progress being made towards reaching OECD non-market housing and funding targets.</p>		<p>The panel contends that there is a need for more accountability and transparency with regard to the rental housing market. As such, the panel recommends that the Minister of Housing, Infrastructure and Communities⁵¹ monitor and produce annual reports to Parliament on the progress being made toward reaching non-market housing and funding targets. This approach will ensure that the Government of Canada is recognizing the right to housing within the shortest possible time.</p>

⁵⁰ In General Comment No.4, the UN CESCR identifies that member states must ensure that, “the measures being taken are sufficient to realize the right for every individual in the shortest possible time...”. [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)
⁵¹ or the Minister responsible for housing if the federal responsibility for housing becomes reassigned.

2. Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections

2.1. Implement housing support for tenants facing housing precarity.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Establish the Canada Housing Benefit as a permanent federal program and broaden eligibility criteria to include all low-income tenants⁵² spending over 30% of their household income on rent. This benefit will increase long-term housing stability by ensuring that eligible individuals automatically receive housing support similar to the Canada Child Benefit.</p>	<ul style="list-style-type: none"> • Minimum Core Obligation⁵³ • Non-Discrimination⁵⁴ • Reasonableness Standard⁵⁵ • Shortest Possible Time⁵⁶ 	<p>It is the opinion of the panel that the Government of Canada must value access to adequate housing as a universal right, similar to health care. The panel contends that a Canadian Living Wage program could go a long way to reducing housing precarity in Canada; however, only a few participants proposed this solution. In place of such a program, the panel contends that making the Canada Housing Benefit a permanent program would ensure tenants' long-term security of tenure, regardless of their income level. Implementing this benefit as a permanent program is a necessary step to establishing measures to protect against retrogression in housing rights. In addition, this recommendation is fundamental to address systemic racism, colonialism and socioeconomic inequality within the housing system since NHS priority populations are more likely to experience housing precarity and homelessness in Canada. To ensure that this benefit is supporting populations in greatest need, it is the opinion of the panel that eligibility requirements for the Canada Housing Benefit should be reviewed to improve accessibility. For example, eligibility criteria such as: 1) requiring recipients to file their tax returns yearly, 2) respond to government requests for information, 3) stipulations regarding Canadian residency or the amount of time applicants must have lived in Canada, 4) age restrictions, 5) fixed address requirements and/or 6) rental property ownership contact information requirements all create additional access barriers for NHS priority populations. The panel recommends that these types of eligibility criteria should not be associated with the Canada Housing Benefit.</p>

⁵² Including all tenants whose income is equal to or falls below the average income in Canada.

⁵³ In General Comment No.3, the UN CESCR identifies that each State has "a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights." [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\)](#) | Refworld

⁵⁴ In General Comment No.3, the UN CESCR outlines the right to non-discrimination and equal enjoyment of the right. [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\)](#) | Refworld

⁵⁵ Aligns with the reasonableness standard by ensuring to prioritize those in greatest need and address underlying systemic racism, colonialism and socioeconomic inequality. [Progressive Realization of the Right to Adequate Housing: A Literature Review \(nhc-cn1.ca\)](#)

⁵⁶ In General Comment No.4, the UN CESCR identifies that member states must ensure that "the measures being taken are sufficient to realize the right for every individual in the shortest possible time..." [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\)](#) | Refworld

2. Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections

2.1. Implement housing support for tenants facing housing precarity.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Until the Canada Housing Benefit is expanded and established as a permanent program, provide immediate emergency funding to provincial, territorial, municipal, and non-market housing agencies so that they can provide housing subsidies and supports to tenants facing immediate housing precarity that could lead to homelessness.</p>	<ul style="list-style-type: none"> • Minimum Core Obligation • Non-Discrimination • Reasonableness Standard • Shortest Possible Time 	<p>The panel is concerned about increasing housing precarity and homelessness in Canada and recommends that emergency funding is needed to support vulnerable tenants. It is the opinion of the panel that federal funding transfers directly to provincial, territorial, municipal, and non-market housing agencies is the quickest way to ensure that housing subsidies reach tenants at risk of housing precarity.</p>

2. Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections

2.2. Serve as a convener to bring all actors to the table to identify national consensus standards for tenant protections.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>Take a leadership role in bringing together all levels of government, non-market and market representatives as well as communities affected by the issue to identify best practices in tenant protections that are required to increase the adequacy of rental housing.</p>	<ul style="list-style-type: none"> • All Appropriate Means⁵⁷ • Minimum Core Obligation⁵⁸ • Reasonableness Standard⁵⁹ 	<p>The panel is concerned about the number of experiences shared during the review panel of tenants living in inadequate housing.⁶⁰ While some of these tenants lived in rental units owned by financialized property owners, others did not. As such, the panel maintains that national consensus standards for tenant protections are needed to ensure that all rental accommodation, whether financialized or not, is upholding housing as a human right. The Government of Canada has on two previous occasions acted to legislate rent control. Rather than using similar top-down legislation, the panel aims to reflect more recent federal leadership approaches to improve tenant protections across the country. In particular, current federal initiatives focus on identifying national standards that are then implemented regionally using provincial and territorial agreements (such as the Multilateral Early Learning and Child Care Agreements). The panel contends that this approach allows provinces and territories to implement national standards that better reflect the regional diversity across the country. Applying this approach to tenant protections, the Government of Canada must first lead all levels of government, non-market and market representatives as well as communities affected by the issue to identify best practices in tenant protections. The panel feels that bringing diverse perspectives to the table, with attention to the seven components of adequate housing, is a critical step that is needed to identify national consensus standards for tenant protections across the country. The panel recommends that the solutions proposed by the participants throughout the review panel should be used as a starting point to develop these standards (see the supplementary materials). In addition, the panel observes that tenants may be vulnerable to or fear retaliation when sharing their rental experiences. The panel recommends that reprisal protections be included in the consensus standards to ensure that tenants are protected from threats, harassment, or discrimination because of sharing their lived experience.</p>

⁵⁷ In Article 2(f) of the ICESCR "Each State Party to the present Covenant undertakes to take steps...with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including legislative measures." [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

⁵⁸ In General Comment No.3, the UN CESCR identifies that each State has "a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights." [General Comment No. 3: The Nature of States Parties' Obligations \(Art. 2, Para. 1, of the Covenant\) | Refworld](#)

⁵⁹ Aligns with the reasonableness standard by ensuring to prioritize those in greatest need and address underlying systemic racism, colonialism and socioeconomic inequality. [Progressive Realization of the Right to Adequate Housing: A Literature Review \(nhc-cn.ca\)](#)

⁶⁰ In General Comment No.4, the UN CESCR identifies seven components of adequate housing: affordability, security of tenure, location, accessibility, habitability, availability of services and infrastructure, and cultural adequacy. [No. 4: The Right to Adequate Housing \(Art. 11\(f\) of the Covenant\) | Refworld.](#)

2. Support: Advance the progressive realization of the right to adequate housing in Canada by taking immediate and long-term actions to enhance tenant supports and protections

2.2. Serve as a convener to bring all actors to the table to identify national consensus standards for tenant protections.

Recommendation	Human Rights Standards	Recommendation Rationale
<p>The national consensus standards should include a data strategy that aims to identify unmet housing needs to adequately protect and support tenants.</p>	<ul style="list-style-type: none"> • All Appropriate Means • Minimum Core Obligation • Reasonableness Standard 	<p>While identifying national consensus standards for tenant protections acts as a starting point to adequately protect tenants, the panel recognizes that many NHS priority populations have unmet housing needs that are not being supported within the current rental housing market. As such, the panel proposes that a data strategy must focus on identifying and filling the unmet housing needs of tenants. This recommendation is particularly important to address systemic racism, colonialism and socioeconomic inequality within the rental housing system and better support NHS priority populations. For example, the panel recommends that further Gender-based Analysis Plus (GBA+ analysis)⁶¹ is needed to identify diverse rental housing designs and integrated support services that align with the seven components of adequate housing (Appendix B). This research will ensure that actionable recommendations can be developed and that rental housing providers can better attend to tenants’ diverse housing needs.</p>
<p>Establish tenant protection agreements (like the Multilateral Early Learning and Child Care Agreements) with each province and territory to fund and support regional implementation of the national consensus standards for tenant protections with an annual requirement to report to Parliament on progress.</p>		<p>It is the opinion of the panel that all governments can and must do more to progressively realize the right to adequate housing in Canada. To do so, the panel contends that the Government of Canada can support and fund the implementation of the national consensus standards through provincial and territorial tenant protection agreements (similar to the Multilateral Early Learning and Child Care Agreements). This approach will ensure that rental legislation can be appropriately adapted to the diverse needs of local regions to uphold housing rights across the country. The panel recommends that the Minister of Housing, Infrastructure and Communities⁶² monitor and produce annual reports to Parliament on the progress being made toward identifying national consensus standards for tenant protections and securing provincial and territorial tenant protection agreements.</p>

⁶¹ Government of Canada’s approach on Gender-based Analysis Plus - Women and Gender Equality Canada & Action Plan on Gender-based Analysis (2016-2020) - Women and Gender Equality Canada

⁶² or the Minister responsible for housing if the federal responsibility for housing becomes reassigned.

Appendix B Requires Further Research

Both the written and oral submissions raised a wide variety of issues, some of which are beyond the scope of this review panel. Other topics require further analysis to develop actionable recommendations. Some example topics worthy of more detailed consideration include:

1. Meeting the Diverse Needs of Tenants

Many submissions reflected on the diverse needs of tenants in Canada, particularly NHS priority populations, which are not being met through the current rental housing market. Examples include:

- Accessible designs
- Accommodation combined with care and/or wrap around supports (for people living with disabilities, older adults, women fleeing domestic violence, members of the 2SLGBTQIA+ community,⁶³ people experiencing homelessness, people who have previously been incarcerated, newcomers, etc.)
- Homes designed to meet environmentally challenging conditions (e.g. northern and rural housing, or designs that consider the effects of climate change)
- Larger units designed for multi-generational families and families with young children
- Housing requirements of Indigenous communities on-and off-reserve
- Cultural adequacy (housing designs and integrated services that support communal gathering, cultural practices and/or the needs of racialized groups,⁶⁴ newcomers,⁶⁵ etc.)
- Other individualized housing needs (proximity to child care, transportation, employment, support animals, etc.)

⁶³ 2SLGBTQIA+ terminology – Glossary and common acronyms – Women and Gender Equality Canada

⁶⁴ The National Housing Strategy Glossary of Common Terms

⁶⁵ The National Housing Strategy Glossary of Common Terms

Many of the above concerns are interlinked with the components of adequate housing as defined by the *United Nations Committee on Economic, Social and Cultural Rights*.⁶⁶ While increasing non-market housing options may expand the ability to address some of these needs, GBA+ analysis⁶⁷ is still needed to identify housing designs and integrated services that support the intersecting identities of people living in Canada, especially populations in greatest need.

2. Personal Financial Investments in Housing

Many submissions identified that personal investments (e.g., RRSPs, pension plans, etc.) in Canada rely on the financialization of the rental market. Some participants suggested that further transparency and/or regulation of these financial investments is needed. More research on the impact of these investments and their influence on tenants' housing rights is needed to determine actionable recommendations on this topic.

3. Funding Local Services

Several submissions recommended that rental housing affordability could be

improved through the reduction or removal of municipal development charges. Any actions to reduce municipal funding sources requires further study to minimize unintended consequences of piecemeal actions by government jurisdictions. Ultimately homes, whether rented or owned, become part of neighbourhoods. As local governments assume more responsibility for housing, federal and provincial/territorial governments must work with local governments to develop ongoing revenue streams to better reflect the assumption of responsibilities by local governments to both house and service the needs of people living in Canada. Occasional infusions of funds (e.g., Housing Accelerator Fund) are not a sustainable solution for funding local governments.

4. Human Rights Based Tax Incentives

The panel heard a lot about the role that tax policies play in encouraging financialization. While some participants recommended changes to taxation policies, the panel feels more research is needed on the link between taxation and housing rights to generate actionable recommendations.

⁶⁶ UN CESCR General Comment No.4 [Article 11(1)] defines adequate housing using seven components: affordability, security of tenure, location, accessibility, habitability, availability of services and infrastructure, and cultural adequacy. No. 4: *The Right to Adequate Housing (Art. 11 (1) of the Covenant)* | Refworld.

⁶⁷ Government of Canada's approach on Gender-based Analysis Plus - Women and Gender Equality Canada & Action Plan on Gender-based Analysis (2016-2020) - Women and Gender Equality Canada



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