

Submission prepared for the National Housing Council Review regarding Financialization of Purpose-Built Rental Housing

By Anne Landry, a Calgarian for HOUSING is a HUMAN RIGHT EMAIL: info@CalgariansforHousingRights.ca

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Submitted online at to: <a href="https://nhc-cnl.ca/review-panels/submissions">https://nhc-cnl.ca/review-panels/submissions</a>

I. My name is Anne Landry. I am a Calgarian for HOUSING is a HUMAN RIGHT. I am a person of lived experience of financialization of housing for 25+ years

For the past 25+ years I have lived in the same 1 Bedroom and Den <u>Boardwalk REIT</u> apartment in Calgary, near downtown. <u>Boardwalk REIT</u> is apparently the third largest financialized landlord in Canada with over 33,000 rental units, the majority in Alberta<sup>1</sup>. Over the past 25+ years I have had to spend much TIME, EFFORT, COST and STRESS – often in the media - trying to keep my apartment AFFORDABLE the terms of my lease UPHELD and my apartment SAFE. I have a disability (post traumatic stress). I have been unemployed in my career since the 2015 recession. I will soon be of retirement age. **Over the past 25+ years I have paid Boardwalk over \$300,000 in rent**. I want my investment to be protected and to age in place in peace and dignity in my apartment and community.

See MY STORY in: In Calgary, a builder emphasis on rental puts pressure on existing tenants — The Globe and Mail — January 16 and 24, 2022. See also my COMMENT which reveals that Boardwalk REIT provided me with a Notice of Default threatening to take action to terminate my lease at a time that I did NOT want to pay for a second rental payment increase as the Alberta Residential Tenancies Act only allows landlords to charge tenants one rental increase per year, by as much as they wish. After I paid the second rental payment amount + administrative fees, Boardwalk REIT credited back my payment to me. The same story of

rent-gouging of me by <u>Boardwalk REIT</u> is apparently repeating itself in 2023: <u>two rental payment increases</u> (loss of rental incentive of \$65/month effective January 1, 2023) + <u>Boardwalk REIT's</u> rent increase notice to me in January 2023 for a \$120/month rent increase effective May 1, 2023. <u>Boardwalk REIT</u> is now withdrawing the second payment of \$120/month from my credit (surplus) account – without my permission.

Boardwalk REIT backed down in 2020 - so why again?

— AnneLan 4 years ago
This is Anne Landry, On February 7, 2020 Boardwalk REIT provided me with a Notice of Default requiring me to pay \$290 or otherwise my landlord "may seek remedies" including under the Civil Enforcement Act or Action under the Residential Tenancies Act of Alberta to terminate the lease. I paid in protest. I now currently pay \$1,249/mo an increase of \$185/mo (17.4%). As per my signed lease dated April 1, 2019 from 2018-12-01 to 2019-11-30 my rent was \$1,129/mo with a rental incentive of \$65/mo for a Total Monthly Rent Including Incentive of \$1,064/mo.

□ RESPECT 1 □ REPLY □ REPLY □ REPLY □ REPORT

Additionally, at the time of my participation in the <u>HUMA Committee financialization Review</u>, I was being harassed by <u>Boardwalk REIT</u> to the point of threats made to me terminate my lease if I didn't provide

<u>Boardwalk REIT</u> a copy of my Tenant Insurance agreement. This was despite that the <u>Alberta Residential Tenancies Act</u> does NOT require this and my last signed lease with Boardwalk REIT specifically had this requirement crossed out. I have requested Sam Kolias, Boardwalk REIT CEO and Chairman of the Board to address these issues before the <u>House of Commons HUMA Committee Review regarding financialization</u>.

It seems to be the WILD, WILD WEST in Alberta – where protections for renters and LAWS and HUMAN RIGHTS seem NOT to matter. Alberta is apparently a POSTER CHILD for financialization of housing and Calgary is apparently a GROUND ZERO for HOUSING HUMAN RIGHTS violations for which submissions can be made to the Federal Housing Advocate<sup>2</sup>.



In Calgary, a builder emphasis on rental put

II. My Submission includes documents from my submissions to the House of Commons HUMA Committee Review regarding financialization, rent gouging, renovictions and related issues

I provide information that I have already provided to the <u>House of Commons HUMA<sup>3</sup>Committee Review</u> Regarding financialization, rent gouging, renovictions and related issues<sup>4</sup>:

- My BRIEF to HUMA Committee Financialization Review dated May 26, 2023: <u>STOP THE HARM. STOP Predatory Financialization of Housing and RENT GOUGING HOUSING is a HUMAN RIGHT!</u> (9 pages) public. With Recommendations.
- 2. My ADDENDUM to HUMA Committee Financialization Review dated May 26, 2023 (BRIEF 3 pages + 13 Attachments > 45 pages, dividers added) not public, but I understand that the information was circulated to the HUMA Committee Members<sup>5</sup>. Reveals: the consistently HIGH PROFITS of financialized landlords at a time of LOW COSTS; Calgary had the highest rents in Canada in 2008 and 2014-2015 prior to recessions; the high income disparity in Calgary with impact on affordable rent; the HART Housing Assessment Needs Assessment affordable needs deficit and priority populations in core housing (Census 2016, Census 2021 DATA now available<sup>6</sup>); HIGH returns and rent increases by Boardwalk REIT at time of its renovations at Boardwalk REIT Skygate Tower; Boardwalk REIT's useful life of assets; and MORE.
- 3. Excerpt that is non-personal from my ADDENDUM to the HUMA Committee Financialization Review dated June 30, 2023 at a time that I was being harassed by Boardwalk REIT to the point of threats by Boardwalk REIT to take action to terminate my lease. By EMAIL, I requested Sam Kolias, Boardwalk REIT CEO and Chairman of the Board to address the harassment of me and the rent gouging of me before the House of Commons HUMA Committee Review regarding financialization. I provided this EMAIL to the HUMA Committee Review of financialization. This is personal information and therefor not provided in this submission to the National Housing Council Review. The non-personal excerpt to my ADDENDUM dated June 30, 2023 reveals the high profits of Boardwalk REIT as per its audited financial statements. These call into question the simplistic analysis (at page 3) in the joint BRIEF dated May 24, 2023 by the Canadian Federation of Apartment Associations and Federation of Rental-Housing Providers of Ontario<sup>7</sup> that was without reference to audited financials or a data set. (5 pages)

I provide comments BELOW. MUCH MORE could be said. Also, additional DATA analysis could be provided.

III. Impact of Financialization of housing on me and on the Human Right to Adequate Housing: STOP THE HARM – NOW.

Housing is a HUMAN RIGHT is the LAW: National Housing Strategy, Act 2019 and international law, including the United Nations International Covenant on Economic, Social and Cultural Rights and the United Nations Universal Declaration of Human Rights. The right under international law has been upheld in Canada's highest courts: 2020 SCC 5 (CanLII) | Nevsun Resources Ltd. v. Araya | CanLII - "International human rights norms ...(are) moral imperatives and legal necessities". The United Nations<sup>8</sup> and the Federal Housing Advocate<sup>9</sup> have recommended rent caps/rent protections in alignment with housing human rights. LEAVE NO ONE BEHIND.

As per <u>Co-Creating the Right to Adequate Housing in Canada: Interim Report on What We Heard (thus far) – National Housing Council</u> – <u>REPORT</u>, <u>LETTER</u> – August 31, 2023 including at <u>REPORT</u> pages 14 and 18:

"Current experiences with the Right to Adequate Housing in Canada...Urgency of Today;
Preserving What We Have; Resilience for Tomorrow....The 'financialization of housing' was cited as a top barrier to realizing the right to adequate housing by survey respondents and lived experts..."

As per my <u>BRIEF</u> to the <u>House of Commons HUMA Committee Review regarding financialization</u> in which

I referred to the 6 reports regarding financialization before the Federal Housing Advocate<sup>10</sup> and the research by Martine August, Ph.D., Associate Professor School of Planning University of Waterloo,<sup>11</sup> there is absolutely NO justification for continuing the financialization of housing model.

A second point of significance with the financialization of multi-family housing is at the level of individual suites within a building. When a building becomes an asset, an important struggle begins in each suite, where tenants are freshly exposed to the logics and practices of finance capital, and where financialized landlords attempt to produce investor returns via "accumulation by dispossession," targeting tenants. Accumulation by dispossession (Harvey, 2003), also called "primitive accumulation" by Marx (1976) and Luxemburg (1968), describes the process by which capitalism "originally" grew through privatization, theft, predation, and the enclosure of common lands and resources. According to Harvey (2003), these practices have remained central to capitalist accumulation, and particularly so in the neoliberal era. Capital continues to expand not simply through commodity production, but through force, violence, and "extra-economic" means (Andreucci, Garcia-Lamarca, Wedekind, & Swyngedouw, 2017; Glassman, 2006). This involves the privatization

Financialization of housing did NOT always exist but was created in the 1990s at the time that the Federal Government stepped out and let the "market" take over building social housing and provinces stepped out of rent protection. In essence, policy has created predatory financialization of housing and policy can end it, as swiftly.

Instead of the market INCREASING affordable housing, the <u>OPPOSITE</u> has occurred – we have LOST affordable housing due to financialization of housing.<sup>12</sup>

Moreover, the financialized model is apparently HARMS-based – it harms some people (tenants), to benefit others (investors). "Violence" is mentioned in the research of Martine August – as per the screen print ABOVE.<sup>13</sup>

Financialization of housing is incompatible with the human right to housing and has resulted in the growing EMERGENCY of housing in Calgary and across Canada. Every means should be taken to curtail it – NOW.

During her presentation before the House of Commons HUMA Committee Review regarding financialization on May 9, 2023 and May 16, 2023 Marie-Josée Houle, Federal Housing Advocate spoke

powerfully regarding the negative impact of financialization of housing as well as provided recommendations - including for a multi-prong solution involving immediate and long-term actions:

"...The key word in all of this is 'harm'. This is why
Canada needs to treat financialization as a serious
human rights issue and also as a key component in
addressing the housing crisis overall...it's clear
that this trend (financialization of housing) is



violating people's right to adequate housing in Canada, it's contributing to housing unaffordability and it's worsening housing conditions. It is leading to evictions and displacement...it's also causing real harm to individuals, families and communities...When we realize the right to adequate housing for all, all of Canada benefits. Our economy benefits, communities benefit and people benefit."

...Recently, financialization was accelerated by the COVID-19 pandemic as housing was identified as a safe investment during this period of economic instability. Canada will not be able to build our way out of this housing crisis. We are losing affordable housing units faster than we can build them. According to housing researcher Steve Pomeroy, between 2011 and 2016, for every unit of affordable rental that was built in Canada, 15 were lost. Financialization is one major contributor to this loss. If the housing crisis is going to be addressed, we must stop the loss...[Recommendations for government to consider] I think is a multipronged approach. Stop the loss, curb the financialization, make it less profitable and give opportunities for non-market actors to acquire....Financialization is systemic and pervasive and will require a coordinated approach to curb the harm it is causing. It will require immediate actions, followed by long-term, ongoing strategies to ensure adequate housing." [Emphasis added]

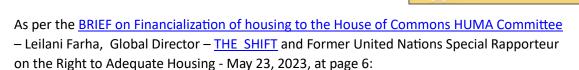
The following was said in <u>ADVOCATING FOR CHANGE: THE HOUSING CRISIS IN CANADA</u> – The Office of the Federal Housing Advocate's 2022-2023 Annual Report to the Minister – July 5, 2023, at pages 16 and 49:

"...There is **no health** without adequate housing. There is **no reconciliation** without adequate housing. There is **no safety for Indigenous women, girls, and Two-Spirit people** without adequate housing. There is **no mental health** or addiction recovery without adequate housing. There is **no gender equity, racial justice, or inclusion** without adequate housing.... We need to take a **new approach** to providing adequate housing supply. **This means funding the development, repair, and acquisition of housing supply that is not-for-profit,** 

permanently affordable, and provides community value in exchange for government investment."

[Emphasis added]

The Federal Housing Advocate now speaks of <u>Canada's housing</u> <u>emergency</u>.



"With evidence clearly indicating that the failure to tackle financialization has profoundly harmful impacts on people across Canada, we cannot delay this endeavour. We must immediately begin disentangling our economy from the financialization of housing and ensure, at a very minimum, that all people in Canada have a decent, dignified, secure and affordable place to call home." [Emphasis added]



Budget 2023 fails to address

Canada's housing emergency

IV. The Federal Government's Role on the Issue and Solutions within the Jurisdiction of Parliament at the time of Calgary's and Canada's growing housing EMERGENCY: declare a HOUSING EMERGENCY, lead ALL levels of government to take swift action to protect renters and the existing supply of affordable, adequate, accessible housing and BUILD the RIGHT HOUSING - NOW.

ALL levels of government must work together and must follow established human rights guidelines<sup>14</sup> for implementing the right to housing in Canada – including using the maximum resources (finances, legislation, policy, procedures staffing, etc.) in the shortest amount of time, prioritize and help the most vulnerable and ensure meaningful consultation with rights holders – as may include renter, owners and the homeless.<sup>15</sup>

The Federal Government should **declare a HOUSING EMERGENCY in Canada** and **lead ALL levels of government to** take swift action to protect renters and existing supply of affordable, adequate, accessible housing and BUILD the RIGHT HOUSING – <u>NOW.</u>

The <u>Federal Budget 2022</u> stated (at page 47): "Housing for Canadians, Not for Big Corporations. Housing should be for Canadians to use as homes." The Federal government must immediately act swiftly to curtail financialization of housing to ensure that this is the case.

The Federal Government can lead by moving forward to intentionally incent the desired behavior (i.e. build of non-profit housing, have housing human right legislation, rent protections and policies at provincial levels) and to dis-incent behavior counter to the human right to housing, including dis-incent financialization of housing. STOP THE LOSS. Protect existing affordable, accessible, adequate and secure-tenure housing as well as provide tenant protections. BUILD THE RIGHT HOUSING SUPPLY: provide incentives for NEW build of deeply affordable housing for the most vulnerable. Analyze operating and NEW-build – align/LOWER rents to eliminate rent gouging. Understand that the current housing system for the most part incents profits – not how the profits are being used to solve Calgary's and Canada's growing housing EMERGENCY. Note, for example, the very modest "renovation" that occurred in my apartment (including painting of kitchen, hallway to bathroom & bathroom; new fixtures in bathroom & kitchen; new linoleum in kitchen and entrance-way; new bath) – actually overdue maintenance - occurred approximately 20 years after I moved in.

Importantly, the Federal Government must address that neither The City of Calgary nor the Alberta Government have committed to forwarding the progressive right to housing as required under LAW: the National Housing Strategy Act, 2019 and international law including the United Nations International Covenant on Economic, Social and Cultural Rights. The Federal Government must require that ALL levels of government comply with HOUSING HUMAN RIGHTS LAWS. Also, the Federal Government must address that The City of Calgary has long NOT been able to build to meet demand for social housing and has virtually ignored renters who are approximately 30% of households (Census 2021) in Calgary.

The Federal Government must address that the Alberta Government's so called <u>"Stronger Foundations"</u> <u>Alberta Affordable Housing Strategy</u> is much lacking:

• Largely ignores primary rental markets as per the <u>Terms of Reference</u> (Scope).

- Provides Insufficient build of housing: 13,000 NEW build affordable housing + 12,000 additional rental supplements over 10 years (to 2032).
- With apparent intent to privatize social/affordable housing with <u>Bill 78 The Alberta Housing Amendment</u> Act.
- Inappropriately aligns social/government housing of the most vulnerable to (ever-increasing) market rents

   10% and 30% less than average market rent<sup>18</sup> and NOT based on household income as per the standard CMHC definition of housing.<sup>19</sup>
- Lacks protections for renters and the supply of affordable, accessible, <u>adequate</u>, secure-tenure housing.

See the <u>FINAL REPORT</u> dated October 5, 2020 by <u>SHS Consulting</u> that revealed the growing housing EMERGENCY in Alberta— which seems to have been largely ignored in the <u>"Stronger Foundations"</u> Alberta Affordable Housing Strategy.

The Federal Government must align the <u>National Housing Strategy</u> with the right to adequate housing under the <u>National Housing Strategy Act</u>, <u>2019</u>. Research reveals that the National Housing Strategy is NOT meeting its HUMAN RIGHTS obligations.<sup>20</sup>

Also, the Federal Government should take into account that the highly profitable financialized landlords are using Calgary's and Canada's growing housing EMERGENCY (that the financialized landlords helped create) as an OPPORTUNITY<sup>21</sup> to rent gouge tenants far above the landlords' inflationary cost increases. This occurs at a time that it will take years for NEW supply to occur<sup>22</sup> and that landlords are NOT building NEW supply, but purchasing existing supply and then increasing rents<sup>23</sup> And this is occurring despite the housing Reviews occurring (House of Commons HUMA Committee Review of Financialization and National Housing Council Review regarding Financialization of Purpose-Built Rental Housing). And this is occurring despite the five largest financialized REITs in Canada stating that they are "working together for affordable housing"<sup>24</sup> and that they believe in the progressive realization of the right to adequate housing as set out in the National Housing Strategy Act.<sup>25</sup>

The Federal Government – in conjunction with the Provincial and Municipal governments – should IMMEDIATELY declare a HOUSING EMERGENCY in Calgary and across Canada – and take URGENT IMMEDIATE ACTION to address it, so as to prevent even one MORE person from being harmed. Please see the recommendations that I make in the attached information and note the following:

- Immediately declare a HOUSING EMERGENCY in Calgary, across Alberta and across Canada. implement a
  RENT FREEZE and EVICTION FREEZE across CANADA and LOWER RENTS to remedy rent gouging by
  landlords of tenants. Note that as part of the 1975 anti-inflation wage and price controls, provinces were
  requested to implement rent control, limiting rent increases all agreed to do so.<sup>26</sup>
- Implement the National Housing Accord: A Multi-Sector Approach to Ending Canada's Rental Housing
   <u>Crisis</u> with <u>Endorsements</u> and 10 Recommendations including: create blue print to fund deeply
   affordable housing, Create property acquisition programs for non-profit housing providers to help
   purchase existing rental housing projects, hotels and participate in office conversions, and create a
   Homelessness Prevention and Housing Benefit (HPHB) and reform the Canada Housing Benefit to better
   target individuals and families with the greatest housing needs by replacing it with a Portable Housing

Benefit (PHB). Tenant protections must be part of the government's response to the housing crisis and should be agreed to by those endorsing the National Housing Accord.<sup>27</sup>

Ensure monthly/quarterly public accountability dashboard reporting/DATA tracking of key metrics – as per
the Municipal Benchmarking Network Canada (at <a href="http://mbncanada.ca/about-us/">http://mbncanada.ca/about-us/</a>) – "You can't improve
what you don't measure." As well, data-informed decision making is key to The City of Calgary's Gender,
Equity, Diversity and Inclusion Strategy.<sup>28</sup>

Neither the Alberta Government in its <u>Alberta is Calling campaign</u> nor The City of Calgary<sup>29</sup> are apparently speaking about **how bad housing affordability actually is in Calgary**, including:

Over 126,000 households in Calgary CMA (22%) cannot afford\* shelter. In Calgary, approximately 42% of households earning \$99,999 or less are unable to afford shelter compared to approximately 3.1% of households earning \$100,000 or over (Census 2021).

Require industry witnesses (including landlords) to appear with their DATA before the House of Commons HUMA Committee Review regarding financialization as was requested by Marie-Josée Houle Federal Housing Advocate in her presentation before the HUMA Committee on May 9, 2023 in order for their practices that undermine housing affordability, security of tenure and habitability. See my CHANGE.ORG petition that echoes that request: Require landlords to appear at House of Commons Review of Financialization & Rent Gouging.





AND MORE.

Tim Richter President and CEO of the <u>Canadian Alliance to End</u>
<u>Homelessness</u> and <u>Co-Chair of the National Housing Council</u> spoke at
<u>the House of Commons HUMA Committee Review regarding</u>
<u>financialization, rent gouging and renovictions</u> on <u>Tuesday June 6,</u>
<u>2023.</u> See the Youtube video – Tim Richter on Financialization of Housing in
Canada at <a href="https://www.youtube.com/watch?v=AjUt9GUeYSk">https://www.youtube.com/watch?v=AjUt9GUeYSk</a>:

"Canada, right now, is under a wave of new homelessness **on the same** scale as Canada's largest natural disasters. People are being pushed out of their housing by huge increases in cost of rent..." [Emphasis added]



In conclusion, I borrow a phrase used in <u>Three angry men and a triple crisis in Durham</u> <u>region</u> – The Globe and Mail – August 13 & 14, 2023 that involved Regional Chair John Henry, Durham Regional Police Chief Peter Moreira, and Oshawa Mayor Dan Carter facing the triple-pronged crisis of drug addiction, mental illness and homelessness. The article concluded stating to Prime Minister Trudeau *"For God's sake, do something."* 

I say to ALL levels of government in Canada – Federal, Provincial, Municipal - "For God's sake, do the <u>RIGHT</u> thing – <u>NOW</u>."



Sincerely,

Anne Landry Calgary, Alberta

#### **ENDNOTES**

<sup>&</sup>lt;sup>2</sup> Make a Submission to the Federal Housing Advocate at <a href="https://housingchrc.ca/en/housing-submission">https://housingchrc.ca/en/housing-submission</a>. See the downloadable PDF format at: <a href="https://www.housingchrc.ca/sites/housing/files/2022-05/2989558-">https://www.housingchrc.ca/sites/housing/files/2022-05/2989558-</a>
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<a href="https://www.housingchrc.ca/sites/housing/files/2022-05/2989558-">https://www.housingchrc.ca/sites/housing



See also: Housing advocates say big money is transforming rental markets. And Alberta could be a poster child – CBC – August 2, 2023

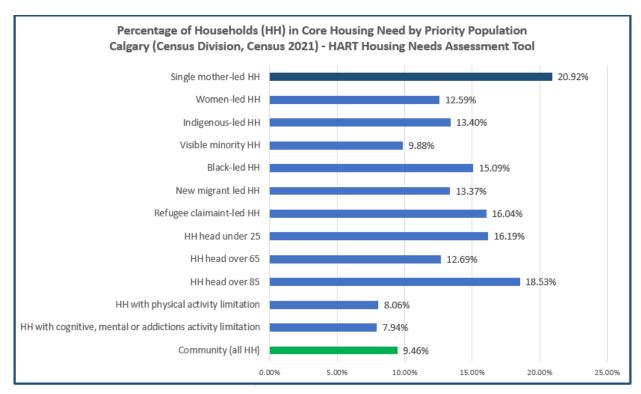
<sup>&</sup>lt;sup>1</sup> <u>The Financialization of Multi-Family Rental Housing in Canada – A Report for the Office of the Federal Housing Advocate – Martine August – June 2022, including at page 5 – Boardwalk REIT 33,264 rental suites. See also: Boardwalk REIT Q2 2023 Conference Call August 11, 2023 Presentation at <a href="https://www.bwalk.com/media/35515/q2-2023-conference-call-final.pdf">https://www.bwalk.com/media/35515/q2-2023-conference-call-final.pdf</a>, including Slide 35 – 33,345 Same Property rental units - 20,859 in Alberta - 6,041 in Calgary.</u>

<sup>&</sup>lt;sup>3</sup> HUMA: House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

<sup>&</sup>lt;sup>4</sup> See: the Minutes of the October 17, 2022 session of the HUMA Committee.

<sup>&</sup>lt;sup>5</sup> House of Commons HUMA Committee Members at https://www.ourcommons.ca/Committees/en/HUMA/Members.

<sup>&</sup>lt;sup>6</sup> Build the <u>RIGHT</u> housing – prioritize the most vulnerable as per the <u>HART Housing Needs Assessment Tool</u> that reveals a housing deficit in Calgary (Census 2021, Census Division) of **50,890** households with rents of **\$1,263/month or less** and priority populations in <u>Core Housing Need</u>, including:



HART - Affordable Housing Deficit - Number of Households in Core Housing by Household Size - Calgary
(Census Division, Census 2021)

Income Category	1 Person HH*	2 Person HH*	3 Person HH*	4 Person HH*	5+ Person HH*	Total
Very low Income	5,810	1,230	420	115	55	7,630
Low Income	22,245	11,770	5,185	2,635	1,425	43,260
Moderate Income	0	460	1,015	1,215	1,860	4,550
Median Income	0	0	0	0	0	0
High Income	0	0	0	0	0	0
Total	28,055	13,460	6,620	3,965	3,340	55,440

\*HH = Household

Source: HART Housing Needs Assessment Tool - Calgary (Census Division, Census 2021)

HART - Income Category and Affordable Shelter Costs: Calgary (Census Division, Census 2021)

Income Category	% of Total Households	Annual Household Income	Affordable Shelter Cost (2015 CAD\$)
Very Low Income (20% or under of AMHI*)	1.65%	<= \$20,200	<= \$505
Low Income (21% to 50% of AMHI*)	16.98%	\$20,200 - \$50,500	\$505 - \$1,263
Moderate Income (51% to 80% of AMHI*)	18.97%	\$50,500 - \$80,800	\$1,263 - \$2,020
Median Income (81% to 120% of AMHI*)	22.31%	\$80,800 - \$121,200	\$2,020 - \$3,030
High Income (121% and more of AMHI*)	40.09%	>= 121,201	>= \$3,031

<sup>\*</sup>AMHI = Area Median Household Income

Median Income Calgary (Census Division, Census 2021): \$101,000 per year; \$2,525 affordable shelter cost (2020 CAD\$).

See <u>Housing Need Assessment Tool Methodology Guide</u> at <a href="https://hart.ubc.ca/wp-content/uploads/2023/08/HNA-Methodology.pdf">https://hart.ubc.ca/wp-content/uploads/2023/08/HNA-Methodology.pdf</a> and <a href="https://hart.ubc.ca/wp-content/uploads/2023/07/Understanding-2021-Core-Housing-Need-Data.pdf">https://hart.ubc.ca/wp-content/uploads/2023/08/HNA-Methodology.pdf</a> at <a href="https://hart.ubc.ca/wp-content/uploads/2023/07/Understanding-2021-Core-Housing-Need-Data.pdf">https://hart.ubc.ca/wp-content/uploads/2023/07/Understanding-2021-Core-Housing-Need-Data.pdf</a>.

#### Recommendations IV - Financialization

The expert research commissioned by the Office of the Federal Housing Advocate identifies multiple measures to address financialization under five key areas:

- 1. Tracking ownership and measuring the impacts of financialization;
- 2. Developing mechanisms to definancialize ownership;
- 3. Suspending state subsidies and support to financialized landlords;
- 4. Ensuring public pension funds promote social good through legislation; and,
- 5. Developing enduring rent controls and tenant protections.

The Federal Housing Advocate urges decision makers to consider these options when examining solutions. At the HUMA Committee panel, the Advocate invites members to seek the views of the researchers and other witnesses about the specifics of their recommendations.

The Advocate recognizes this is a complex and technical area. The Advocate's role is not to make specific policy prescriptions. Parliamentarians need to rely on the expertise of the public service to design policy solutions that will fulfill human rights obligations.

When determining policy responses, governments must put human rights at the centre

The <u>directives on financialization</u> recommended by the international housing rights monitor The Shift also provide useful guidance for Parliamentarians.

Source: HART Housing Needs Assessment Tool - Calgary (Census Division, Census 2021)

<sup>&</sup>lt;sup>7</sup> Canadian Federation of Apartment Associations and Federation of Rental Housing Providers of Ontario Joint Brief to the HUMA Committee on May 24, 2023 The Financialization of Purpose-Built Rental Housing at https://www.ourcommons.ca/Content/Committee/441/HUMA/Brief/BR12457284/br-external/Jointly01-e.pdf

<sup>&</sup>lt;sup>8</sup> COVID-19 and the right to housing: impacts and way forward – United Nations – WEBSITE, Report Summary with Recommendations.

<sup>&</sup>lt;sup>9</sup> See <u>ADVOCATING FOR CHANGE: THE HOUSING CRISIS IN CANADA</u> – The Office of the Federal Housing Advocate's 2022-2023 Annual Report to the Minister – July 5, 2023 at page 59:

10 Corporate investment in housing is linked to unaffordable rents, evictions and long-term care deaths:



- The Finalization of Housing in Canada: Project Summary Report A Summary Report for the Office of the Federal Housing Advocate Martine August June 2022
- <u>The Financialization of Seniors' Housing in Canada A Report for the Office of the Federal Housing Advocate</u> Jackie Brown June 2022
- <u>The Uneven Racialized Impacts of Financialization</u> A report for the Office of the Federal Housing Advocate Dr. Nemoy Lewis June 2022
- Housing Financialization The International Landscape A Report for the Office of the Federal Housing Advocate Manuel Gabarre – June 2022
- The Financialization of Multi-Family Rental Housing in Canada A Report for the Office of the Federal Housing Advocate – Martine August – June 2022
- The Impact of Financialization on Tenants Findings from a National Survey of Acorn Members A Report for the Office of the Federal Housing Advocate ACORN Canada June 2022

<sup>11</sup> The financialization of Canadian multi-family rental housing: From trailer to tower – Journal of Urban Affairs, Martine August – February 28, 2020. See also research regarding financialization at the WEBSITE of the Office of the Federal Housing Advocate at <a href="https://www.housingchrc.ca/en/financialization-housing">https://www.housingchrc.ca/en/financialization-housing</a>.

#### 12 See:

- Why Canada needs a non-market rental acquisition strategy. Focus Consulting, Steve Pomeroy March 2020.
   Research reveals that for every 1 affordable housing unit that is built, 15 affordable housing units (rent below \$750) are lost primarily due to financialization of housing.
- <u>Updating analysis on erosion of lower rent stock from 2021 census</u> Steve Pomeroy October 2022: \_"The loss of affordable housing in Canada is occurring at such a high rate that it will be impossible for current NHS [National Housing Strategy] initiatives to maintain, never mind expand, the net stock of low-rent units research shows..."

### <sup>14</sup> See:

i. The Right to Housing 101 – National Right to Housing Network – 2020 at <a href="https://housingrights.ca/wp-content/uploads/R2H-101.pdf">https://housingrights.ca/wp-content/uploads/R2H-101.pdf</a>



ii. Special Rapporteur's CHECKLIST for a Rights Based Housing Strategy – Social Rights Advocacy Centre (SRAC) – UNITED NATIONS Report of the Special Rapporteur – A/HRC/37/53 Report of the Special Rapporteur on adequate housing as a

<sup>&</sup>lt;sup>13</sup> The financialization of Canadian multi-family rental housing: From trailer to tower – Journal of Urban Affairs, Martine August – February 28, 2020. See also research regarding financialization at the WEBSITE of the Office of the Federal Housing Advocate at <a href="https://www.housingchrc.ca/en/financialization-housing">https://www.housingchrc.ca/en/financialization-housing</a> – at page 4.

component of the right to an adequate standard of living, and the right to non-discrimination in this context <a href="https://www.undocs.org/A/HRC/37/53">https://www.undocs.org/A/HRC/37/53</a> - with <a href="https://www.undocs.org/A/HRC/37/53">WEBSITE</a>



iii. <u>Progressive Realization of the Right to Adequate Housing: A Literature Review</u> – including the Executive Summary - The National Right to Housing Network for the National Housing Council – 2022, with government responsibilities at pages 7, 8.



· Incorporate a "transformative" The National Housing Council has a dimension to all legislation, regulation, planning, and decisionchallenging task alongside the Federal Housing Advocate and rights-claimants. making to ensure the progressive members will make Canada's new and realization of the right to adequate transformative approach to the right to housing within the shortest adequate housing live. This important task is one that could genuinely end Canada's possible time. This involves ensuring that housing policies housing and homelessness crisis if the (particularly national strategies on NHSA's core commitments to the right to housing and homelessness) have adequate housing as recognized under goals grounded in, and consistent international human rights law are treated, as proposed by the Supreme with international human rights Court of Canada, not as "theoretical aspirations or legal luxuries, but moral Avoid any retrogressive imperatives and legal necessities.\*\* necessary and in times of crisis, with provisions to ensure that vulnerable groups are not affected.

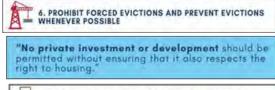
NATIONAL RIGHT TO HOUSING NETWORK | 8

iv. <u>Guidelines for the Implementation of the Right to Adequate Housing</u> - A/HRC/43/43 - <u>Infographic</u> - United Nations - December 20, 2019 - with REPORT and WEBSITE.



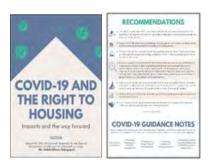
2. TAKE IMMEDIATE STEPS TO ENSURE THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE HOUSING IN COMPLIANCE WITH THE STANDARD OF REASONABLENESS





II. ENSURE THE CAPACITY AND ACCOUNTABILITY OF LOCAL AND REGIONAL GOVERNMENTS FOR THE REALIZATION OF THE RIGHT TO ADEQUATE HOUSING

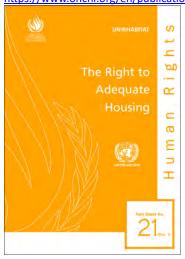
v. COVID-19 and the right to housing: impacts and way forward — United Nations — WEBSITE, Report Summary with
Recommendations and FULL REPORT: Adequate Housing as a component of the right to an adequate standard of
living — A/HRC/75/148 — United Nations - July 27, 2020 Leave no one behind



vi. Realizing the Right to Housing in Canadian Cities. Where do we go from here? – THE SHIFT, - March 2022. See also at THE SHIFT WEBSITE at https://make-the-shift.org/: THE SHIFT Directives; CLIMATE; and The right to housing. A mission-oriented and human rights based approach, and MORE.



vii. Fact Sheet No. 21 (Rev. 1): The Human Right to Adequate Housing | OHCHR at https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-21-rev-1-human-right-adequate-housing



<sup>15</sup> See the vulnerable as referred to in:

- The National Housing Strategy at https://www.cmhc-schl.gc.ca/nhs/guidepage-strategy
- The Federal Housing Advocate Submission Form <a href="https://www.housingchrc.ca/sites/housing/files/2022-05/2989558-">https://www.housingchrc.ca/sites/housing/files/2022-05/2989558-</a>
   Submission Written Form Template Print.pdf
- The HART Housing Needs Assessment Tool https://hart.ubc.ca/housing-needs-assessment-tool/

#### See also:

<u>Progressive Realization of the Right to Adequate Housing: A Literature Review</u> – including the Executive Summary - The National Right to Housing Network for the National Housing Council – 2022, with government responsibilities at pages 7, 8.

<sup>16</sup> Why Calgary Is Split on Its Housing Affordability Recommendations. Is the task force's most contentious suggestion worth the battle? – The Tyee, Ximena Gonzales – August 16, 2023. See also: Learning about affordable housing at https://www.calgary.ca/research/affordable-housing.html:

Calgary's housing market is suffering a supply deficit in the non-market (affordable housing) sector. Since 2011, the average increase in new affordable housing units is 308 units per year. However, to keep up to demand, Calgary needs 2,000-2,500 new units per year.

- <sup>17</sup> See
  - The City of Calgary 2016-2025 Corporate Affordable Housing Strategy at <a href="https://www.calgary.ca/social-services/low-income/affordable-housing-overview.html">https://www.calgary.ca/social-services/low-income/affordable-housing-overview.html</a>; and
  - The City of Calgary Housing and Affordability Task Force at <a href="https://engage.calgary.ca/HATaskForce">https://engage.calgary.ca/HATaskForce</a> and <a href="https://engage.calgary.ca/HATaskForce">The City of Calgary Housing and Affordability Task Force Recommendations C2023-0413 AGENDA ITEM 9.3.1 The City of Calgary Regular Meeting of Council June 7, 2023 with <a href="https://engage.calgary.ca/HATaskForce">MINUTES</a> and Attachments.

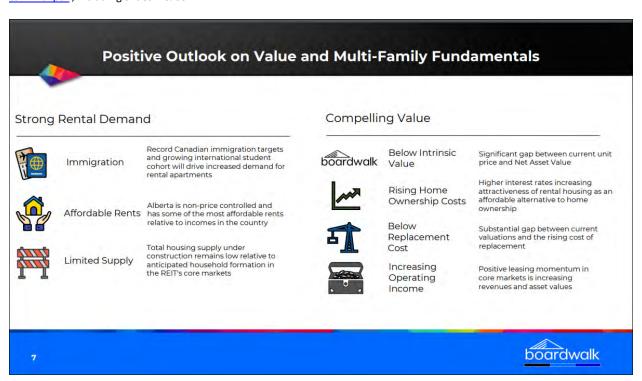
<sup>&</sup>lt;sup>18</sup> See: <u>Fact Check: Affordable rental housing isn't affordable</u> – Canadian Centre for Policy Alternatives, The Monitor, Ricardo Tranjan – August 25, 2021

<sup>&</sup>lt;sup>19</sup> About Affordable Housing in Canada – CMHC <a href="https://www.cmhc-schl.gc.ca/professionals/industry-innovation-and-leadership/industry-expertise/affordable-housing/about-affordable-housing/affordable-housing-in-canada.">https://www.cmhc-schl.gc.ca/professionals/industry-innovation-and-leadership/industry-expertise/affordable-housing/about-affordable-housing/affordable-housing-in-canada.</a>

### <sup>20</sup> See:

- Towards a Stronger National Housing Strategy: Meeting Canada's Human Rights Obligations Office of the Federal
  Housing Advocate January 5, 2023, at page 24: "Research from the Parliamentary Budget Office (PBO) in June 2019
  indicated that current NHS [National Housing Strategy] investments do not align with the goals articulated by the
  NHS, including reducing core housing need and homelessness."
- Analysis of Affordable Housing Supply Created by Unilateral National Housing Strategy Programs, Research Report –
   Prepared for the National Housing Council Working Group on Improving the National Housing Strategy Blueprint February 4, 2022.
- Renewing Canada's National Housing Strategy A Report to the Minister of Housing and Diversity and Inclusion on the National Housing Strategy from the National Housing Council – April 2023.

<sup>&</sup>lt;sup>21</sup> See Boardwalk REIT Q2 2023 Conference Call August 11, 2023 at <a href="https://www.bwalk.com/media/35515/q2-2023-conference-call-final.pdf">https://www.bwalk.com/media/35515/q2-2023-conference-call-final.pdf</a>, including Slides 7 & 35



		Without Incentives				With Incentives				
Same Property	Jun 2023 Market Rent <sup>(1)</sup>	Jun 2023 Occupied Rent <sup>(2)</sup>	Mark-to- Market Per Month <sup>(1)</sup>	Annualized Mark-to- Market Adjusted for Current Occupancy levels (\$000's)	Jun 2023 Market Rent, including incentives <sup>(4)</sup>	Jun 2023 Occupied Rent <sup>(2)</sup>	Mark-to- Market Per Month (8)	Annualized Mark-to- Market Adjusted for Current Occupancy levels (\$000's)	Weighted Average Apartment Suites <sup>(5)</sup>	% of Portfoli
Edmonton	\$1,389	\$1,282	\$107	\$16,116	\$1,318	\$1,282	\$36	\$5,220	12,882	39%
Calgary	1,747	1,560	187	13,426	1,706	1,560	146	10,457	6,041	18%
Other Alberta	1,294	1,170	124	2,866	1,231	1,170	61	1,376	1,936	6%
Alberta	\$1,484	\$1,352	\$132	\$32,408	\$1,423	\$1,352	\$71	\$17,053	20,859	63%
Quebec	\$1,410	\$1,243	\$167	\$11,951	\$1,408	\$1,243	\$165	\$11,759	6,000	18%
Saskatchewan (6)	1,467	1,361	106	4,423	1,416	1,361	55	2,252	3,505	10%
Ontario	1,755	1,242	513	17,355	1,754	1,242	512	17,547	2,867	9%
British Columbia	2,422	2,068	354	485	2,421	2,068	353	483	114	0%
Total Portfolio	\$1,495	\$1,326	\$169	\$66,622	\$1,451	\$1,326	\$125	\$49,094	33,345	100%

Boardwalk REIT 2023-Q2 August 10, 2023 News Release at <a href="https://www.bwalk.com/media/35514/pr-08-10-2023-q2-results-final.pdf">https://www.bwalk.com/media/35514/pr-08-10-2023-q2-results-final.pdf</a>



NEWS RELEASE FOR IMMEDIATE DISTRIBUTION

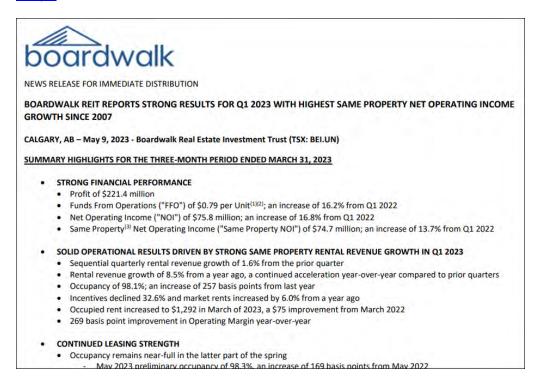
BOARDWALK REIT INCREASES FINANCIAL GUIDANCE FOR 2023 AND REPORTS STRONG RESULTS FOR Q2 2023 WITH CONTINUED OPERATING MARGIN IMPROVEMENT

CALGARY, AB - August 10, 2023 - Boardwalk Real Estate Investment Trust (TSX: BEI.UN)

SUMMARY HIGHLIGHTS FOR THE THREE AND SIX-MONTH PERIODS ENDED JUNE 30, 2023

- STRONG FINANCIAL PERFORMANCE
  - FOR THE 3 MONTH PERIOD ENDED JUNE 30, 2023
  - Profit of \$232.2 million
  - Funds From Operations ("FFO") of \$0.89 per  $\mathsf{Unit}^{(1)(2)}$ ; an increase of 11.3% from Q2 2022
  - Net Operating Income ("NOI") of \$82.6 million; an increase of 13.8% from Q2 2022
  - Same Property<sup>(3)</sup> Net Operating Income ("Same Property NOI") of \$81.7 million; an increase of 12.5% from Q2 2022
  - Operating margin of 61.6%; 220 basis point ("bps") improvement from Q2 2022
  - FOR THE 6 MONTH PERIOD ENDED JUNE 30, 2023
  - Profit of \$453.6 million
  - $\bullet~$  FFO per  $\text{Unit}^{(1)(2)}$  of \$1.68; an increase of 13.5% from the same period a year ago
  - . NOI of \$158.4 million; an increase of 15.2% from the same period a year ago
  - Operating margin of 59.8%; 260 bps improvement from the same period a year ago
  - Same Property NOI of \$157.2 million; an increase of 13.0% from the same period a year ago
- SOLID OPERATIONAL PERFORMANCE DRIVEN BY STRONG SAME PROPERTY RENTAL REVENUE GROWTH IN Q2 2023

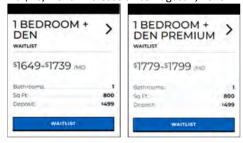
Boardwalk REIT 2023-Q1 May 9, 2023 News Release at <a href="https://www.bwalk.com/media/35486/pr-05-09-2023-q1-results-final.pdf">https://www.bwalk.com/media/35486/pr-05-09-2023-q1-results-final.pdf</a>



<u>Boardwalk REIT</u> has increased rents of a 1 Bedroom and Den apartment at <u>Boardwalk REIT Skygate Tower</u> unsustainably by \$400/month (~34%) from April 2022 to August 1, 2023 – approximately 16 months.

- Rents at <u>Boardwalk REIT Skygate Tower</u> in Calgary were increased by approximately \$70+/month compared to July 1, 2023
- Rents at <u>Boardwalk REIT Skygate Tower</u> in Calgary were increased by approximately \$40+/month compared to June 1, 2023.

As of August 30, 2023 Boardwalk REIT has further increased rent of a 1 Bedroom & Den Apartment to starting at \$1,649/month – a \$20/month increase since August 1, 2023.



See the Boardwalk REIT's rent increases at Boardwalk REIT Skygate Tower in the Beltline community of Calgary, near downtown.

As per my BRIEF to the House of Commons HUMA Committee entitled <u>STOP THE HARM. STOP Predatory Financialization of Housing and RENT GOUGING – HOUSING is a HUMAN RIGHT!</u> at page 4, Boardwalk REIT reported operating cost of **\$544/month** as of 2023-Q1.



<sup>&</sup>lt;sup>22</sup> <u>Brief to the House of Commons HUMA Committee regarding Review of financialization</u> by the <u>Minto Group</u> – including at page 3 ( "lease up is several years away" for Project #1 and Project #2) and page 5 ("The project at 620 Martin Grove will take four years to construct.") – at <a href="https://www.ourcommons.ca/Content/Committee/441/HUMA/Brief/BR12562270/br-external/MintoGroup-e.pdf">https://www.ourcommons.ca/Content/Committee/441/HUMA/Brief/BR12562270/br-external/MintoGroup-e.pdf</a>.

### <sup>23</sup> See:

- My BRIEF to the House of Commons HUMA Committee Review regarding financialization entitled <a href="STOP">STOP Predatory Financialization of Housing and RENT GOUGING HOUSING is a HUMAN RIGHT!</a>
- Apartment REITs see higher revenues amid tight rental market. Will this spur new supply? CBC August 28, 2023
   "Boardwalk CEO says building new is too expensive, top priority is to reinvest in existing units."

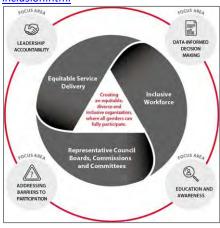
<sup>&</sup>lt;sup>24</sup> See the WEBSITE: https://foraffordable.ca/.

<sup>&</sup>lt;sup>25</sup> BRIEF to the House of Commons HUMA Committee Review of financialization dated May 28, 2023 by the Canadian Rental Housing Providers For Affordable Housing at <a href="https://www.ourcommons.ca/Content/Committee/441/HUMA/Brief/BR12410699/br-external/CanadianRentalHousingProvidersForAffordableHousing-e.pdf">https://www.ourcommons.ca/Content/Committee/441/HUMA/Brief/BR12410699/br-external/CanadianRentalHousingProvidersForAffordableHousing-e.pdf</a>, including at page 1.

<sup>&</sup>lt;sup>26</sup> BRIEF to the House of Commons HUMA Committee regarding financialization of housing entitled <u>Examining the financialization of rental housing</u> by Steve Pomeroy, Industry Professor and Executive Advisor at the Canadian Housing Evidence Collaborative (CHEC). McMaster University - May 2023.

<sup>&</sup>lt;sup>27</sup> Tenant protection must be part of government's response to housing crisis – The Star, OPINION Leilani Farha and Julieta Perucca – August 30, 2023. See also The right to housing. A mission-oriented and human rights-based approach – Leilani Farha and Mariana Mazzucato. "...increasing the supply of market-rate housing may not actually reduce average or median house prices as developers build to maximize profits" [Emphasis added] (page 12)

<sup>28</sup> The City of Calgary Gender Equity, Diversity and Inclusion Strategy at <a href="https://www.calgary.ca/our-strategy/diversity-inclusion.html">https://www.calgary.ca/our-strategy/diversity-inclusion.html</a>



<sup>&</sup>lt;sup>29</sup>See <u>The City of Calgary's Housing and Affordability Task Force information</u> – including the – <u>Executive Summary – C2023-0415</u> – <u>June 6, 2023</u>; – that states: "over 80,000 households are paying more than 30 per cent of their income on housing."

See Attachment #2-9 to this Submission that reveals that more than 126,000 households (22%) in Calgary cannot afford shelter and that 42% of households in Calgary earning \$99,999 and under cannot afford shelter (Census 2021).

CENSUS 2021 in Calgary - number of households spending > 30% on shelter by CUMULATIVE household income 42% of households under \$99,999 are spending > 30% on shelter								
CUMULATIVE household income range	Number of Households spending >30% on shelter	Percentage of households spending >30% on shelter	Cumulative number of Total Households					
Under \$10,000	6,770	70%	9,620					
Under \$19,999	15,830	81%	19,510					
Under \$29,999	38,065	76%	49,890					
Under \$39,999	56,160	72%	78,310					
Under \$49,999	73,130	65%	111,650					
Under \$59,999	86,725	60%	145,520					
Under \$69,999	97,755	54%	180,240					
Under \$79,999	106,645	50%	215,210					
Under \$89,999	112,890	45%	248,215					
Under \$99,999	117,275	42%	280,410					
\$100,000 and over	126,120	22%	562,785					