

Legislating Homelessness Prevention

The Role of Residential Tenancy Law
in Preventing Homelessness



Everyone had a home once...

- ❖ Why do people lose their housing?
- ❖ What are the legal mechanisms that effect displacement?
- ❖ Do we wait too long to intervene?
- ❖ How can we move prevention “upstream”?



No eviction without notice for cause

- ❖ Automatic renewal of tenancy agreements = security of tenure
- ❖ Rent arrears – landlords’ role when people have “income problems”
- ❖ Misconduct and its consequences
- ❖ “No fault” evictions – what is a higher social purpose?
- ❖ How much onus should we put on the tenant?



Limits on rent increases

- ❖ Unlimited rent increases = no security of tenure
- ❖ Can the market provide a “fair” rent?
- ❖ “Agreements” about rent
- ❖ What forms of rent control do we have?
- ❖ “Vacancy decontrol” – what does it accomplish?



Repair, maintenance & services

- ❖ Unliveable homes = eviction by neglect
- ❖ Community values and minimum standards
- ❖ Service cuts = rent increases by stealth
- ❖ Vital services – a case for special responsibilities



Effective dispute resolution

- ❖ Is there a right to be heard?
- ❖ What do we mean by accessible justice?
- ❖ Who are the deciders?
- ❖ What supports can make the process fair?



Is tenant protection enough to prevent homelessness?



Provincial & Territorial Statutes

Province/territory	Source
British Columbia	https://www.canlii.org/en/bc/laws/stat/sbc-2002-c-78/latest/sbc-2002-c-78.html
Alberta	https://www.canlii.org/en/ab/laws/stat/sa-2004-c-r-17.1/latest/sa-2004-c-r-17.1.html
Ontario	https://www.canlii.org/en/on/laws/stat/so-2006-c-17/latest/so-2006-c-17.html
Manitoba	https://www.canlii.org/en/mb/laws/stat/ccsm-c-r119/latest/ccsm-c-r119.html
Saskatchewan	https://www.canlii.org/en/sk/laws/stat/ss-2006-c-r-22.0001/latest/ss-2006-c-r-22.0001.html
Québec	https://www.canlii.org/en/qc/laws/stat/cqlr-c-r-8.1/latest/cqlr-c-r-8.1.html?resultIndex=1
New Brunswick	https://www.canlii.org/en/nb/laws/stat/snb-1975-c-r-10.2/latest/snb-1975-c-r-10.2.html
Nova Scotia	https://www.canlii.org/en/ns/laws/stat/rsns-1989-c-401/latest/rsns-1989-c-401.html
Newfoundland and Labrador	https://www.canlii.org/en/nl/laws/stat/snl-2000-c-r-14.1/latest/snl-2000-c-r-14.1.html
Prince Edward Island	https://www.canlii.org/en/pe/laws/stat/rspei-1988-c-r-13.1/latest/rspei-1988-c-r-13.1.html
Yukon Territory	https://www.canlii.org/en/yk/laws/stat/sy-2012-c-20/latest/sy-2012-c-20.html
Northwest Territories	https://www.canlii.org/en/nt/laws/stat/rsnwt-1988-c-r-5/latest/rsnwt-1988-c-r-5.html
Nunavut	https://www.canlii.org/en/nu/laws/stat/rsnwt-nu-1988-c-r-5/latest/rsnwt-nu-1988-c-r-5.html

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