

# Making a Submission to the Federal Housing Advocate

A Guide for Tenant Leaders



## About Us

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The Canadian Centre for Housing Rights (CCHR) is Canada's leading non-profit organization working to advance the right to housing. Founded in 1987, CCHR has worked tirelessly for 35 years at the intersection of human rights and housing. We advance the right to housing by serving renters to help them stay housed, providing education and training about housing rights, and advancing rights-based housing policy through research, policy development, advocacy and strategic litigation.

## About this guide

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This document guides tenant leaders on how to make a submission to the Federal Housing Advocate, to claim their right to housing. It provides an overview of the Advocate's role and the review process. It also guides tenant leaders on how to structure a submission, what information to include and how to gather it, as well as a practical checklist and examples of previous submissions that have been made by community members.

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The National Housing Strategy Act (NHTSA) provides an alternative to presenting housing rights claims to courts, by requiring that systemic housing issues be investigated by a Federal Housing Advocate. Making a submission to the Advocate is a direct way for groups disproportionately impacted by the housing crisis to seek access to justice and demand policy reforms around systemic issues – such as discrimination and structural inequalities in housing, arbitrary evictions and widespread repair issues that lead to inadequate and unsafe homes.

## THE HOUSING ADVOCATE'S ROLE

To hold the federal government accountable for its obligation to advance the right to housing in Canada, the NHTSA established three important advisory bodies. One of these is the Office of the Federal Housing Advocate (OFHA). The other two are the National Housing Council and the Review Panel. The Housing Advocate is an independent, non-partisan observer, tasked to:

- Monitor the progressive realization of the right to adequate housing, notably through the National Housing Strategy.
- Gather submissions from communities across Canada on the systemic housing issues they are facing.
- Report annually to Parliament on these issues and assess the impact of laws, policies, and programs on people in the greatest need of adequate housing.
- Make recommendations to improve housing laws, policies, and programs – including the National Housing Strategy and the National Housing Strategy Act.

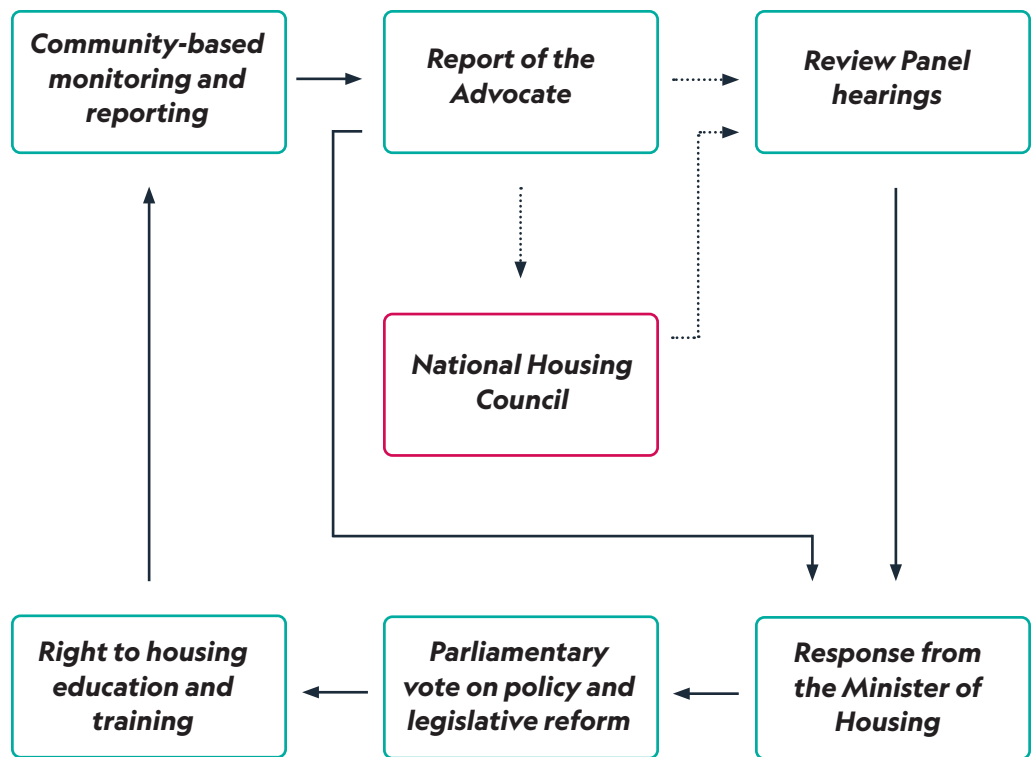
When receiving submissions from individuals and groups on systemic housing issues, the Advocate is responsible to launch a review process to investigate these issues, by conducting research and engaging with all concerned stakeholders, including impacted communities. While the OFHA accepts individual submissions, the Advocate will investigate these collectively and does not have the power to address individual claims.

## THE REVIEW PROCESS

The review process can be done in two ways. On the one hand, the Housing Advocate may undertake their own independent review of a systemic housing issue and prepare recommendations for the Minister of Housing, who must respond within 120 days.

On the other hand, the Advocate may request that the National Housing Council establish a Review Panel to hold a hearing on systemic housing issues that Parliament is responsible to regulate. The Review Panel is made up of three members of the National Housing Council, and communities can participate in the hearing. The Panel then prepares recommendations that are sent along with the Housing Advocate's report to the Minister of Housing, who has 120 days to respond and must present the response to Parliament.

The motion presented by the Minister of Housing should provide directions on reforms to federal laws, policies, and programs. It should also address the root causes of systemic housing issues and further advance the right to adequate housing for all. In line with the principles of a rights-based approach, public engagement and community feedback are foundational to the Housing Advocate's and the Review Panel's work.



It requires broad and continuous public engagement, to represent impacted communities on both the National Housing Council and the Review Panel, to research and prepare submissions to the Advocate through community-based monitoring and reporting, and to build the capacity of tenant communities by providing education and training on the right to adequate housing. Capacity-building and knowledge transfer within impacted communities are essential to assess the effects of new and amended policies on systemic housing issues at the grassroots level, which could then form the basis of follow-up submissions to the Housing Advocate on the same or similar issues.

## STRUCTURING YOUR SUBMISSION

### [Make a submission to the OFHA by email or through an online form.](#)

To email a submission, you will need to prepare a PDF document and attach it to your email. The OFHA provides a [standard template](#) to guide you in the preparation of your submission.

Submissions do not have to be very long and should cover the main points outlined below. Whether you choose to create a document or fill in the online form, the standard submission is structured in four parts:

**1****Description of the systemic housing issue.****2****Government actions and access to justice.**

- What would you like to see governments do to improve housing problems like yours?
- Where have you turned to for information and help about the housing problems you experienced?
- Have you made an official complaint or claim about this issue to a legal or administrative authority?

**3****History of evictions and homelessness.****4****Personal information.**

For community organizations that can support their submission with expert advice, you can structure your submission differently to emphasize the relation between systemic housing issues and right to housing violations, while framing your recommendations in alignment with the principles and standards contained in the right to adequate housing:

**1**

**Describe the systemic housing issue through stories of lived experience.**

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**2**

**Outline relevant and applicable international human rights obligations.**

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**3**

**Use a rights-based analysis of the housing issue:**

- Using a human rights-based approach, identify the right to adequate housing standards and principles that are violated in the systemic housing issue at hand.
  - Explain how the root causes of the systemic issue can be linked to failure of federal laws, policies, and programs to respect, protect and advance the right to adequate housing.
  - Support your statements on each violation with accurate and reliable data.
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**4**

**Provide recommendations to address each of the right to adequate housing violations you have described.**

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In June 2022, the Housing Advocate received two submissions that follow a similar structure as the one outlined above. They provide a good template to create a rights-based submission:

- The [Women’s National Housing & Homelessness Network’s request](#) for a review into the systemic issues experienced by women and gender-diverse people.
- The [National Indigenous Feminist Housing Working Group’s submission](#) on the systemic issues experienced by Indigenous women, girls, two-spirit and gender-diverse people.

For both standard and rights-based submissions, compelling data is crucial in grounding your arguments in verifiable facts and figures. Tenant leaders can strengthen their communities’ participation in the Housing Advocate’s review process by identifying and collecting information and data that accurately represents the issues that are preventing their communities from enjoying their right to housing.

## GATHERING INFORMATION AND DATA

All personal information included in your submission is used in compliance with the Privacy Act and remains confidential; however, you can opt to exclude it from your submission. Supporting your submissions with multi-faceted information on the groups most in need of adequate housing will go a long way in helping the Housing Advocate identify priority groups and their unique vulnerabilities. The information and data that can support you in building an accurate profile of the housing challenges and needs in your community should include socio-economic data, stories of people with lived experience and community surveys.

The table below provides an overview of the kind of information and data to include in your submission and relevant resources or guidelines.

Type of information to include	Where to find the data and how to collect it
Age group	<a href="#">Housing census indicators.</a>
Indigenous status	
Household profile	
Type of housing tenure	
Gender and sexual orientation	<a href="#">Census profiles, using postal code or name of the locality</a>
Race and racial identity	
Disability status	
Languages	
Income levels	
Community surveys	Disseminate surveys in your community, with questions tailored to the groups that are more difficult to reach through public engagement, because of accessibility or language barriers, and who you think are under- or misrepresented in the Census data.
Stories of people with lived experience	Talk to community leaders (phone calls, door-to-door) to conduct one-on-one or small group interviews with individuals who have been experiencing the housing issue at hand or are disproportionately impacted.

The first set of data (from “Age group” to “Income levels” in the table above) is the socio-economic data that is asked in the standard submission form. The second set of data (community surveys) serves to complement the socio-economic data, by providing a more accurate and context-based profile of impacted communities and their housing issues. The last dataset (lived experience) brings authenticity to your submission and provides an accessible way to highlight intersectional issues that marginalized and vulnerable communities often face.

## CHECKLIST

- Focus your submission on one central housing issue. If your community is experiencing more than one systemic issue, prioritize the one you would like to be reviewed by the Housing Advocate and explain the compounded effect of the other issues.

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- Target your data collection on the central systemic issue. As much as possible, try to cross-reference your datasets between Census data, community surveys and stories of lived experience. If you compare your three datasets for each indicator (e.g., racial identity), do they tell the same story?

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- Make your recommendations as specific as possible, and clearly state how laws, policies and programs can be redressed to achieve the standards and principles of the right to adequate housing.

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- Make sure to include your contact information or that of your organization, as your submission might be referred to the National Housing Council and you may be contacted to participate in a hearing of the Review Panel.

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