

# Targeting your Housing Advocacy

A Resource 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 resource

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This resource is designed to help tenant leaders understand the responsibilities of each level of government to implement the right to housing, so that they can target their housing advocacy more effectively. It outlines the obligation of each level of government to implement the right to housing, as well as some of the jurisdictional challenges and how they can be overcome. It also offers a guide on what tenant leaders can do to advocate for their right to housing at each level of government.

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## CANADA'S OBLIGATION TO IMPLEMENT THE RIGHT TO HOUSING

Canada has signed on to the International Covenant on Economic, Social and Cultural Rights (ICESCR), which creates an obligation for Canada to implement the right to adequate housing as part of the right to an adequate standard of living. To fulfill this obligation, all levels of government – federal, provincial, territorial and municipal – must work together to implement the right to housing over time, ensuring that housing is adequate and affordable and that renters are protected from arbitrary evictions.

In Canada, there are legal and policy frameworks that outline each government's role in implementing the right to adequate housing. Each level of government also has different powers when it comes to creating laws and policies related to housing. This can create a challenge for implementing the right to adequate housing as each level of government may try to shift its responsibility to another level of government.

### THE RESPONSIBILITY OF ALL GOVERNMENTS

To tackle this challenge, it is important to remember that the responsibility to implement the right to housing belongs to all levels of government, and that this obligation requires them to coordinate their efforts and collaborate to meet their obligation effectively. **Renters can therefore direct their advocacy to every level of government to claim their right to adequate housing.**

## LEGAL AND POLICY FRAMEWORKS ON THE RIGHT TO HOUSING

### Federal level

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At the federal level, the government has committed to implementing the right to adequate housing (as defined in the ICESCR) by passing the National Housing Strategy Act (NHTSA) in 2019. Prior to that, Canada launched a National Housing Strategy, which is a 10-year housing strategy aimed at lifting people out of housing need by creating funding streams that invest in housing. In 2021, the Canadian government also passed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Act, which commits the government to “implement an action plan to achieve the objectives of the UN Declaration”, including developing and implementing Indigenous-led housing programs and institutions to administer them. While the UNDRIP Act and the NHTSA are not enforceable in courts, there are federal laws that can be enforced to protect renters who experience discrimination in housing, which can be found in the Canadian Charter of Rights and Freedoms, and the Canadian Human Rights Act.

### Provincial and territorial level

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At the provincial and territorial level, laws such as Residential Tenancies Acts (RTAs) can set housing standards and security of tenure provisions that are aligned with the ones recognized under the NHTSA and international law, while also establishing the roles and responsibilities of tenants and landlords. Provinces and territories can mandate municipal governments to establish bylaws that address housing standards and also have human rights codes that protect renters from discrimination in housing.

## Municipal level

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At the municipal level, governments can establish bylaws that address housing standards, such as inclusionary zoning, building codes, property maintenance standards, accessibility standards, etc. Additional municipal tools include municipal action plans and long-term development plans. These types of policies can help ensure that housing is adequate and safe for renters.

Provincial, territorial and municipal housing programs are funded by the federal government through funding streams under the National Housing Strategy.

## OVERCOMING JURISDICTIONAL CHALLENGES

Jurisdictional challenges may arise in implementing the right to adequate housing in Canada, because different levels of government have different powers when it comes to creating laws and policies. For example, each province and territory has the power to pass laws on housing, and the federal government cannot interfere with this power.

There are ways to overcome this challenge. The NHSA commits the government to implement the right to housing as it is defined in international law, an obligation that applies to all levels of government. In addition, according to international law, states (i.e governments) are not permitted to use jurisdictional divisions as a justification for failing to realize the right to housing. On a practical level, the federal government can overcome the jurisdictional challenge by using the NHSA to urge collaboration between different levels of government in various ways. For instance:

- 1** They could host inter-ministerial meetings on the right to adequate housing and require all levels of government, including provinces and territories, to report on their action plans to advance the right to adequate housing over time, and make this a requirement in their bilateral agreements.
- 2** They can also collaborate with municipalities and other subnational governments that have committed to implementing the right to housing. New mechanisms like the Federal Housing Advocate and the Review Panel can be used to provide recommendations to other levels of government on implementing the right to adequate housing.

## OPPORTUNITIES FOR ADVOCACY

Communities must collectively remind their governments that the right to adequate housing is an obligation that they are all responsible for. In addition, communities can utilize advocacy opportunities at every level of government.



### At the municipal level

Communities can engage with their local government in various ways. For example, they can make a deputation at their City council meetings to provide input on housing matters that are being discussed, or make a written submission in which community groups can provide their recommendations on their municipality's housing initiatives.

[Learn how to make municipal deputations and submissions](#)



### At the provincial and territorial level

Communities can engage with their Legislative Assembly at different stages of the law-making process. They can do so by staying informed about bills that are being introduced that advance the right to housing, by writing to their Member of Legislative Assembly (MLA) about a systemic housing issue that they are facing, or petitioning their Legislative Assembly to tackle a particular housing issue.

[Learn how to engage with the provincial government](#)



### At the federal level

Communities can come together to make a submission to the Federal Housing Advocate on systemic housing issues that they are facing.

[Learn how to make a federal submission](#)





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