

# Bill 173 – An Act respecting intimate partner violence

Submission to the Government of Ontario's Standing Committee on Justice Policy

July 25, 2024

**Legislative Assembly of Ontario**  
Standing Committee on Justice Policy

99 Wellesley Street W  
Toronto, ON M7A 1A2

Dear Members of the Standing Committee on Justice Policy,

I am writing to you on behalf of the Canadian Centre for Housing Rights (CCHR) to offer our expertise to your study on intimate partner violence and in support of [Bill 173, An Act respecting intimate partner violence](#). CCHR is Canada's leading registered charitable organization working to advance the right to housing across the country. Founded in 1987, CCHR has worked tirelessly for over 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 law reform. For the last three years, we have also undertaken extensive research on the intersections of housing and gender-based violence (GBV), domestic violence (DV) and intimate partner violence (IPV).

## Introduction

IPV is a serious public health issue, claiming the lives of hundreds of women and children across Canada each year, and often leading to poor health outcomes and acquired disabilities for survivors. Instances of police-reported IPV and other forms of domestic violence have [steadily increased since 2014](#), and have risen more sharply since the onset of the COVID-19 pandemic. In Ontario, the number of IPV-related homicides was [36 per cent higher](#) in 2023 compared to 2019, and almost [90 per cent of victims](#) were women and children. While IPV has disastrous impacts on the mental health and wellbeing of victims and survivors, it can also have repercussions on many areas of a person's life and threatens their human rights, including the right to housing.

We commend the Government of Ontario for its consideration through this Private Members' Bill of the first recommendation from the [Renfrew County Coroner's Inquest of 2022](#), which recognizes IPV as an epidemic. We are also encouraged by the government's [response to the inquest's jury recommendations](#). This is a promising first step towards addressing the IPV epidemic at a systemic level.

However, we strongly urge the government to accept all 86 recommendations stemming from the inquest in the development of Bill 173, and to give particular consideration to recommendation #39 relating to housing security. Adequately supporting survivors and curtailing the threat of IPV in a meaningful way can only be accomplished through a broad, coordinated, all-of-government response.

## IPV and Housing Insecurity

Domestic violence is the [leading cause of homelessness](#) among Canadian families, particularly women-led households. Women account for [79 per cent](#) of people experiencing IPV and IPV survivors are [four times more likely to face housing insecurity](#). As a result, a staggering [75 per cent](#) of women and gender-diverse people experiencing homelessness identify as survivors of domestic violence.

Housing security is paramount to the safety of survivors of IPV. Women are most [at risk of being killed](#) by the person abusing them when they attempt to leave the relationship. When they live with the abuser, survivors of IPV face many barriers to leaving the home and their safety is not guaranteed. Several factors can prevent survivors of IPV from escaping an abusive home and perpetuate the cycle of violence:

- **Lack of affordable housing:** women-led households are [disproportionately in core housing need](#) compared to men-led households, and the majority of renter households in core housing need are women-led households. High housing costs create a significant barrier for people trying to leave an abusive home. [Our recent study on GBV and housing insecurity in Ontario](#) found that survivors of IPV are rarely able to access social housing and that 79 per cent of people living with an abuser were unable to leave the home due to a lack of alternative and affordable housing options.
- **Economic inequality:** women experience historic and ongoing disparities in labour force participation, lower income levels, and higher incidences of poverty. Newcomer women, racialized women, and Indigenous women experience the deepest forms of poverty. These [economic realities](#) directly impact women's ability to secure and maintain adequate housing. Many IPV survivors are either financially dependent on the abuser, or earn significantly lower incomes and cannot afford alternative housing for themselves and/or their dependents.
- **Discrimination:** survivors of IPV face disproportionate levels of discrimination when seeking housing or shelter, both in the private rental market and across the housing and shelter sectors at large. Discrimination is highest for women and gender-diverse people, especially if they are also racialized, Indigenous, a person with a disability, and/or receiving social assistance. The same groups are also more likely to experience domestic violence and face [additional discrimination](#) due to experiences of abuse and trauma.

Because of these factors, women and gender-diverse people who choose to leave an abusive home are often unable to access affordable, adequate housing and, as a result, experience greater housing precarity or homelessness. Moreover, the shelter system is not adequately equipped to support survivors of IPV. On the one hand, a [severe lack of capacity](#) restricts the ability of women's and family shelters to accommodate survivors. On the other hand, survivors of IPV are sometimes re-victimized within emergency shelters. Fear of experiencing GBV in emergency shelters pushes survivors into hidden forms of homelessness, and sometimes they are left with no other alternative but to return to live with the abuser to avoid homelessness. A

[2007 study of Canadian shelters](#) found that 31 per cent of women who accessed shelters would return to an abusive home for lack of other housing options. In Ontario, [our research](#) indicates that only 10 per cent of survivors were able to find housing in the private rental market after having experienced homelessness and 17 per cent of survivors would return to an abusive home.

Whether trying to escape IPV and avoid homelessness, or trying to avoid discrimination and violence within shelters, survivors of IPV become trapped in cycles of violence that further exacerbate their economic insecurity and housing precarity.

## Recommendations

Systemic issues, such as the lack of affordable housing, poverty, and discrimination, create an environment in which survivors of IPV experience significant housing precarity and are at a high risk of experiencing homelessness.

As survivors of IPV experience all of these systemic issues, cross-cutting measures must be taken to create more affordable and adequate housing options that are available to survivors, including:

- Greater investments in social housing development and preservation of the current affordable housing stock.
- Amendments to the *Residential Tenancies Act (RTA)* to improve affordability, including by implementing rent regulation and vacancy control.
- Investments in housing options tailored to the needs of survivors of IPV.
- Expanded services and supports targeted to survivors, such as shelters and transitional housing.
- Support for shelters to implement [human rights-based and gender-sensitive standards](#).
- Safeguards to ensure that survivors with children are not at risk of losing custody due to housing precarity resulting from experiences of IPV.

To work towards preventing IPV through greater housing security, we propose the following recommendations, which are elaborated upon in [our research report](#).

### 1. Addressing discrimination faced by survivors of IPV in the housing system

Experiences of IPV are severely under-reported, and when they coincide with experiences of hidden homelessness, they can lead to the invisibilization of survivors. In addition, historically marginalized groups face significant access to justice barriers for human rights violations enacted against them, due to the difficult nature of documenting systemic discrimination. In order to adequately support all survivors of IPV, the Government of Ontario must first properly

assess the scope of the IPV epidemic and work to address all discriminatory barriers facing survivors of IPV, including by:

- a) Applying a consistent definition of homelessness across all provincially funded housing and homelessness policies and programs that captures the experiences of women and gender-diverse people experiencing IPV, including hidden homelessness.
- b) Collecting more data on experiences of homelessness and housing discrimination, including among survivors of IPV, to better inform policy development and legislative changes.
- c) Establishing a system for monitoring, investigating, and meaningfully enforcing Human Rights Code protections related to housing. The role of the Rental Housing Enforcement Unit should be strengthened and expanded as part of this initiative.
- d) Increasing funding to the Human Rights Tribunal of Ontario to ensure that it can address complaints related to housing discrimination in an adequate and timely manner.

## 2. Strengthening protections to enable survivors of IPV to remain in their home

Given the choice, [many survivors would prefer to remain in their home](#) when they leave the abuser, as this is less disruptive than relocation, particularly for women with dependents. The RTA currently includes a provision that allows renters who have experienced violence or abuse to serve a notice to terminate their tenancy before the end of its term. To improve protections for survivors of IPV, the RTA should be amended to allow for the removal of the abuser from the lease, enabling the survivor to remain in their home, maintain stable housing, and protect their security of tenure.

Additional supports are also needed to ensure the security of the home and enable survivors to access legal aid, health services, and counselling, which could be achieved through a [Safe at Home](#) model. Safeguards should also be put in place to ensure that the abuser is not evicted into homelessness.

## 3. Expanding and deepening financial supports for survivors of IPV

Every precaution should be exercised to prevent survivors of IPV from experiencing homelessness after escaping a violent home, including by providing them with adequate financial support. At a minimum, the government should increase funding available through the Canada Ontario Housing Benefit (COHB) to meet the actual needs of households fleeing domestic violence. The program should also be made more accessible and the criteria should be made more flexible. Specifically, survivors of IPV should be allowed to remain on the waitlist for subsidized housing while receiving the COHB, and recipients of social assistance should also have access to the COHB.

In addition, emergency funding should be made available to complement the COHB to help survivors of IPV maintain or access secure housing when they leave an abuser. A one-time subsidy similar to Alberta's [Escaping Abuse Benefit](#) could help survivors pay for temporary housing, moving costs, health costs, damage deposits, and other basic necessities while they look for more permanent housing solutions. Survivors who access such a benefit should not be excluded from receiving other forms of social assistance.

Beyond the COHB and other housing-specific benefits, current social assistance programs, such as Ontario Works (OW) and the Ontario Disability Support Program (ODSP), suffer from gaps and barriers and do not reflect the experiences of survivors of IPV. Program rates, requirements, and criteria should be updated, including by indexing rates under both programs to inflation to reflect the high costs of housing and other basic necessities in Ontario.

#### 4. Enabling low-barrier access to housing supports for survivors of IPV

In addition to providing tailored rental subsidies, such as the COHB, the government should ensure that survivors of IPV are able to easily access housing and other social supports including by:

- a) Reducing barriers to access subsidized housing by removing the onus on applicants and survivors of IPV to update their information annually.
- b) Amending the Special Priority Policy (SPP) application process to reflect the actual experiences and pathways taken by survivors to escape violence. This includes implementing less onerous documentation requirements, extending the timeframe within which people can apply for SPP status, and amending the criteria to reflect instances in which a survivor may not have been living with an abuser, but may still be unsafe in their current housing situation.
- c) Amending requirements for access to income assistance under OW or ODSP, such as reporting requirements, to reflect the experiences of survivors of IPV. Because IPV heavily disrupts survivors' lives, their documentation might be stolen or lost, survivors may be cut off from their income source, or they might find themselves without a fixed address, as they often experience visible or hidden forms of homelessness.
- d) Establishing no-fee guarantor services to support survivors of IPV in accessing housing in the private rental market. In many instances, survivors experience barriers to accessing housing due to a lack of credit history or a guarantor, especially if they have experienced financial abuse or if they are relocating from an Indigenous reserve or territory.

## Conclusion

By preventing women and gender-diverse people from living in peace, security, and dignity, violence in the home constitutes a violation of the right to housing. The lack of affordable,

secure housing in Canada directly contributes to the risk of IPV, and our housing systems are structured in such a way that people trying to escape an abusive home often risk losing their homes, savings, and/or custody of their dependents. Housing and safety from IPV are intrinsically linked, and the Government of Ontario must work to improve security of tenure and social supports for survivors in order to curb the IPV epidemic. We look forward to ongoing opportunities to help inform Bill 173 and ensure that survivors of IPV have the right to secure and affordable housing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Beyer', with a long horizontal stroke extending to the right.

Sara Beyer  
Manager of Policy  
Canadian Centre for Housing Rights (CCHR)