

A House Divided Cannot Stand:

Joining forces to fight housing discrimination of refugees

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Introduction

Finding a safe and suitable place to live is perhaps the most important thing that a refugee claimant¹ in Canada needs as soon as they arrive. Immediately after receiving permission to enter the country, they need to find a safe and clean place to lay their heads; a space in which they can settle into and plot their course. The immediacy of this need has resulted in many refugee claimants spending their first nights in settings that are not appropriate in the long term- hotels, emergency shelters and for the fortunate who have contacts in Canada, on the couches of friends and/ or family. The immediate need for shelter quickly transforms into the crucial need for a place that a person may one day call home. Without a home, claimants will find it extremely difficult to integrate in other ways, such as finding employment, going to school or sending their children to school, meeting new friends and establishing a support network, and so forth. These difficulties may be compounded by the health risks associated with homelessness and houselessness (Access Alliance 2002, Paradis 2008, Hulchanski 2004).² Despite the importance of prioritizing housing in the refugee integration process, many claimants have an incredibly difficult time finding a place to call home. One of the reasons for their difficulties in this sector is that refugee claimants continue to suffer discrimination at both the structural

¹ Refugee claimants are those people who come directly to Canada and apply for refugee status either at the port of entry or from within Canada. They are differentiated from those refugees who are selected abroad by the Government and who come to Canada as government sponsored or privately sponsored, for example by a Church group. In the report refugee claimants will be referred to as “claimants” or “refugee claimants.”

² David Hulchanski (2004: 3) differentiates between homelessness and houselessness, with houselessness being the one thing that all homeless people have in common. The United Nations uses the term houselessness in its collection of data, preferring it to the more multiple meaning laden term “homelessness.” Hulchanski notes that “while homelessness is not just a housing problem it is always a housing problem” (2000: 1).

level of Toronto's housing market as well as at the inter-personal level in their dealings with the housing gatekeepers- landlords and housing agencies.

Housing discrimination has been recognized by non-governmental organizations as well as government agencies as a significant problem and policies and programs have been implemented to address it. However, there has as yet been little by the way of evaluating how these anti-discrimination policies and practices are affecting refugees in their housing experiences. This report takes a small step in that direction. I use the voices of participants in this study, refugee claimants and service providers, to inquire about how discrimination affects a refugee's search for a house and a home. In particular, I focus on how service providers at the community, non-governmental and governmental levels are working to address the problem.

I divide this report into seven sections. The first section is the methodology. For this report I used primarily qualitative research methods. I focus on the City of Toronto and specifically consider the experience of refugee claimants, who on account of their relative lack of support (as compared to government or privately sponsored refugees), face more challenges than other newcomers. I rely on the data gathered through interviewing 12 service providers and 7 claimants. In this section, I provide detailed information about the participants, interview questions and limitations of this method of analysis. I make it clear that my goal is to use the voices of the participants in order to gauge the effectiveness of anti-discriminatory policies and practices in the housing sector.

The second section, "Refugee claimants and the risk of homelessness," provides a general context of how and why Toronto is the city where immigration and homelessness intersect most pointedly. I link the findings of this original study to the existing literature

on housing discrimination of newcomers and refugees to discuss how low vacancy rates, high rents, poor quality units and perceived discrimination in the private rental sector all contribute to making the search for housing incredibly difficult for claimants.

In the third section of this paper I unpack housing discrimination of refugee claimants. Using the original data I collected to complement the existing literature on the topic, I analyze how claimants are discriminated against as individuals along Ontario Human Rights Code prohibited grounds. I emphasize that discrimination acts along multiple axis of oppression and that one person can be discriminated against for a variety of different and mutually reinforcing reasons depending upon the context. I then analyze housing discrimination of refugee claimants as a sector and illustrate the ways in which Toronto's housing system³ does not take into account claimants' vulnerability and ultimately marginalizes them further.

In the fourth section of the paper I discuss the use by claimants of informal housing networks. I explain how this structure is sometimes thought to be a discrimination avoidance strategy since the informal networks tend to be comprised of people from the same ethno-cultural background as the claimant. However, I caution that this analysis is incomplete as it assumes that discrimination does not occur within the same ethno-cultural group- a conclusion that my research does not support. The original data from this study confirms what existing literature (Murdie 2005, Zine 2002) concludes, namely that refugee claimants have a better chance of finding permanent safe and good quality housing when accessing formal channels.

In the fifth section, "Uniting a divided house: Good practices in fighting housing

³ In this report, I adhere to Hulachanski's definition of a "housing system": "A method of ensuring (or not) that enough good quality housing is built, that there is a fair allocation housing system and that the stock of housing is properly maintained" (2006: 222).

Discrimination,” I use my data to provide insight into how successfully the problem of housing discrimination faced by refugee claimants is being addressed. Using the knowledge and experiences of the interviewees and what has been discussed in the literature, I attempt to identify some of the successful practices and policies in this area. I do not pretend to have looked into each and every organization that works with refugee claimants and with the housing sector in Toronto. Rather, this report includes a perusal of only some such organizations and their programming ideas. In this section I attempt to link and group different organizations practices and policies according to good practice themes. The unique contribution of this research is then to shed light on how service providers and communities are dealing with the problem of housing discrimination particularly as it affects refugee claimants.

In the sixth section, “How good practices inform policy,” I consider how the principles and values espoused through the good practices highlighted in section five might influence the design of more practices and policies whose aim is to facilitate refugee integration.

The seventh and final part of this paper is the conclusion in which I outline the key findings of the research. I think that this original research adds new knowledge to our understanding of how to address housing discrimination, one of the major barriers faced by refugee claimants upon arrival to Toronto. The numbers of participants in this study is small but the findings of this research provide important insights into how this problem can be addressed and into improving existing housing and refugee integration policy.

1. Methodology

Mine is a qualitative descriptive study of how organizations committed to promoting refugees' right to housing perceive the problem of discrimination and consequently how they perceive their organization to be contributing solutions to this problem. Both service providers and refugee claimants were recruited as participants so as to include their perspectives regarding the effectiveness of these strategies. While the study does include a section describing how housing discrimination of refugees is manifested, this is simply to put the strategies later discussed into context. I strove to conduct applied social research aimed at addressing the specific concern of how best to combat housing discrimination of refugees.⁴

I use both primary and secondary data. In regards to the secondary data, I did a thorough literature review to understand the state of knowledge on housing discrimination in Toronto. The secondary data I consulted includes scholarly work, government documents, legal proceedings from the Human Rights Tribunal of Ontario, publications from the various organizations, and information posted on organizations' web sites. Some of the literature reviewed relates specifically to refugees and claimants while other documents related to housing discrimination more generally. I use the literature to set the context, specifically to describe the scope and depth of discrimination. My aim is to link that knowledge with an exploration and description of what is being done about the problem. This is a new area for research on housing discrimination. In this sense, I consider this report to have an important exploratory element, in addition to its descriptive elements in that it seeks for the first time to systematically analyze why and how certain programs and frameworks contribute to anti-discrimination efforts.

⁴ Neuman describes applied social research as "designed to address a specific concern or to offer solutions to a problem identified by an employer, club, agency, social movement, or organization" (Neuman 2004: 11).

Upon completing the literature review I engaged in the collection of primary data through the interviewing of refugee claimants and organizations. A research proposal and ethics application was submitted and approved by the University of Winnipeg Senate Committee on Ethic and Human Research and Scholarship in October 2008 prior to beginning the interviews.

1.1 Sample

Eligibility criteria

I sought a purposive sampling of refugee claimants who had been in Toronto for less than 5 years. I did not randomly select participants as it is impossible to simply identify someone on the street as a refugee or as a refugee claimant. Indeed, I sought a diverse sampling that included single and married people as well as families and people without children. I was mindful of gender, age and racial/ cultural background in selecting participants. The majority of participants were here less than a year. They came from the following countries: Mexico, Swaziland, Columbia, Afghanistan and Zimbabwe. Three were men, all of whom were younger than 30. All were single and one was a father. The remaining claimant interviewees were women including a widow, two single moms with children under the age of 18 and one married woman who was also a mother but who is in Canada alone. None of them are Government or privately sponsored refugees. One has since received her permanent residency, while the remaining six are still waiting for a final decision to be made by the Immigration and Refugee Board.

In addition to refugee claimants, I also recruited community organizations and government agencies. I did not concentrate on informal housing networks. I sought out organizations that had housing components and that worked with refugee claimants and/

or landlords. Given the importance placed by participants on rights education I later included organizations with a specific legal/ rights education mandate.

Recruitment and informed consent

Locating refugee claimants can be difficult since they are not concentrated under the umbrella of any one agency or organization as are government sponsored refugees. I used subjective information (locations where refugees go, associations and organizations that work with them) and experts to identify a “sample” of refugees for inclusion in the project. I also contacted the Immigrant and Refugee Housing Committee and sought their assistance in recruiting refugees for the interviews. I gave committee members a letter explaining the research project and posters that they could put up in their respective organizations to let their refugee clients know about the project. I considered this recruitment strategy to be appropriate given that I had planned on interviewing refugees who had participated in programs offered by some of the organizations whose representatives were also interviewed.

I also used purposive sampling and snowballing to identify the twelve organizations and agencies interviewed. By reviewing the literature and online newcomers assistance web-pages I was able to identify who were the main players in the topic of housing, discrimination and refugees. As I met with representatives from the different organizations, they would often suggest to me other people that would be a good match for the research project. These suggestions were also helpful in evaluating the effectiveness of a given organization’s program and thereby somewhat filled the gap

caused by the lack of refugee participants who had been involved with particular programs.

1.2 Interviews

My original qualitative data is based on the 19 interviews I conducted- seven with refugee claimants and 12 with representatives of organizations and agencies. Table 2 and 3 give detailed information about each participant. Participants' real names are not used. Rather I have substituted them with pseudonyms in order to preserve their anonymity. My aim in conducting the interviews was to identify either or both of the following: 1) the gaps in services/ support that further frustrated refugees' search for appropriate housing and/ or 2) Those services/ programs that refugees and workers have found useful in their search for a home in Toronto. I have quoted the participants in the text exactly as they spoke. Readers will note that some of these quotes contain semantic and grammatical errors. I chose to preserve the participants' original voices and consciously did not correct such mistakes. Where the errors make for difficult reading, I have clarified my understanding of their comment given the situation and context of the interview. I chose to interview because based on my own research experience as well as the literature (Neuman 2004, Palys 1997) I think that interviewing is an effective and important way of including personal experiences and perspectives of the groups being studied. In determining how housing discrimination is being combated I consider service providers and refugees' experiences to be powerful sources of knowledge, without which I would have been unable to complete this report. Interviewing is also an advantageous tool in that it allowed me to use nonverbal communication and read body language. Being face

to face with participants made the interview seem more like a conversation and the participants notably relaxed as the interviews progressed. This allowed me the opportunity to use more extensive probes and ask complex questions, something I would not have been to do with written surveys for example.

I am, however, aware of the risks associated with using personal experience as a source of knowledge. Neuman clarifies that it can lead one astray, making something appear true when really it is simply the result of a distortion in judgment (Neuman 2004: 6). This is especially relevant for studies looking at discrimination since discrimination is an abstract concept that two different people in the same situation may interpret or perceive differently.⁵ Nonetheless, it was important for this study to include participants' perceptions of the effectiveness of programs and I think that the benefits of doing so outweigh the risks. Furthermore, while cognizant of the risk of overgeneralization, I think that the extent to which the perceptions of discrimination reported in my interviews corresponds to those detailed in many other studies as well as reports of the Ontario Human Rights Commission, increases both the reliability and validity of participants' statements.

All of the interviews were conducted from November 2008 to February 2009. Each interview took an average of one hour. Participants were given a one-sheet summary of the description, goal and purpose of the project. As well, participants were aware of the general topics of the questions and their rights to withdraw from the interview or answering any questions. They signed a consent form (Appendix III) and were assured that the result of the interview would be kept in a secure place and their

⁵ Novac and Hulchanski's 2002 study on the state of knowledge of housing discrimination further details the difficulties that arise in discrimination research. I was very mindful of these challenges.

anonymity respected. Participants had the right to refuse to answer any question or to withdraw from the interview without any consequence. All refugee participants were offered an honorarium of \$25 for their time. The interviews were transcribed and analyzed.

Refugee Participants:

Table 1: Interviewed Refugee claimants

	Single with kids	Widow	Private rental	First year in Toronto	Over 30 years of age
Female	71%	29%	57%	71%	43%

Using a semi-structured questionnaire, I asked the participants to share with me their housing experiences in Toronto (See Appendix II). Some of the interviews were conducted in Spanish and the others in English. I translated the interviews from Spanish to English myself. I did not directly ask the participants whether or not they had been discriminated against. This was a conscious decision, reflecting my attempt to address the challenge inherent in what may be perceived as a threatening question. As Neuman notes “threatening questions are part of a larger issue of self-presentation and ego protection. Respondents often try to present a positive image of themselves to others” (Neuman 2002: 170). I considered that questions about discrimination may be threatening because admitting that one has been discriminated against is cause for some to feel embarrassed, ashamed and/ or hurt. Therefore, I asked the participants discreet questions aimed at gauging experiences with discrimination, such how they were received by the landlord,

the community, service providers, members of their own ethno-cultural community and so forth. I asked questions alluding to discrimination only after warm-up, having thereby developed a more trusting rapport with respondents.

Service provider participants:

I interviewed service providers because I see them as authorities in the field of housing and settlement work. Table 2 shows which organizations participated. I am aware of the limitations to relying on authorities (Neuman 2004: 3). My questions were limited to their experiences and to the field in which they were specialized. Many had several years of experience suggesting that they are well informed. When relevant, I have indicated in the text the number of years of experience of the person I am quoting. The service providers include community and government as well as a mixture of settlement organizations, legal clinics and housing services. I was interested to learn more about how they viewed the problem of housing discrimination and how they are addressing it through their programs and services. I used a semi-structured questionnaire (See Appendix I). Based on the literature on refugees' housing experiences as well as general housing discrimination literature, I divided the questions into three areas: 1) Background information on the organization and the role of the participant in the organization. Here I also asked about the general characteristics of their client base; 2) General information about how the organization understands discrimination and homelessness and how they perceive their clients to understand/ experience these concepts; 3) Successful practices of the organization, with successful being defined as programs/ policies that they think are targeted at the barriers experienced by refugees in the housing sector.

Table 2:

GENDER OF INTERVIEWEE	ORGANIZATION	TYPE	YEARS OF EXPERIENCE IN PRESENT POSITION
Female	Shelter, Support and Housing Administrative Department	Governmental: City of Toronto	7
Male	Community Legal Education Ontario/ Éducation juridique communautaire Ontario	Not-for-profit community legal clinic	10
Female	Landlord Self-Help Centre	Not-for-profit community legal clinic	20
Male	Landlord Self-Help Centre	Not-for-profit community legal clinic	12
Female	Midaynta Community Services	Not-for-profit community organization, Somali focused	2
Female	Romero House	Not-for-profit community organization	3
Female	Toronto Community Housing Corporation	Governmental: City of Toronto	not provided
Male	Centre for Equality Rights in Accommodation	Not-for-profit community organization	10
Female	COSTI North York Housing Help	Not-for-profit community organization	8
Female	North York East Toronto Housing/ RENT	Community	3
Female	Red Cross First Contact Program	Community	7
Female	Red Cross First Contact Program	Community	4
Female	FCJ Refugee Centre	Community	4 months

Group	Immigrant and Refugee Housing Committee	City and Community	n/a
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1.3 Limitations

I had originally planned on interviewing at least two refugees who had used each organization's services in order to get their perspective on the programs and services offered. Unfortunately this was not possible. Some organizations were unable to connect me with any refugee client of theirs and despite advertising in those locations and offering an honorarium I was unable to make contact. Ultimately I was able to interview refugee claimants specifically linked with only two organizations- FCJ Refugee Centre and Romero House. In addition, I had initially planned to interview both claimants and Government-Assisted Refugees (GAR), however given time constraints at Toronto's GAR Reception Centre this was not possible. Nevertheless, I think that the experience of claimants is indicative of the overall struggles to find permanent housing that either a GAR or a claimant would experience. In fact, I think and Murdie's 2005 comparative study of the two groups' housing experiences confirms, that GAR have less barriers on account of the official and continuous support they receive during their first year in Toronto. This is not to say however, that upon moving out of the reception centre into the private rental market, that they would not face challenges similar to those faced by claimants.

While the final number of refugees interviewed is much less than the 10-15 I had initially planned for, I do not think that this affects the quality of the research. The experiences of the 7 claimant interviewees confirm what is indicated by refugee, claimant and immigrant participants in other studies regarding discriminatory barriers in the

housing sector. While it would have been ideal to interview individuals who had participated in all the programs mentioned, this simply was not possible. I understand that the service agencies are incredibly busy and may also have found it difficult to encourage their clients to participate.

Since I recruited the refugee participants through different settlement organizations, I also recognize the risk that such a strategy may result in me only being able to interview those individuals that the organization wanted me to meet or individuals who want to be interviewed. This would prejudice the validity of their perception on the organization's effectiveness. I sought to mitigate this risk by assuring the claimants that the interview and their identity would remain confidential. I also ensured that no one from the organization was present in the room when I conducted the interviews. Further, I made it clear that the research I was doing was not for the organization but rather for an outside research team who wanted their opinion on what programs were helpful and what were not. Ultimately 4 of the 7 refugees interviewed were specifically linked with an organization interviewed. The remaining three responded to the posters I placed in refugee-serving organizations. I am mindful of the fact that my sampling excluded those people who have no idea about the organizations that exist to support them because I went primarily through these organizations to recruit the refugee interviewees.

Lastly, I had limited access to resources, where resources mean organizations and the inner workings of their programs. I was unable to observe the implementation of the programs as they were being conducted at the various organizations. I relied upon the organization's representative who was interviewed to describe how the program in question functioned and to give me their perception on its effectiveness. Similarly, I was

not able to interview landlords who had participated in organization's educational projects for landlords.

Despite limitations, this research adds new knowledge to the existing literature on refugees' housing experiences in Toronto. It provides new insights into what strategies are successfully chipping away at the barriers refugee claimants face in the housing sector and possibilities for how to continue the struggle for equality.

2. Refugee claimants and the risk of homelessness

Toronto is the main entry city for the majority of newcomers to Canada. Between 2001 and 2006, Canada received 1,109,980 international immigrants. The City of Toronto welcomed about one quarter of all immigrants (267,855) to Canada during this period, approximately 55,000 annually. In 2006, the City of Toronto was home to 8 per cent of Canada's population, 30 per cent of all recent immigrants and 20 per cent of all immigrants. In that same year, 47 per cent of Toronto's population (1,162,635 people) reported themselves as being part of a visible minority.⁶ Half of Toronto's population is foreign-born. Forty-seven percent of the population had a mother tongue in a language other than English or French.⁷ It is this amazing diversity that has given Toronto its reputation for being one of the most multicultural cities in the world.

The sheer numbers of newcomers who arrive every year in Toronto suggest that immigrant and refugee integration be considered a governmental and societal priority. Perhaps the first step in ensuring a successful integration involves finding a place to call

⁶ "Visible minority" is defined by Statistics Canada as "persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour."

⁷ http://www.toronto.ca/toronto_facts/diversity.htm

home. Many researchers have noted the key role played by housing in the entire integration process (Murdie 2005, Dion 2006). Hulchanski explains:

Having no place to live means being excluded from all that is associated with having a home, a neighborhood, and a set of established community networks. It means being exiled from the normal patterns of day-to-day life. Without a physical place to call 'home' in the social, psychological and emotional sense, the hour-to-hour struggle for survival for physical survival replaces all other possible activities (2006: 226).

Yet many newcomers have an incredibly difficult time in taking this first step. Refugees and claimants in particular are at a disadvantage. In contrast to other newcomers, they normally have very limited financial resources. They have fled situations of conflict and unlike immigrants did not plan, did not choose to come to Canada, but rather were forced to flee. This also means that they are unlikely to have an extensive social support network upon arriving. Most are not aware of their rights in Canada or of how the housing system works (Paradis 2008, Access Alliance 2003, Zine 2002). All of this is especially true for refugee claimants, as opposed to government or privately sponsored refugees. None save one of all of the refugees interviewed for this report knew anyone in Toronto prior to coming. All were in receipt of social assistance.⁸ All reported that they were totally unaware of how to proceed once in Canada. Susana, a participant in the study who originally came to Canada as a refugee from Central America and who has been working in the settlement sector for over 20 years, described the arrival situation of many claimants she has worked with: "...You are lucky to have \$100 in your pocket... and in a week that 100\$ can disappear and [you] can end up in the

⁸ This is typical as when claimants first arrive and before they have been given a social insurance card and work permit they are not permitted to work. Their only option at this point is to apply for social assistance.

park or the coffee shop for days wandering around.” These factors combine to put refugees and claimants at increased risk of homelessness.

In Toronto, finding a safe and affordable place to live is by no means a problem that is unique to refugee claimants. The Committee on Economic, Social and Cultural Rights of the United Nations declared that housing in Canada is a national emergency (ECOSOC 2006: p.61- E/C.12/CAN/CO/4). The housing situation in Toronto is similarly dire. The 1999 *Report of the Mayor’s Action Task Force on Homelessness* declared that “homelessness has reached unprecedented levels in Toronto, as well as in other cities across this country. In Toronto, there are far too many homeless people and their numbers are increasing” (Toronto 1999: iii). However, the Task Force also noted that the “typical” homeless person has changed and is no longer “a single, alcoholic adult male” and that immigrants and refugees now constitute one of the high-risk groups more vulnerable to homelessness in the City of Toronto (Ibid: iv). This finding is later confirmed in additional studies (Ballay and Bulthuis 2004, Access Alliance 2003). The sheer volume of newcomers who come to Toronto, coupled with the notoriously tight housing market, lead to the conclusion that: “though not exclusively, homelessness and immigration currently intersect most pointedly in Toronto” (Ballay and Bulthuis 2004: 122).

There are multiple causes for homelessness, among them and as listed in the Task Force’s Report: increase of poverty, lack of affordable housing, deinstitutionalization and lack of discharge planning, and social factors (Toronto 1999: v). Discussions of the problem and solutions to homelessness tend to focus primarily on the lack of affordable housing disconnected from the other causal factors. The result is that a lack of affordable and safe housing is considered to be solely a market problem- there is not enough supply

to meet the demand. However, in times where vacancy rates are higher this analysis fails to take into account why immigrants and refugees are particularly at-risk of not finding suitable housing. Furthermore, it does not explain why certain newcomer groups face more difficulties than other newcomers in accessing housing.

To understand the risk of homelessness faced by refugee claimants, it is important to understand that homelessness is a continuum along which there are differing levels of vulnerability. David Hulchanski describes three identifiable states of houselessness: “absolute (people sleeping outdoors or in shelters); concealed (people temporarily housed with friends); at risk (people at grave risk of losing their housing)” (2004: 3). In his studies of immigrant and refugee’s housing experiences he found that “amongst refugees and immigrants, the most typical pattern of homelessness is ‘residential instability’- temporary but recurrent spells of homelessness” (Ibid: 6). This latter group are often referred to as the “hidden homeless.”

The experiences of the participants in this study support Hulchanski’s finding. All of the refugee participants in this study save those who were in subsidized housing lived in situations of residential instability. They moved on average three times in the space of one year citing mistreatment by the landlord, unacceptable conditions and cost as the primary factors forcing them to move. Their vulnerability is summarized by Susana, a former refugee who has been working in the settlement sector for twenty years:

A person that is unstable and is not secure in accommodation, is not technically a homeless person, but can be. A person staying temporarily at a family’s house is not being counted as a homeless person but for us it’s a hidden homeless individual. The level of vulnerability is obvious there. If the principal tenant don’t pay the rent and they evict that person, the one that is sharing accommodation,

even if they're paying under the table to subsidize that rent, they're the first one to go.

Susana's experience is echoed by that of Lisa who has been working with refugee claimants for the past 3 years. Lisa described the living situation of a claimant who came to her for assistance: "He came saying that his friend was fed up and told him 'I don't think you can stay here any longer. I'm thinking of moving in some other people here who can actually pay.' He would have had to stay in a homeless men's shelter but somehow he convinced the people that moved in to allow him to stay a little longer." Susana and Lisa's comments demonstrate the instability and vulnerability of those refugees who do not figure into the official definition of homeless, because they have a roof over their heads, but who out of necessity are staying with friends or family, couch surfing or living in crowded conditions.

The feelings of instability and uncertainty and risk of being tossed out is described by Maria and her son, refugee claimants from Latin America who have been living in Toronto for 10 months. With tears in her eyes she explained how despite having paid the rent on time, their landlord decided to throw her and her son out because she was annoyed with their use of the electricity and hot water:

We had already paid her [the landlord] to the end of the month and she threw us out on the street. She threw our things out onto the street the day after we'd been there for one month. We hadn't yet found a place to move to and we had told her. She told us that we only had until 12 noon the next day. Well the next day at 11 in the morning she came and asked us if we were ready to leave and she threw us out.

Similarly, Fatima a refugee claimant from the Middle East who lives in a house with several other people describes her anxiety:

If you are living in the house, you need to take care otherwise you say “they will kick me out. They will kick me out. They will kick me out!” Maybe this day if anyone complains [about] me; if I don’t clean on time; if I don’t do this and that, blah, blah. So you still you [on] your own.... Anytime they can move you out.

Due to the high rental costs in Toronto and the lack of affordable housing, many refugees “choose” to live with others and this is what can lead to the overcrowded conditions of the hidden homeless. I put “choose” in quotation marks because their choice is in large part dictated by the circumstances. Linda, who has worked with the small landlord community for the over 20 years, confirms that over-crowding is “a big problem within our client community.” The need to share costs is explained by Maria and her son who, having rented and been very upset with the conditions of several one-room basement apartments, decided to rent an apartment with two other girls. When asked why she explained: “Because the rents were so expensive and because in this place we were going to have more privacy. We would be able to prepare our meals as we pleased without having anybody bother us, complaining that we were wasting electricity. So these girls also agreed that we all contribute to the rent so that it would be cheaper.” In this sense, Maria’s experience confirms what Teixeira (2006) noted, namely that over-crowding one’s apartment is for many newcomers, “a survival strategy”; the only way that they can afford the high rent.

3. Housing Discrimination of Refugees: Individual and Systemic

According to the *Mayor's Task Force on Homelessness* "discrimination can make the housing market impenetrable for those most in need of housing" (Toronto 1991: 91). For the purposes of my study I use the definition of housing discrimination put forth by Hulchanski and Novac et al:

Housing discrimination consists of any behaviour, practice, or policy within the public or market realm that directly, indirectly, or systemically causes harm through inequitable access to, or use and enjoyment of, housing for members of social groups that have been historically disadvantaged (Novac et al 2002: 6)

4.6 percent of the complaints registered by the Ontario Human Rights Commission in 2007/ 2008 were related to accommodation. Table 3 shows a breakdown of all the grounds cited in that year. The above definition mentions discrimination on an individual/ inter-personal level (behaviour or practice) as well as at a systemic level (policy). The former refers mostly to the relationships between claimants looking for housing, housing help workers, and housing gatekeepers (landlords and rental agencies). The latter refers to governmental decisions on housing that have an adverse affect on refugees and claimants. This section will be divided into three parts: first, linking my original data with the research, I will explain how discrimination at the individual level is manifested, particularly emphasizing discrimination based on Code prohibited grounds. Second, I will show how the particular characteristics of refugee claimants make them more likely to be discriminated against by landlords, especially during the process of tenant screening. Third, moving beyond the individual level and experience, I will analyze the concept of systemic housing discrimination and how refugee claimants as a sector are particularly marginalized within Toronto's housing system.

Table 3: Ontario's Human Rights

Commission Housing

complaints received by grounds 2007/2008

Grounds	Number of complaints
Age	24
Ancestry	10
Association	6
Breach of Settlement	6
Citizenship	7
Creed	10
Disability	71
Ethnic Origin	23
Family Status	39
Marital Status	13
Place of Origin	22
Public Assistance	19
Race and Colour	76
Record of Offences	0
Reprisal	16
Sex (includes sexual harassment, pregnancy, breastfeeding and gender identity)	23
Sexual Orientation	11

3.1 Housing discrimination based on Code specific grounds:

The Code expressly prohibits discrimination on the following grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. In relation to accommodation it also prohibits discrimination on the ground of receipt of social assistance (s. 2(1)). The Code is complementary to the Canadian Charter of Rights and Freedoms and the Canada Human Rights Act as well as other international covenants which Canada has ratified, such as the International Covenant for the Elimination of Racial Discrimination and the International Covenant for the Elimination of Discrimination Against Women. This complementarity means that within Ontario, discrimination as defined in all of these various national and international treaties is also prohibited. Canadian anti-discrimination legislation prohibits both direct and constructive discrimination. Indirect discrimination refers to a practice or policy that on its surface appears neutral but whose effect is discriminatory.⁹ What follows is a brief explanation of how refugees, in their search and enjoyment of housing, can be discriminated against based on Code prohibited grounds. In the following analysis I do not mention each Code ground, but rather concentrate on those Code grounds which my research and that of others suggest is particularly relevant when considering refugee claimants' housing experiences.

⁹ Section 11 of the Code expressly prohibits constructive discrimination: "A right of a person under Part I is infringed where a requirement, qualification or factor exists that is not discrimination on a prohibited ground but that results in the exclusion, restriction or preference of a group of persons who are identified by a prohibited ground of discrimination and of whom the person is a member..."

Race

While none of the refugees interviewed for this study personally perceived race-based housing discrimination in their dealings with landlords, a senior staff-person at CERA who was interviewed noted that after discrimination based on source of income and minimum income levels, the next most common form of housing discrimination his organization hears about is racial discrimination and discrimination based on country of origin. Likewise, Susana who has over twenty years experience assisting newcomers find housing explains how “If the person [that we need to house] is a person of colour, it’ll take much longer than a person that is white, or perceived white.” These comments by service providers support the finding of previous studies, namely that “Race and cultural background can be seen as major barriers to equal treatment for members of certain visible minority groups in Toronto’s rental housing market” (Texeira 2006: 58).¹⁰

Gender

I was surprised to find that none of the refugee participants mentioned the problem of gender-based discrimination, a problem that has been identified in the literature (OHRC 2008, Paradis 2008, Novac1996). However, the reason for this apparent contradiction may be that the women refugees who were interviewed were in unique circumstances. All but one of the women refugees interviewed had a place in transitional housing, facilitated through a not-for-profit organization. Two of these were in a women-only accommodation. The one woman who rented in the private rental sector was accompanied by her adult son. It is perhaps on account of their specific conditions (living

¹⁰ Likewise, based on his comparative study of the housing experiences of Somalis, Poles and Jamaicans, Dion reports that “members of visible racial minorities report more discrimination toward them than those from non-visible, white ethnic minorities” (Dion 2001: 526).

in women-only buildings, being with their son) that their experiences do not reflect what previous research suggests.

Gender-based discrimination was found to be pervasive by the Ontario Human Rights Commission during the consultations for the *Right At Home* report. The Commission heard of cases of landlords threatening eviction and asking their low-income single women tenants for sexual favours when their rent had fallen into arrears (OHRC 2008: 11). The Commission described sexual exploitation of lone mothers, either by other tenants or landlords, as “prevalent” (Ibid: 14). The Commission’s findings support Novac’s suggestion that “since the majority of landlords are male, there is an automatic gender imbalance of power overlaying that of property-owner and tenant” (Novac et al 2002: 26).

However, in my research women were actually singled out by participants as the preferred tenant as opposed to men. Lisa who has worked with the small landlord community for over twenty years notes that actually many landlords *prefer* woman because they see them as less troublesome: “A lot of our clients want to rent based on gender. They’re looking especially for women. They have less problems with women...” This experience suggests the possibility that single men may also experience gender based discrimination in the housing market.

Family status

Discrimination based on family-status depends on how family is defined. Aisha works with the Somali community and explained that housing discrimination in her community is often based on family size. She explained how Somali families tend to be

much larger than the “two parents, two children” ‘Canadian’ families. Landlords may be hesitant to rent to larger families, in part due to worries of over-crowding. Similarly, Steve, who has worked for over 10 years with the small landlord community, describes the prejudice many landlords have vis-à-vis renting to families: “A lot of them have ideas in their head that they don’t want to rent to someone with children.” Discrimination based on family status is likely to particularly affect woman (OHRC 2008, Paradis 2008).

Immigration Status

Prior to beginning the interviews I suspected that refugee claimants would be discriminated against on account of their non permanent status. I thought that this may be viewed by landlords as a sign of instability and that they would be hesitant to rent to claimants based on the suspicion that they may soon be asked to leave Canada. However, none of the refugees interviewed mentioned being asked by landlords about status. Part of the reason for this may be that with the exception of the four refugees interviewed who were in transitional housing supported by organizations; the other three people interviewed all rented rooms in private homes. Enrique, who has been denied refugee status and was, at the time of the interview, awaiting a decision on his pre-removal risk assessment, explains how small landlords don’t even ask about immigration status:

So they didn’t ask anything of me- just the deposit and the rent. Normally, where they ask you for documentation is in the apartment blocks that are managed by the Government. There for sure they want to know if you work, if you’re a refugee, things like that. But when you rent out rooms in private houses, they don’t really ask for anything except that you pay rent on time. There’s some people that are more strict, they require that you be working or don’t allow for a certain number of people to live together in the same apartment, things like that.

Similarly, when asked about the percentage of non-status people who contact the Centre for Equality Rights in Accommodation, an experienced staff-person responded:

Unless that was specifically the reason for why they were turned down, but we've never had that as a reason for being turned down. So it's not a question we'd ask and it's not been something that's come up. Generally when someone call us who's a refugee in most cases they're being turned down because they're in receipt of social assistance or they have no credit or references, they don't have a guarantor or sometimes because they have "too many children." These are normally the reasons for which they're calling us. So we wouldn't even get into the issue of status.

The experiences shared in this study may not be uncommon and may explain why, in the literature reviewed, I did not find mention of housing discrimination based on immigration status.¹¹ Nevertheless, while immigration status may not be considered a basis for interpersonal discrimination, it is a factor involved in systemic discrimination, which will be described further down.

Source of Income

During their first year, all of the claimants interviewed for this study were on social assistance. This is not surprising given that when they first arrive and are awaiting their work permits, claimants are not legally entitled to work and have little choice but to apply for social assistance. Landlords may view this source of income as a reason not to rent to someone. Steve, who has been working with the small landlord community for ten years gives an example of how a landlord may be hesitant to rent to someone on social assistance for fear that they will be unable to pay any possible fines or fees:

¹¹ Murdie (2005) describes the different housing experiences of Convention Refugees and refugee claimants and finds that the latter face more difficulties. However, he suggests this is due more to a lack of support for claimants than on account of discrimination based on immigration status.

How do I collect on this order that I have from the Landlord-Tenant Board that says the tenant owes me \$2300.00? How do I collect this?” Certain times you’ll hit a dead end if you rent to a tenant that is on assistance and you get an order of eviction; ok, you get an order of eviction but you also get an order saying you won’t be able to collect it because in Ontario anyway, people on assistance are exempted from the garnishment process, so it’s just a piece of paper. You wouldn’t be able to collect the money. So you know, obviously that issue can tie in with a landlord decision later on possibly not to rent to a person on Ontario Disability Support Program or family benefits.

Steve went on to explain how he and his organization explain to landlords that they cannot discriminate on the basis of receipt of social assistance, because in his words “a lot of them think that [they can].” Indeed, since 1981 it is illegal in Ontario to refuse to rent to someone because they are in receipt of social assistance (Code).

Nevertheless, approximately 80 percent of clients at Centre for Equality Rights in Accommodation are recipients of social assistance or Ontario Disability and have sought out the help of the organization to fight discrimination from landlords. This statistic suggests that while discrimination based on the source of income is no longer legally permitted, people who are recipients of social assistance are nevertheless excluded. One way in which this is happening is through landlords’ use of rent-to-income ratio. In Toronto the “rule of thumb” is 30 percent (CMHC Rental Market Report 2008: 6). If a landlord perceives that a prospective tenant does not have enough income such that he will spend no more than 30 percent of his income on rent, he may view the applicant as high-risk and choose not to rent to them.¹² The levels of social assistance in Toronto are such that recipients necessarily spend more than 50 percent of their income towards rent.

¹² See Hulchanski’s 1994 report for a more detailed account of discrimination through use of minimum income criteria. Hulchanski, David. 1994. *Discrimination in Ontario’s Rental Housing Market: The Role of Minimum Income Criteria*. Submission to the Ontario Human Rights Commission.

Discrimination based on multiple grounds

The way in which the Code enumerates prohibited grounds for discrimination gives the impression that discrimination happens based solely on one of those factors. This is rarely the case. Mike, a service provider in Toronto who has been working in the area of housing discrimination for over ten years explains:

There are a whole bunch of types of discrimination operating in tandem [in the housing sector] and it has a very different qualitative effect on both the experience of discrimination and the level of discrimination because it's different to say here's a single parent with one child versus here's a single parent with one child who's also Jamaican. It's a totally different experience of discrimination that they're having. And certainly that's the experience of our clients. There are multiple grounds of discrimination operating at the same time.

Mike's comment is very important in that it illustrates how while all refugee applicants are vulnerable, some are more so than others. In Mike's example it is the Jamaican woman who is the more vulnerable of the two based upon her nationality/ race/ colour.

Discrimination is a violation of human rights that is based upon observing or imagining differences. However, it is not all differences that will result in discrimination. Discrimination will result depending upon to what extent the difference displayed connotes "strength" or "weakness." In Mike's example, being Jamaican is viewed as a "weakness" by the landlord. How a particular characteristic is viewed is a perception, which is why I have placed the terms in quotation marks. I am not saying that certain differences mean that someone is stronger or weaker, superior or inferior, only that they are perceived as such by the rest of society depending upon the prevailing stereotypes and prejudices of the day. When I say strength and weakness, I am not referring to physical aspects but rather to an individual's perceived levels of power in a given situation.

Discrimination represents a rejection of what are perceived as “weaknesses” and all those individuals who reflect one or more of these “weaknesses.”

The definition of who is weak and who is strong is entirely subjective and depends upon the levels of power perceived to be held by that person in a given situation. So for example had the landlord in Mike’s example been Jamaican, than the one woman who was Jamaican may have been positively viewed and not discriminated against on the basis of her colour/ race. She may still however have been discriminated against on account of her gender and family status. Power relations change according to how one’s characteristics are interpreted. So for example, a male newcomer who does not speak English well may be perceived as “weak” and “powerless” by dominant Canadian society and therefore he may be taken advantage of, discriminated against, in his dealings with landlords, potential employers, etc. However, that same man when he is at home may be perceived to be ‘powerful’ vis-à-vis his wife. Prevailing gender stereotypes may result in her being discriminated against by him in the home. Likewise, maybe the family has a poor distant relative living with them whose job it is to clean the home and cook for the family. This young person will be perceived as “weaker” than the wife and may in turn be discriminated against by her.

Understanding discrimination as a system of mutually reinforcing patterns of oppression that change depending on context helps us to understand why the characteristics of a newcomer or a refugee may be interpreted by landlords as signs that that person is a “bad tenant.”¹³ Coming from a different country, being a member of a particular racialized community, lacking Canadian references and Canadian credit

¹³ This form of discrimination is referred to as statistical discrimination. Hulchanski defines it as: “the belief that group identity correlates with being a bad tenant” (1994: 10).

history, being on social assistance and so forth are all characteristics that a refugee may exhibit. Some landlords may associate these characteristics with undesirable tenant behaviour- unstable rent payments, poor maintenance, severe damage, disruptive behaviours, and so forth. This then leads them to discriminate against individuals who are part of this sector of society they see as “refugees” or “claimants.” One way that such discrimination can manifest itself is via landlords’ screening criteria.

3.2 Landlords’ Screening Criteria

Being a landlord is a business. For many landlords, especially small-scale landlords that rent out a unit in their home or have one or two self-contained units, their unit represents for them a big investment. Landlord Self-Help Centre, a legal aid clinic that works with small-scale landlords in Ontario, confirms that the majority of their clients became landlords to subsidize their cost of home ownership. It is for this reason that the Centre does not support a blind selection process because as noted by Steve, with ten years experience working with small-scale landlords, “tenant screening is risk management for the landlord.”

By asking for certain information a landlord hopes to be able to make a more informed choice about who will rent the unit and thereby avoid the risk associated with “bad tenants.” Typically a landlord will request income information, previous landlord references, credit history and proof of employment or income. Enrique explains his experience trying to rent: “When you go to the apartment buildings, they always ask you if you are working and how much money you make. They want a letter from your employer, things like that.”

The problem with tenant screening is that a refugee will be able to satisfy very few of these requirements. Mike, who has been engaged in advocacy for equal rights in accommodation for over 10 years, explains:

They [refugees] have nothing that a landlord wants. They don't have credit. They don't have references. They don't have a history of being a tenant. In the case of refugees, they're not going to have a good income; it's likely to be from social assistance. They're not going to have savings, likely, and they're unlikely to have someone in Canada who could act as a co-signor, who could sign on the lease for them. So they really have very little that your stereotypical landlord is looking for when they're screening a tenant.

In many cases, lack of Canadian references and Canadian credit history is conflated with a bad credit history and a bad reference and the landlord often deems them as high-risk. The result is that refugee applicants do not get the unit.

In order to truly understand refugees' housing experiences and their experiences with discrimination and design anti-discrimination strategies effectively it is important to remember that discrimination occurs along various mutually reinforcing grounds that change depending on the context. Not all refugee claimants have the same experiences when it comes to their dealings with landlords and rental agencies and not all landlords discriminate. In contrast, in this next part, refugee claimants as a sector are marginalized by the design of the housing system.

3.3 Systemic discrimination

The particular risks faced by refugees are in part a result of systemic discrimination. Systemic discrimination was defined by the Supreme Court of Canada

(SCC) in *Canadian National Railway Co. v. Canada (Canadian Human Rights Commission)* and *Action travail des femmes* [1987], 8 C.H.R.R. D/4210 at 4227:

... systemic discrimination in an employment context is discrimination that results from the simple operation of established procedures of recruitment, hiring and promotion, none of which is necessarily designed to promote discrimination. The discrimination is then reinforced by the very exclusion of the disadvantaged group because the exclusion fosters the belief, both within and outside the group, that the exclusion is the result of "natural" forces, for example, that women "just can't do the job.

Within the housing context then, we could infer that systemic discrimination results from the establishment of application procedures, screening requirements, eviction processes and so forth that while not intended to discriminate, adversely affect particular vulnerable groups, reinforcing their exclusion. These "rules" and procedures, predominantly created and/ or sustained by different levels of government, for example through legislation, are what make up a housing system.

So while the housing system may appear to be designed according to neutral, objective rules, discrimination on a variety of intersecting grounds can exacerbate claimants' already vulnerable situation. In situations of systemic discrimination, treating people who are in drastically different situations the same way can result in discrimination. Toronto's housing market does not allow for special treatment of refugees, despite their being a Code protected group, and the result is that the way in which the market is designed effectively excludes them. The discriminatory effect of the housing market is seen predominantly in two ways: 1) The lack of affordable housing; 2) A housing system that assumes that the applicant and the landlord are on level grounds when it comes to knowledge and power. Both of these will now be discussed in turn.

Affordability

In any private market system, one's level of income is sure to be a primary barrier to accessing housing. However, because refugees and claimants flee to Canada, often arriving with little more than the shirts on their backs they are more likely to be on social assistance than is the average 'established' Canadian. As I have already mentioned, all of the participants in this study were in receipt of social assistance for several months and in some cases for more than a year. The maximum amount that a single person can receive from Ontario Works is \$572.00, with \$356.00 of that total amount slotted for shelter.¹⁴ For a family of four, the monthly maximum shelter allowance is \$660.00. A family of six or more people can receive a maximum of \$738.00 for their shelter allowance. To this they may add the Canada Child Tax Benefit¹⁵ and the Ontario child benefit of \$91.66 per child per month for children under six¹⁶. These social assistance rates do not reflect in any way the cost of rental housing in the city of Toronto, where a two bedroom apartment can be priced at \$1,034.00 per month and where the average vacancy rate in 2008 was only 2 percent (CMHC Rental Report 2008: 9). The Canada Mortgage and Housing Corporation confirms that vacancy rates are highest for the most expensive units, those renting for more than \$1,000.00 per month (CMHC Rental Market Report 2008: 5),

¹⁴ The remaining \$216.00 is the basic needs allowance. See the City of Toronto's Social Services website for more information: <http://www.toronto.ca/socialservices/foodrent.htm#a>

¹⁵ The basic benefit is \$108.91 a month for each child under age 18. There is a supplement of \$91 (\$7.58 a month) for a family's third and each additional child. The federal Government subtracts a benefit reduction from this amount if the family net income is more than \$37,885. For a one-child family, the reduction is 2% of the amount of the family net income that is more than \$37,885. For families with two or more children, the reduction is 4%. http://www.cra-arc.gc.ca/bnfts/cctb/fq_pymnts-eng.html#q9

¹⁶ This amount recently increased from \$50.00/ child/ month which was the 2008/ 2009 rate. The \$91.66 rate is applicable between July 2009-June 2010. This rate is for families whose net income is less than \$20,000.00 See: <http://www.gov.on.ca/children/english/programs/ocb/ocbfaq/index.html#ocbMonthlyTable>

apartments which someone on social assistance will be hard pressed to afford. Fatima, a woman separated from her husband and child who remain in her country of origin, described her sense of desperation: “The rent is so expensive and the welfare is giving us only \$350¹⁷; is the maximum. So it’s not enough...I don’t work. I don’t work. They didn’t give me the work permit; 3 months gone now...When I don’t work and I have \$200 I cannot buy anything.” The low social assistance rates means that the average refugee who is in receipt of social assistance is obliged to pay much more than the recommended maximum of 32 percent of income on rent. All three of the refugees interviewed for this study who were renting in the private market were spending over 50 percent of their income on rent.¹⁸

Given the prevalence of newly arrived refugees on social assistance, one might think that the Government would prioritize them as a sector for social housing. Social housing in Toronto is managed by Toronto Community Housing Corporation, which is owned by the City of Toronto.¹⁹ While both GAR and claimants may apply for subsidized housing, newcomers are only given special consideration if they are homeless at the time of application. Newcomers who are homeless fall into the system’s 4th priority catch-all category of individuals who may be disadvantaged by the chronological

¹⁷ The social assistance rates were increased to \$ 356.00 per person shortly after the interviews. The \$350.00 that Fatima mentioned was the previous maximum rate for shelter allowed for a single person.

¹⁸ Numerous studies (Sinclair 2002, Zine 2002, Murdie 2005, Preston 2009) confirm that the majority of refugee claimants who have been in Toronto for a year or less are spending almost all of their income on rent, which makes their situation very precarious.

¹⁹ As of 2006 the City had 58,500 units across Toronto in over 2,000 buildings. They offer both market rent units as well as rent-geared to income (RGI) units (subsidized rent).

system.²⁰ Only 1 in 7 units is reserved for this 4th category, which also includes the homeless, separated families and youth who are 16 or 17 years old at the time of applying. Refugees, who need the most assistance during their first years here, are further disadvantaged by a system with a decades-long waiting list. When I asked a member of the Immigrant and Refugee Housing Corporation, a community-City committee that advocates on behalf of the housing rights of newcomers, why they have not lobbied for the inclusion of refugees and claimants as a priority group in their right, she responded that it wasn't really worth the effort as the waiting list for subsidized housing was so long that in reality, such advocacy would not increase the likelihood of getting more newcomers adequately housed.²¹

A shortage of subsidized housing for refugee claimants means that the majority of turn to the private rental market, where on account of their low income levels, they live in incredibly precarious situations.²² Explaining how she and her son survived having to pay \$820.00 on rent and being on social assistance, Maria anxiously described: “We lived off what we brought with us...the small amount we had left. We were having such a hard time. There was no work. It was snowing. It was so difficult for us. We didn't have

²⁰ The top priorities on the social housing list are: 1st priority- victims of abuse; 2nd priority- persons who are terminally ill; 3rd priority- over-housed tenants in rent-geared-to-income housing.

²¹ The length of time one may have to wait for social housing varies depending on what type of unit one needs, with the larger ones being the most difficult to get, and depending upon the neighborhood. The wait for a bachelor apartment downtown could be twenty-five years whereas the wait for a bachelor in North-West Toronto could be a year. The average information that Housing Connections gives is the following: “The estimated average waiting time for a: senior bachelor can be one year or more; a one bedroom can be up to seven years or more; a two bedroom can be up to five years or more; a three, four or five bedroom unit can be up to ten years or more.”

²² The prevalence of newcomers in general in the rental market as compared to established Canadians is noted by Canada Mortgage and Housing corporation, who in a 2004 study determined that between 1996 and 2001, 40 percent of newcomers rented, compared to 27.9 percent of established. CMHC further confirmed this in their 2008 Rental Market Report.

enough money to eat. We didn't know where to go to ask for help, who to trust. No one told us anything." Likewise, Fatima explains her sense of frustration with the high rent prices: "I cannot rent. The rent is so expensive and the welfare is giving us only \$350 is the maximum. So it's not enough. How can I rent? One room is at least \$500."

A claimant's low income tends to send them searching for housing in Toronto's less desirable neighborhoods (Texeira 2006, Zine 2002). Chipso, a single mom explains how her low level of income restricts her ability to rent in neighborhoods that she considers safe for herself and her son: "Whatever was accommodative based on social welfare, to me it wasn't the neighborhood that looked on the outside as safe. So everything that looked almost decent, you check the rent price and it's high. It was difficult for myself to risk, to take that risk." Other participants in this study did take that risk. Describing the fear that some of her friends experience in their housing situations, Fatima states: "They bought the dream of the great land. They are not expecting to come to a palace but they are expecting to access accommodation that is safe." Similarly, Susana describes the reactions of her clients to the poor quality rental units they are in: "I don't expect to come to a 5 star hotel, but you have received me, like a little bit of health would be good to have. My kids being bitten by cockroaches when they have never been bitten back home."

On account of the high rental rates in apartment buildings, many newcomers rent a room in a rooming house on account of it being more affordable. All of the participants in this study with the exception of the four in subsidized housing, rented rooms in private homes. Enrique, a single male participant explains why he is renting a room as opposed to a whole apartment: "Right now I'm paying \$400. For me it's pretty reasonable,

compared to what they charge for a basement apartment, because if I had moved to some basement, I'd probably be paying \$600 or \$800. So an apartment, impossible- \$1200 or \$1000; very expensive." While Enrique was only paying \$400, another two participants paid \$800 for a single room with shared facilities.²³

The affordability problems associated with the low income levels of most refugees are compounded by the fees that both GARs and claimants must pay the Canadian Government upon arriving in Canada. GARs are heavily burdened by the repayment of the Transportation Loan.²⁴ CIC expects refugees to "repay the loan in full by consecutive monthly installments" beginning shortly after their arrival. Depending upon the amount borrowed, the expected repayment time varies, from one year for a loan not exceeding \$ 1,200.00 to three years for a maximum loan of \$ 4,800.00. This is an incredible amount of money that a newly arrived refugees is expected to pay.

Similarly, those claimants that do not receive support from Legal Aid Ontario are left to their own devices. However, few will be able to cover their legal costs themselves. Those who cannot afford to pay the legal fees either apply having received no legal assistance at all or may receive free assistance from one of Toronto's community legal clinics, such as Parkdale or non-legal assistance from organizations such as FCJ Refugee

²³ The rising cost of renting rooms was reflected in the 2008 study *Shared Accommodation in Toronto: Successful Practices and Opportunities for Change in the Rooming House Sector*. In this study researchers found that financially viable rooming houses charged at least \$500.00 a month and that for that rate some required double occupancy. 33 percent of the participants in the study were born outside of Canada, although they do not indicate whether they were immigrants or refugees.

²⁴ The transportation loan program is one of four loan options offered to Convention refugees by Citizenship and Immigration Canada (CIC) to cover the costs of transportation for themselves and/or their family dependents to their place of final destination.

Centre. For claimants whose application for judicial review²⁵ has been denied, they must also pay \$150.00 per adult for their work permit application.²⁶ If a person's refugee claim is not successful and they wish to submit a Humanitarian and Compassionate Application they must pay \$550.00 per adult and \$ 150.00 per dependent that is single and under the age of 22. Claimants who have been successful and are permitted to apply for permanent residency must pay \$550.00 per adult and \$150.00 per dependent that is single and under the age of 22. These costs, many of which are unplanned for, are a further burden on refugees and claimants when they try and find an affordable and safe place to live.

The housing system in Toronto does not reflect recognition of the particular affordability challenges faced by refugees and claimants. They are not on equal footing with established Canadians in terms of accessing the private rental market. However the lack of social housing for them, despite being a Code protected group means that their unique needs are not being addressed. Government has the obligation to take reasonable measures to prevent the denial of adequate housing to disadvantaged groups²⁷.

Lack of Knowledge of Housing System

Claimants arrive in Canada with little knowledge about how things and the majority has little personal and institutional support. This puts them at a disadvantage vis-à-vis the rest of Torontonians society. The following response of Susana, when asked why

²⁵ An application for judicial review is submitted only after a person has received a negative decision from the Immigration and Refugee Board and the person wishes to appeal that decision.

²⁶ While a claimant's case is still under review they are not required to pay for their application for a work permit.

²⁷ This obligation is enshrined in Ontario's Human Rights Code which recognizes the right to equal access to housing. In addition, Canada is a signatory to the International Covenant on Economic, Social and Cultural Rights which enshrines the right to housing.

refugee claimants tend to end up renting poor quality units from “slum landlords,” illustrates how their lack of knowledge acts as a marginalizing force. She explains:

They [refugee claimants] pick up the first things they get. Those slum landlords are the ones that put less complications and less barriers to rent. If you have a slum place, a person who is born here in Canada and who knows there are laws and regulations, will not go and rent there. But a newcomer that is desperate for a shelter, for a roof...

Susana’s comment supports what was discussed in part two of this section, namely that claimants are particularly disadvantaged by landlords’ rules and requirements. However, her comment gives further insight into the fact that the consequence of this disadvantage is exacerbated by the fact that they do not know of rental laws and regulations. The experience of looking for and securing housing is often then one of shock, frustration and extreme disappointment. Fatima, a single woman, tells of the let-down she experienced:

I didn’t have any idea because the people said the government will help you a lot and they will give you everything. They will support you. They have good policy. Even you will not have any problem. But it was a dream. People just show me green gardens- that is it. I didn’t have ideas that it wasn’t the truth. It was not the truth. The Government will not help you a lot.

Mike, whose organization’s client base is 60 percent newcomers, says that his clients are similarly shocked when they come face-to-face with the barriers in accessing safe and affordable housing:

What I’ve seen is a profound disappointment in the clients we’ve worked with over their experience in that they did not expect this in Canada. I’ve had a lot of people who say they’ve come from an oppressive country where I experienced discrimination and I came to Canada expecting something different and here and

now they won't rent to me because of where my cheque comes from. And so I've seen it; mostly just people feeling that Canada wasn't what they'd hoped it be. This is an explicit example of that. A clear example of how Canada is letting them down.

Fatima and Mike's clients expected that they would receive government assistance in finding appropriate housing. However, the housing system in Toronto is one in which all potential tenants are assumed to be on equal footing and equally able to navigate the private housing market. The lack of targeted assistance for a Code protected group such as refugees constitutes a form of systemic discrimination.

A refugee's search for housing is made all the more frustrating due to their lack of knowledge of the Toronto market in particular. Chipso, a single mother from Africa describes how difficult the search was for her because she lacked knowledge of the City in general, of what neighborhoods are safe, affordable and accessible. She describes her confusion as such: "This side of town, that side of town, which side of town is better than the other? And then there are places like at Jane that are not very safe- and each time I meet Jane street I think 'oh, this is the area' and then they say "oh no, not *this* side of Jane."

A refugee's lack of knowledge of the Canadian housing system and the Toronto market is generally accompanied by a general unawareness of rights and responsibilities under Ontario Provincial law and Canadian law in general. When asked about his knowledge of his rights, Enrique replied: "When you arrive you don't know anything, nothing at all." Susana mentioned that some of her clients are being asked for twelve months rent up front by landlords. Being unaware of rights leaves claimants more vulnerable to exploitation and abuse by unscrupulous landlords.

3.4 The Particular vulnerability of refugees in the housing sector

On account of these barriers, “new immigrants and refugees are now part of the new face of homelessness” (Ballay et al 2004: 119). Sadly, this is not surprising. Many claimants arrive knowing no one, having no support system in place, and with very little money. Generally, they will go to an emergency shelter, either refugee specific or not, right away. The Red Cross First Contact program places newly arrived claimants in a variety of shelters across the city and many of those people end up staying there for a month or more. This experience is confirmed in the research that indicates that emergency shelters are increasingly being used as temporary housing by refugees and refugee families²⁸ (Access Alliance 2003; Paradis 2008). There has been a growth in refugee-specific shelters, evidence that there is a dire need to provide emergency housing to this sector.²⁹ Many refugees make up a significant portion of what is referred to as “hidden homeless”- living with friends or family, “couch surfing” (Ballay 2004; Texeira 2006; Hulchanski 2004; Zine 2006; Preston 2009).

In this section, I have linked my findings with those of previous research in order to show that the reasons for which refugee claimants are particularly vulnerable to homelessness is not solely a question of lack of supply. Claimants are particularly at-risk due to many discriminatory barriers at both the individual as well as structural levels. Consequently, I concur with Dion who exclaims “with systematic evidence of perceived

²⁸ While most shelters will accept refugee claimants, it was noted in the Access Alliance 2003 study that many staff are not equipped to deal with refugee-specific needs.

²⁹ In 1999, 24 percent of families requiring emergency shelters in Toronto in 1999 were refugee claimants (Ballay: 120). And in 2001, the City of Toronto housed 800 refugee claimants in city shelters at any given point (Ibid).

and actual discrimination, it becomes more difficult, if not impossible, to deny a problem exists” (Dion 2001:536).

While refugees are indubitably vulnerable to housing discrimination, this does not mean that their vulnerability need be assumed. In other words, they will try and deal with this issue in their own ways. One way in which it has been suggested that refugees deal with housing discrimination and the frustrations they have in securing housing is through the use of informal housing networks. This will be discussed in the next section.

4. The use of informal housing networks: choice or necessity?

The three refugee participants who rented in the private rental market made use of informal networks, supporting the finding that many newcomers, especially claimants, find housing through informal housing networks as opposed to through social service organizations or government agencies (Texeira 2006, Zine 2002, Dion 2001, Murdie 2005). Enrique found two of his three apartments by word-of-mouth. This is also how Maria and Jose found their third apartment. This strategy is most common with claimants, more so than with GARs who have the added benefit of government assistance.³⁰ Enrique, Maria and Jose simply walked up and down streets for many hours looking for “For Rent” signs. They also made use of a Spanish-language community newspaper where vacancies were advertised. However, they were not aware of the range of housing options available and their respective constraints and advantages.

³⁰ While both GARs and claimants face barriers, Murdie’s study on the different pathways to housing for these two groups found that “refugee claimants are disadvantaged over landed refugees once all other factors are taken into account” (Ibid: 4). This disadvantage is evident in that amongst his participants “sponsored refugees were able to find permanent accommodation in less than a month, on average, while refugee claimants averaged more than seven months. No sponsored refugee took more than two months to find permanent accommodation while a quarter of the refugee claimants took a year or more” (Ibid: 8).

Enrique, Maria and Jose experiences support the finding (Zine 2002, Murdie 2005) that informal networks tend to steer people towards the private rental market.³¹ Within the private market, there is a tendency for refugees to rent to rent from small scale landlords rather than large commercial landlords, since the former tend to rent out more affordable units. As noted by Enrique, “It’s very difficult to rent in an apartment building. They ask you if you are working and how much money you make. They want a letter from your employer. They ask for all sorts of papers. But if you rent in a house, it’s much easier.” Many small-scale landlords rent out a portion of their home, either as a self-contained unit, or as a room and the tenant shares the kitchen and bathroom with the landlord.³²

However, it is questionable the extent to which using informal housing networks is effective at finding long-term quality housing for refugees. The three participants renting in the private market spoke of discrimination and mistreatment at the hands of their landlords who were themselves a member of their ethno-cultural community. Enrique describes how such mistreatment can take the shape of incredibly poor conditions:

I rented a room in a house, a private house. I paid \$400.00 a month. The conditions were really terrible, just terrible. There was no hot water because the furnace was broken. The fridge didn’t work so the food that we bought went bad right away. The landlord didn’t do anything except show up at the end of the month to collect rent. There were lots of bugs that bit me, that bit everyone renting in that house. It was horrible. There were rats.

Similarly, Maria describes the first unit they rented and that she shared with her son:

³¹ Zine’s study of informal housing networks indicates that 76 percent of the participants paid rent to a private landlord. Only 14 percent lived in social housing with rent geared to income (Zine 2002: 32).

³² These are what the Landlord Self-Help Centre refers to as “second-suites.”

We rented two rooms in the basement of a house- one room for me and one for my son. We paid \$800.00 a month. There was no lock on our door but on the door of the landlord's son's room, yes, he did have a lock. They went into our rooms and looked through our stuff. They stole some of the clothing we brought. They stole documents.

Sadly, their stories are not uncommon. Such experiences leads me to echo the question asked by Murdie: "Reliance on friends and relatives is undoubtedly helpful in the initial search for housing but is this strategy a viable long-term solution for acquiring affordable, good quality rental housing?" (Murdie 2005: 15). Enrique, Jose and Maria all moved more than three times in one year citing the poor conditions of the units and bad relationships with the landlords as the reasons for their moves. Their experiences suggest that using informal housing networks is not necessarily the most advantageous route. While the majority of friends, acquaintances and community members are no doubt well-meaning, they often lack the expertise and the contacts to find reliable housing solutions for newly arrived refugees. It is highly unlikely for example that they will be able to locate rent-g geared-to-income housing which is offered through organizations and the Toronto Community Housing Corporation.³³

Enrique, Jose and Maria appear to have used informal housing networks on account of a lack of English language skills and because they weren't aware of the different housing support centres that existed. Asked why he didn't seek out the assistance of a settlement organization, Enrique replied: "I didn't know. I just didn't know about any organizations that could help me," noted one Enrique. "We didn't know

³³ The difficulties experienced by Enrique, Maria and Jose give credence to Murdie's finding that: "Refugees who rely more extensively on informal sources of support may have more difficulty finding permanent accommodation than those who rely on formal agencies...They [refugee claimants] have access to good information only when they make contact with formal networks that have a more detailed and accurate understanding of the refugee determination process and refugee rights" (Murdie 2005: 5).

anything, nothing. We didn't know anybody that could help us" stated Jose. Another reason for which some claimants may not seek help from an agency is due to a well-earned mistrust of authority.

In other words, it wasn't that these participants necessarily consciously sought out informal networks, but rather that they used them as a matter of necessity. In contrast to this finding, some in the literature suggest the use of informal housing networks is a discrimination avoidance strategy. Speaking about an immigrant woman's from Vietnam experience, Novac notes: "Due to blatant housing discrimination, Kim had little real choice over where she and her son could live. And by living among a concentration of Vietnamese immigrants, companionship and a buffer from racism by "whites" made daily life more comfortable" (1996: 3). While aware of the risks associated with forming immigrant enclaves, she concludes that "For racialized immigrant groups, segregation may guarantee a 'social distance' that reinforces unequal positions but it also allows for a pocket of safety from the daily indignities woven through a "white"-dominated society" (Ibid: 5). Similarly, Dion explains how "levels of discrimination and the severity of it in housing sector are often underestimated in part because individuals simply preclude a discriminatory experience by only seeking housing from landlords from the same "group" as them or on relying on friends and family" (2001: 535).

The implication of both Novac's and Dion's conclusions is that a person won't be discriminated against by members of one's own ethno-cultural group. This is a big assumption. The housing experiences of many refugees in fact suggest that it is not the case. The three participants who rented in the private rental market rented rooms from community members, units they had become aware of through community newspapers or

word-of-mouth, and yet they were mistreated in those units, with some landlords taking advantage of their lack of knowledge of their rights. As noted by Enrique, “amongst and between Latinos, there is also racism.” Maria agreed: “I think that, well in my experience, because we are Mexicans, they treat us badly.”

Being aware of this helps to understand why not all newcomers want to live with others of their ethno-cultural community. As Susana noted: “I know people coming from war-torn countries, the only thing they *don't* want is to be around their own people. They want to run away from their own people. They don't want to see them for a while until they come to terms with what happened back home.”

So while many refugees do make use of informal networks, it is not necessarily the most advantageous route. The findings of this study along with the more in-depth research on informal housing networks (Zine 2002, Murdie 2005) suggest that informal housing networks have not necessarily helped refugees access and enjoy quality housing nor has it targeted the problem of housing discrimination.

In the next section I will discuss those good practices that are combating housing discrimination, confining my analysis to those projects and programs offered through different non-for-profit organizations and government agencies. I will begin by explaining the good practice framework and how I applied it in the context of combating housing discrimination. I will then go in detail to describe in turn the different programmatic approaches and good practices.

5. Uniting a divided house: Good practices in fighting housing discrimination

To be considered a good practice, a service need not have eliminated discrimination, as this is a problem that cannot be quickly or easily eradicated. I consider as good practice those programs or projects that have specifically targeted housing discrimination as it is manifested for refugee claimants.³⁴ Good practices aim to establish substantive equality but do not necessarily treat everyone equally where equally is understood as “the same.” When people are in different situations and especially where there is evidence of systemic discrimination, there needs to be some accommodation made to them so as to ensure that they are treated equally in a substantive way. In the housing sector this is clear. While different organizations are addressing the barriers aforementioned in various ways and not necessarily specific to refugee claimants, their work positively influences claimants’ situations. In addition, while refugees are almost always in a vulnerable position vis-à-vis the rest of Canadian society, this does not mean that their vulnerability need be assumed. In other words, good practices aim to empower refugees- not hold their hands- so that they are able to act on their own, using their own strengths and capabilities, to integrate into society and gain access to the housing sector.

In this section I have outlined some examples of good practices and organized them according to eight programmatic themes: 1) Promoting a more comprehensive understanding of housing discrimination; 2) Understanding housing as a human rights; 3)

³⁴ Furthermore, the practices presented in this section will be considered “good practices” to the extent that they adhere to most if not all of the core values established by the Canadian Council for Refugees as conditions for any practice that is to constitute a “best practice”: Access; Inclusion; Client empowerment; User-defined services; Holistic approach; Respect for the individual; Cultural sensitivity; Community development; Collaboration; Accountability; Orientation towards positive change; Reliability (Canadian Council for Refugees 1998: 24).

Improving policy related to landlord screening criteria; 4) Empowering refugees through rights education; 5) Addressing interpersonal discrimination from landlords through education; 6) Making connections between landlords and refugees; 7) Addressing challenges of affordability and; 8) Promoting an integrated approach to housing.

5.1 Promoting a more comprehensive understanding of housing discrimination

Refugees' particular vulnerability to homelessness (absolute and especially hidden), cannot be understood solely as a market failure to adequately match supply with demand. For this reason, I consider it a fundamental good practice the consideration being given in Toronto to the role played by discrimination. While much research still needs to be done to truly understand the scope, depth and particularities of housing discrimination, even a cursory look at my bibliography or at the literature reviews conducted by Novac and Hulchanski (2002) and Murdie (2006) demonstrates the increasing attention paid to this problem.

Of particular interest in this regard is the ways in which community interests have been linked with academic research through the Immigrant and Refugee Housing Committee (IRHC). The IRHC is a diverse committee that is housed in the City of Toronto, Shelter, Housing and Support Administration Department.³⁵ Members of the committee come from a variety of backgrounds and include front-line staff from emergency shelters (both newcomer specific and not), settlement organizations, housing workers and landlords, transitional housing and academics interested in issues related to

³⁵ The City co-chairs the committee along with two community co-chairs, a representative from COSTI North York Housing Help and a representative from the Red Cross First Contact Program.

newcomers and housing.³⁶ The committee represents an excellent forum to discuss a wide array of challenges and opportunities to improve the housing experiences of immigrants and refugees. One committee member noted that: “members of the committee have been very important as resource people for the academics doing research in this area.” This link is an important one because it helps to ensure that the academic research is well-focused on those areas that immigrants and refugees and the support staff that work with them, have identified as topics that need to be better understood. The finished research is in turn an excellent tool for the committee in their advocacy work. When they can back up their suggestions for new programs or policy changes with academic research and data, their case is all the stronger.

While researchers continue to call for more research and that is indubitably needed, the attention being paid to housing discrimination and how it erects barriers for refugees and claimants sheds light on a problem that has for too long been considered as solely a market issue. By focusing on structural and interpersonal barriers, better policies and programs can be developed to help ensure that vulnerable newcomers are housed more quickly upon their arrival and that the housing is safe and adequate.

5.2 Housing as a Human Right

The language that is increasingly being used in Toronto is that housing is a human right. It is not a luxury. It is not simply a market good. It is a fundamental human right which means that every human being, by virtue of their humanity, has that same right. Mike, who has worked for over a decade as an advocate for equal rights in

³⁶ Immigrants, refugees and claimants are also invited to be members although presently there are none represented.

accommodation notes how his organization's advocacy work is strengthened by adopting a right-based approach:

Increasingly organizations are seeing the power of using that kind [human rights] of framework. Because it's not about doing people favours; it's not about being nice; it's not about the good paternalistic government who's out there to take care of people. It's about realizing peoples' fundamental human rights. This is something we all have, as members of this society, have a fundamental right to. And I think that this gives a lot of power in advocacy.

When housing is understood to be a human right, than the barriers to housing experienced by marginalized groups must be understood as human rights violations as opposed to simple unfortunate circumstances or bad luck. Only within a human rights framework can discrimination be addressed. There is an imperative to act that is implied, that is not there when one talks about, for example, people's "right" to have a cellular phone, arguably not a fundamental human right.³⁷

Advocating for housing as a human right is strong leverage for dealing with government, because all human rights imply state responsibility. Housing, than, has the same qualities as other human rights such as the right to life, the right to organize and associate, and so forth. I will briefly mention these qualities here. The right to housing is inalienable- i.e. one cannot lose their right to housing. They may lose their housing in reality when they flee their countries of origin, but they retain the right and therefore the government maintains its responsibility to create and ensure equal access to housing opportunities. The right to housing is universal. It applies to all human beings regardless of nationality, skin colour, sex, age, citizenship, etc., which means that refugees and refugee claimants have the same right to housing as do Canadians. The right to housing

³⁷ I am referring here to an article that appeared in the *Toronto Star* that analyzed whether or not there exists a right to a cellular phone (Newspaper January 10, 2009).

is part of an integrated system of human rights, within which no right ought to be prioritized over others. In other words, the government cannot put housing on the backburner.³⁸ The right to housing is justifiable. It is enforceable just like all other human rights. And so it is that the Centre for Equality Rights in Accommodation (CERA) has taken up various cases of infringements upon this right with the Human Rights Tribunal of Ontario (HRTO). Should housing not be considered a human right, such claims would not have been within the jurisdiction of these bodies. The responsibility of resolving complaints would remain solely with bodies such as the Landlord and Tenant Board (LTB). Promoting housing as a human right represents an extremely positive step in the right direction in the fight to end housing discrimination.

The Ontario Human Rights Code makes specific reference to the right to be free from discrimination in housing. Section 2(1) reads:

Every person has a right to equal treatment with respect to *the occupancy of accommodation*, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, same-sex partnership status, family status, disability or the receipt of public assistance (my emphasis).

A strict reading of the Code implies therefore that a person has the right to be free from discrimination only once they are *in* their unit. As such, discrimination and racial or sexual harassment by a landlord or other tenant, for example, would be expressly prohibited. Within the Code there is no free standing right to housing.

³⁸ Housing is a right that is recognized in the International Covenant on Social, Economic and Cultural Rights which means that it is subject to the limitation enshrined in article 2 of this covenant. Article 2 states that the promotion of economic, social and cultural rights is not immediate but rather a government will “to the maximum of its available resources, achieve progressively the full realization of the rights recognized in the present Covenant.” This limitation may not however serve as justification for inaction since progression implies gradual positive action.

Nonetheless, CERA suggests using a “substantive equality approach” that would permit s. 2 of the Code to be interpreted as providing protection against discriminatory practices in accessing housing. If the Code protects people in their housing then it certainly must protect them in their search to access such housing in the first place. That it recognizes that no one’s enjoyment of their housing ought to be hindered as a result of discrimination implies that the Commission would have the same opinion in terms of access. It would not make sense otherwise. Why protect one’s right to enjoy housing without also protecting one’s right to access it? Furthermore, homelessness is discriminatory. In other words, it does not affect everyone in the same way. Those individuals who are particularly at risk of homelessness tend to be people who protected by Human Rights Code grounds, including families, newcomers, people with disabilities, older persons, and people receiving public assistance.

Furthermore, the right to equal access of housing is established in international human rights law. Canada is bound by the Universal Declaration of Human Rights as well as the International Convention on Economic, Social and Cultural rights, both of which enshrine the right to adequate housing in articles 25 and 11 respectively. It is very positive that Bill 47, *An Act to establish the right to adequate housing as a universal human right*, passed its first reading in the Ontario Legislature on March 27, 2008. This Private Member’s bill recognizes that every person has a right to adequate housing, in accordance with the rights recognized in Article 11(1) of the *ICESCR*.

The Ontario Human Rights Commission confirmed housing as a human right in its 2008 report *Right At Home*- “Adequate housing is essential to one’s sense of dignity, safety, inclusion and ability to contribute to the fabric of our neighbourhoods and

societies” (2008: 6). The report was the product of a province-wide consultation on rental housing. They found that: “For refugees, immigrants, transgendered people, lone mothers, Aboriginal people, people with mental illnesses or other disabilities, and other people protected under the Ontario *Human Rights Code* (*Code*), the human rights dimensions of the housing crisis are undeniable” (2008: 3). In addition to drawing attention to the structural discrimination that hinders Code protected groups’ ability to act upon their right to housing, the Commission declares that: “In housing, persons in power (landlords, rental agencies, etc) may be held responsible for discrimination if they condone it or do nothing to address it when it is brought to their attention” (2008: 10). Indeed, while the Government cannot be expected to prevent all discrimination from ever happening, they are responsible for investigating and punishing such violations. This is a level of responsibility that accompanies all human rights.

One example of how understanding housing as a human right can particularly affect policy is the City of Toronto Shelter, Housing and Support Administration Department’s adoption of the “Don’t Ask, Don’t Tell” policy.³⁹ On account of this policy, clients’ access to shelter is not determined by their immigration status. While City shelter staff⁴⁰ may ask clients about their status this is simply to know how to serve them

³⁹ Similarly, the City of Toronto School Board has adopted a “don’t ask, don’t tell” policy thereby ensuring that all children have access to primary and secondary education regardless of citizenship status. The community grass-roots group, No One is Illegal has been instrumental in advocating for the adoption of this policy in a variety of different sectors.

⁴⁰ The City of Toronto runs some shelters using City funding and also contributes the funding to some private shelters that are run by community organizations. At the latter, clients are asked to apply for social assistance so that the shelter portion of that assistance can be given to the organization to help cover the costs. There are also federally funded shelters that apply specifically to GAR such as the COSTI Reception Centre in Toronto.

best and is not a question asked in order to determine eligibility.⁴¹ Had the City not recognized housing as a right, they may have limited the use of their shelters to GAR only, thereby closing the door on claimants. They may have hamstrung settlement organizations that receive City funding by requiring that their funds be used only with GAR. Happily they have not done so.

Ten years ago when rights language was not commonly used regarding housing, the Mayor's Taskforce on Homelessness declared a position that I think is contradictory, even nonsensical. The authors stated that: "Although the Task Force recognizes that there are important human rights issues related to housing, these issues are beyond our mandate" (Toronto 1999: 91). Human rights issues are never beyond the mandate of a government body. Indeed, they are the very institution (at its various levels) that is uniquely responsible for promoting, protecting and implementing human rights. Human rights are always their mandate. Ten years after that statement was made and in a climate where housing is increasingly being understood as a fundamental right, governments and their taskforces cannot so easily dodge responsibility.

5.3 Improved Policy Regarding Landlord Screening Criteria

It is not acceptable for landlords and housing agencies to design their screening requirements and applications under the assumption that all people applying for

⁴¹ While laudable as a short-term strategy, I think that the "Don't Ask, Don't Tell" policy is limited in its ability to affect long-term change in terms of how human rights are recognized and implemented in Canada. The issue of why people without immigration status are not accorded their rights by the Canadian Government- rights they have by virtue of their humanity according to human rights theory- is pushed under the rug. As a short term strategy it is important because it improves access but in order to develop a sustainable long-term strategy of protecting the rights of all peoples in Canada, it needs to be accompanied by learning and discussions about how to make Canada's immigration system more in line with international human rights standards. This is a subject for discussion at another time. I simply wanted to note what I consider to be the policy's limited change capacity.

apartments are Canadians and then when a non-Canadian applies make an exception to be flexible about the requirement of providing Canadian references.⁴² Landlords have an obligation under human rights law to be aware of the differences that characterize groups of individuals and to accommodate them to the point of undue hardship.⁴³

One way to ensure that this obligation is met is through the legal system, particularly with the advancement of key cases that will set a positive precedent. This is what CERA does through its test-case litigation program.⁴⁴ This program involves representing individuals before the Ontario Human Rights Commission. In Ontario, the majority of human rights Boards of Inquiry appointed to address systemic discrimination in housing are CERA initiated cases. And while the clients CERA represents are not necessarily refugee claimants, the decisions that result from the case indirectly and directly benefit them as a sector. Indeed, 60 percent of CERA's clients are newcomers, including both immigrants and refugees.⁴⁵

Two of CERA's initiatives which are particularly beneficial for refugees and claimants are the *Kearney* and *Ahmed* cases, both of which resulted in landmark

⁴² The SCC observes that employers and others who set standards or requirements “owe an obligation to be aware of both the differences between individuals, and differences that characterize groups of individuals. They must build conceptions of equality into workplace [or other] standards” (British Columbia (Public Service Employee Relations Commission) v. BCGSEU, [1999] 3 S.C.R. 3 at para. 68).

⁴³ The obligation to accommodate to the point of undue hardship is established in the Ontario Human Rights Code.

⁴⁴ CERA is a not-for-profit charitable organization whose goal is defined on their website as “to ensure that human rights protections in housing would be effective for low income households and to address systemic barriers to accessing affordable accommodation.” Their work is province-wide and they are the only organization in Canada with a mandate specifically dedicated to equality in accommodation. CERA provides summary advice, primarily over the telephone and negotiates with landlords on a case-by-case basis in an effort to work through discriminatory practices and get people housed.

⁴⁵ The organization is unable to identify exactly how many of their clients are immigrants and how many are refugees, Convention or claimants, because they do not ask status-related questions of their clients.

decisions.⁴⁶ The Ahmed decision⁴⁷ is formalized in Regulation 290/98 and clearly indicates that where a prospective tenant lacks a rental history for reasons related to a *Code* ground, landlords should look at other available information regarding the prospective tenant to make a *bona fide* assessment of the tenant.⁴⁸ In requiring the Respondent to cease applying credit history and Canadian references as a way to screen out newcomer applicants, the Board established important precedent. While this does not mean that in practice no landlord now requires such items of newcomers, it reflects an important change in the way supposedly neutral screening techniques are considered. Landlords that continue to screen in ways that the Board has prohibited in *Kearney* and *Ahmed* face the risk of being legally and/or financially sanctioned.

5.4 Empowering Refugees through Rights Education

All of the refugee claimantss and service providers interviewed, regardless of their age, gender, years of experience, cultural background, concluded that one of the primary reasons for which refugee claimants are more vulnerable to housing discrimination is because they lack knowledge of their rights and responsibilities under

⁴⁶ Dawn Kearney, J.L. and Catarina Luis v. Bramalea Ltd., The Shelter Corporation and Creccal Investments Ltd. 1998

⁴⁷ The Complainant, Aslam Ahmed, alleged that the Respondent, Shelter Corporation of Canada Ltd., had discriminated against him on the basis of his citizenship and place of origin by rejecting his application for rental accommodation because he could not satisfy minimum income, work history, and credit history criteria. The Board found in favour of the claimant and indicated that the way in which the housing agency conducted tenant screening was contrary to the provisions of the *Human Rights Code*. The Board relied on precedent from the *Kearney* case (1998) where it was found that: “The use of rent-to-income ratios/minimum income criteria violate sections 2(1), 4, 9 and 11 of the *Human Rights Code* whether used alone or in conjunction with other selection criteria or requirements.”

⁴⁸ The Board stated that: “Landlords are entitled to seek credit history, rental history, employment status, and use other selection criteria that do not violate the *Code*. Landlords, however, must be mindful that there is a difference between a tenant having no credit rating and a bad credit rating. There is a difference between a poor reference from a previous landlord and no reference” (Ontario Human Rights Commission and Aslam Ahmed v. Shelter Corporation of Canada Ltd. May 2002: 22).

Canadian law. The assumption is that if claimants knew their rights better they wouldn't find themselves in situations where unscrupulous landlords and housing agencies could take advantage of them. Explaining how this lack of awareness translates into a refugee being unable to defend their rights, Mike explains: "The problem with the enforcement or the realization of human rights under the Ontario Human Rights Code is that housing providers and tenants don't know their rights and obligations with respect to the Code. Tenants, particularly people who are new to Canada...they're not going to know what their legal rights are..."

Rights education gives newcomers what Zine refers to as "the cultural capital that will allow them to advocate for themselves" (Zine 2002: 43). Recall that many claimants are unaware of the services that are out there to support them and to provide them with the information they need. The Immigrant and Refugee Housing Committee (IRHC) has recognized the need to take the information to claimants, especially those who arrive without support here in Toronto. They stress the importance of being proactive and not expecting everyone to simply access online information or to approach a centre. The Committee has developed and is distributing pocket-sized information pamphlets with information about where to seek assistance and to find out about rights and responsibilities. Printed on bright coloured paper so as not to be missed, these pamphlets are being distributed at points of entry, Peacebridge and Fort Erie. The plan is to also distribute them at the Pearson International Airport, something which the Canadian Border Services Agency has not yet approved. Research and the experience of service providers in Toronto indicate that these people are at a tremendous disadvantage and highly vulnerable to exploitation and abuse. By providing basic information and

important telephone numbers as soon as they arrive, that risk is arguably reduced.⁴⁹ One of the services advertised on the pamphlet is the Red Cross First Contact program. This program provides immediate in-person assistance for refugee claimants, refers them to shelters, provides them with information about filing their claims and puts them into contact with other service providers.⁵⁰

These pamphlets provide claimants with the information they need to make an informed choice. The design and distribution of these pamphlets is a great way to get the word out about the different organizations and agencies that exist that can help refugee claimants not only in the housing sector but also with employment, immigration matters, and so forth. It is a great example of outreach.

5.5 Landlord Education: The Carrot and the Stick

While there has been progress in Toronto and in Ontario in passing regulations that are advantageous to refugees and immigrants, my findings supports the research done on housing discrimination in Toronto, Montreal, Vancouver and Winnipeg that suggests that in the private rental market, most discrimination occurs at the hands of

⁴⁹ Websites and phone numbers for resources such as 211 Ontario and Settlement.org are included. Both are portals to specialized provincial information and referral databases. The idea behind the sites is described by 211 as: “to coordinate and web-enable local data to create a fully searchable, bilingual point of access to over 60,000 community, social, health and related government programs and services in Ontario.” The site has a special section for newcomers and housing. The website is in English and in French however the parallel phone-in service is multi-lingual and is able to serve any caller by making use of translation services.

⁵⁰ This organization is also the product of an IRHC initiative. Noticing the dangers ran by claimants who arrive in Toronto with no personal or institutional support and with no idea of where they will spend the night, the committee approached the City of Toronto for funding. The City initially funded the program and it later came under the auspices of the International Committee of the Red Cross. As an internationally known and respected organization, it is felt that newcomers will be more likely to trust the organization and to go to them for support. The initiation of a program of this sort is something that was recommended by many agencies and researchers.

landlords. Despite important positive changes occurring at the policy level, at the practical level change is slower. Susana describes how, despite policy changes, landlords continue to discriminate:

Like landlords even now asking for 5, 6 months of rent in advance when we passed a regulation; it took us 5 years to pass the regulation that this was not acceptable. Or ask for references. We also passed that regulation. Or asking 'where are you working' or 'show me your bank account' and things like that. It's really what comes first, the chicken or the egg. As more regulations you put, great because it becomes the standard, but the common daily practice is problematic. And that's why the existence of these support services is so essential.

That landlords continue to discriminate despite the existence of anti-discrimination legislation and regulations regarding landlord screening requirements, clearly demonstrates the need to work directly with landlords. A CERA staff-person with 10 years experience interviewed for this report explains why educating about rights and responsibilities is important not just for tenants but also for landlords:

Most landlords have a very basic understanding if any of the human rights code. And since the human rights code is one of those laws that doesn't spell out what's illegal and what's legal there really is a need to help landlords along so that they can understand that what it means when it says "you can't discriminate based on origin"- it doesn't just mean 'I refuse to rent to refugees.' It also means that you can't have a rule that if someone doesn't have credit, or doesn't have references in Canada, you going to refuse them; and automatically require a co-signor because they're new to the country. Things like that. There are different types of discrimination. It's not always what's obvious. We have continually had to educate landlords about the fact that discrimination is about the effect of your actions not your intentions.

In what follows I describe the ways in which landlord education has been carried out in Toronto. I call it a carrot and stick approach since many organizations engage in

education as a way to encourage positive landlord behaviour (carrot) whereas other organizations advocate a more shaming educational strategy (the stick).

The Carrot

The Ontario Human Rights Code is clear that discrimination will not be tolerated in the housing sector and the Human Rights Commission in *Right At Home* confirmed that landlords would be held responsible for discriminating or tolerating discrimination by a third party. Nevertheless, landlord advocates declare that many small scale landlords do not understand what their obligations are under the Code and do not fully comprehend how the obligation to not discriminate translates into practice. According to the Landlord Self-Help Centre, the majority of small-scale landlords tend to become landlords simply as a way to subsidize their own cost of housing and are hesitant to view the renting out of a second-suite in their home as a ‘business.’ Linda who has worked with the small landlord community for twenty years explains:

We find a lot of people, a lot of landlords they don’t look forward. They think, ‘ok, I need some money. I got my electricity bill. Wait I can’t afford it. What am I going to do? Oh, I’m going to rent that room upstairs.’ They don’t do the research. They don’t understand what their obligation is, what their legal commitment is, before they jump into this business. And when they rent out of their own home, they don’t look it as a business. It’s a home thing.

What I understand Linda to be saying when she says that many of her clients do not look at the rental unit as a business but rather as a “home thing” is that there is a tension between understanding their unit as, on the one hand a personal possession and on the other hand, as a source of economic gain. When landlords understand the unit as a personal possession they will tend to want to control it and may resent a tenant treating the space as their own. Maria’s experience indicates how this resentment can translate

into disputes over the landlord's right to supervise the unit and the tenant's right to privacy. Maria and her son rented a room in a private home and shared the kitchen and laundry facilities with the landlady. Maria explains: "We also had problems there because the landlady would get upset when I cooked. And we only had a right to use the laundry facilities once a week. If I had a lot of clothing to wash, because we were 3 people living there, she would get so upset... she didn't like that I cooked. I cooked and made their lunches. She began to treat us really badly." Jose, Maria's son adds: "She didn't like having us there because we used the hot water. She didn't like that we used the hot water. We would shower daily; I mean we were paying rent!" The landlady's constant supervision of the use of laundry, the kitchen and the shower suggest that while she may have originally wanted the added income from renting out part of her home, she resented the tenants using what she considered her "personal space." This example clearly supports the Landlord Self-Help Centre's (LSHC) estimation that many small landlords are not aware of their obligations under the law prior to becoming a landlord. They only truly comprehend it when they run into problems with a tenant.

A lack of awareness of obligations can facilitate discrimination. I interviewed two experienced staff-people at LSHC who suggest that the main reason for which small scale landlords discriminate is ignorance: "For tenant screening, landlords don't know what they can do; how they can screen a tenant, what information they can ask, if they can use percentage of income as a guideline to screen. They don't know what the rules are." Indeed, most allegations of discrimination arise during the tenant screening process. However, the tenant screening process is also an important way through which landlords try to mitigate risk. Linda explains why tenant screening is important:

To protect their investment because once you have a tenant in possession and if they default on the rent it takes 8 weeks or so to go through the termination process and often times that means no rent for 8 weeks. And outlaying the fees for the application for the Landlord Tenant Board and if the sheriff has to get involved, the eviction fees are 315\$. We've had clients that have had to take cash advances from their credit card just in order to sustain their mortgage and to pay their filing fees for an application to the Landlord Tenant Board and to the sheriff. Yeah, a lot of them are living pretty close to the bone.

As a result, the Landlord Self-Help Centre focuses on education as a primary discrimination prevention strategy. A staff-member with ten years experience explains their emphasis on education: "...discrimination I think- since it's coming from ignorance- well, the opposite is to inform people through education programs." As the province's only legal aid clinic that exclusively helps small-scale landlords, the LSHC is in a unique position to do so. Their contact with small-scale landlords is important because through the Centre it is easier to facilitate education programs with a group that is otherwise quite spread-out. A staff person from CERA who does extensive public education work with landlords notes that: "smaller landlords are kind of wild cards because when they're renting out an apartment in their house, it's hard for us to track them and hard for us to reach out to them in terms of education."

The LSHC is also in a unique position to educate landlords because they are seen and self-describe as "on the landlords' side." This is especially relevant in anti-discrimination education programs, since questions about discrimination can sometimes arouse feelings of defensiveness by landlords. It was noted by Novac and Hulchanski (2002) that some of their informants said that research into housing discrimination was inherently unfair to landlords. Consequently, landlords may be more likely to take advantage of educational opportunities offered by LSHC, than say educational programs

offered by organizations that landlords perceive to be 100 percent on the tenants' side. LSHC frequently invites CERA to speak to their clients about housing discrimination and to teach them about their obligations under the Code.⁵¹ Asked whether he thought the education was having an effect, Mike with ten years experience at CERA replied:

Five years ago if I said that to a landlord I would've been up for a huge argument about "ahhh, you don't know what it's like to run a business, ahhh step into my shoes for a minute and you'll see that I can't possibly do that." That doesn't happen anymore. When I talk to landlords and I explain to them, when I can say to them 'this is law and I can send you things on it, I can send you commission policy that's based on these cases,' they actually seem to understand that they're going to have to be flexible.

They [landlords] are at least recognizing that they...can't just have one rule for everyone. And that's a major accomplishment because people don't get that. People think that discrimination is when you treat people differently. The average person thinks that as long as I treat you the same as I treat this other person then I'm doing the right thing and it's really hard to get them to understand that sometimes you have to treat people differently to achieve equality. And these landlords increasingly seem to get it...

Complementing these educational sessions, the LSHC provides small-scale landlords with model application forms, in which the tenant requirements are coherent with provincial and federal human rights legislation. This is important for as noted by the OHRC, one of the biggest barriers for disadvantaged peoples within housing are informal or highly discretionary processes for making decisions. The OHRC states that "The less

⁵¹ LSCH also provides summary advice to their members and any landlord that contacts them. They do this over the telephone and in person. They inform clients of their rights and responsibilities, including Code obligations, and thereby try to diffuse landlord-tenant conflicts. The Centre's service model, of providing one-on-one attention is important because LSHC staff is able to gauge what each specific caller's level of understanding is and to clearly explain to them the ways in which their particular proposed course of action may lead them into additional conflict. Such personalized advice is a good complement to the more generalized educational materials they provide in printed and online format. In addition, they offer free workshops during which the topic of human rights and non discrimination is addressed. For these, the Centre works closely with CERA who has participated on many occasions in such training exercises. The Centre is currently working at being able to stream-line such workshops online so that members and other interested parties that either don't live in Toronto or cannot make it to the workshop can still benefit by watching it on their computers.

formal the process, the more likely that subjective considerations or differing standards will be applied and the more opportunity there is for unconscious or conscious biases to come into play” (OHRC 2005: 34). The LSHC’s model applications available for landlords to copy are a step in the right direction of formalizing an application model that is not discriminatory.

Another successful practice in educating not just landlords, but tenants and society in general is the design, elaboration and free distribution of legal education materials by Community Legal Education Ontario (CLEO). CLEO is part of Ontario’s legal aid clinic program but does not work directly with clients. Their sole mandate is public education and awareness-raising around legal issues, one of which is housing. Staff at CLEO goes to great lengths to ensure that confusing and intimidating legal jargon is broken down and the essence of the laws and regulations is explained in an accessible way. They produce printed materials which anyone in the province can request and have delivered to them, free of charge. “Regular customers’ are the settlement agencies, who distribute the materials to their clients and who also make use of them for their own staff.

Designing these materials is a challenging endeavour that takes hours of team-work between CLEO’s lawyers, their specialized editors and external legal experts, contracted according to the theme of the publication. Not only is it difficult to explain complicated legal concepts in clear language, but they must take into account numerous different learning limitations. As noted by an experienced staff member:

The barriers to understanding are varied and you’re trying to write one piece that addresses as many of those as possible. So for example, the literacy barrier for someone whose first language is English but maybe wasn’t able to get much education and so doesn’t read very well for that reason, is completely different from someone who has trouble reading English because it’s not their first

language. They may be very literate in another language. Just the work to understand certain terminology; like we can't use colloquialisms for example. All these different barriers, you have to take into account for one publication.

While the bulk of CLEO's materials are only available in French and English they recently launched the "Six Languages Project," which has produced text and audio materials in Arabic, Chinese (Mandarin and Simplified Chinese), Somali, Spanish, Tamil and Urdu. This project resulted out of the organization's 2006 *Linguistic Access Report* which involved research on how the organization could help meet the public legal education needs of low-income communities in Ontario who speak neither French nor English. For the next phase of the project they are producing two more pieces, both of which will deal with housing issues from the tenant's perspective. While the content has not yet been finalized, the staff person interviewed indicated that discrimination would be included. This project is an example of how the organization has taken a proactive approach to recognizing diverse needs and reaching out to newcomer communities.

Another key resource established by CLEO is CLEONet, a website designed primarily for community workers and advocates to facilitate their work with clients (although the general public are also frequent users).⁵² CLEONet has public legal information news, events, and resources submitted by community organizations and legal clinics across Ontario, covering a wide range of areas including housing law. As of early 2009, the site has well over 1,000 legal resources produced by over 200 organizations. To ensure the usability of the site, CLEONet staff prepares concise annotations of resources submitted, categorizes them based on CLEONet's customized taxonomy, and regularly monitors the resources to ensure a high-quality collection. Workers and advocates can then go to the site and search or browse to access numerous materials from different

⁵² The website for CLEONet is: www.cleonet.ca

sources on a particular topic of interest, and subscribe to e-mail alerts to be informed of new postings. Such a resource is important for organizations such as LSHC which can conduct a sort of “one-stop shopping” exercise in its search for education materials for their landlords. Similarly, housing help workers and settlement workers can also save time and energy by using this network.

The Stick

I consider rights education a carrot because it is the positive angle on understanding why landlords may or may not discriminate. As noted above, many people think that landlords discriminate because landlords don't understand what discrimination or because they don't understand their obligations under the human rights Code and landlord-tenant legislation. This view assumes that once landlords are aware of their obligations and the rights of their tenants, they will not discriminate.

While this no doubt holds true for some landlords, the respondents to this study suggest that it is not always the case. Were it so, then there would be no reason for landlords to exercise more subtle forms of discrimination as described by Susana:

When it comes to the day-to-day, when the person knocks on the door and encounters the private landlord community, the landlord has many, many resources to say 'no.' I haven't seen any landlord in all these years that I have been in the housing department, any landlord that will say blankly "I will not rent to you because you're African; or because you're a person of colour; or because you have too many children; or because you're on welfare"- because they know that that is discrimination. They know that that is against the law...But they find other ways to say 'oh no, I rented yesterday.' And when someone else comes that is from a different race, they will say 'yes please come and apply.'

As a result some organizations advocate a more punitive approach- the stick, in this carrot and stick analysis. Mike, with ten years of experience working in anti-discrimination education, explains what he sees as the advantages of a more punitive approach:

We do stings with bad employers; we should do the same thing with landlords. It's easy to do...If the Ontario Human Rights Commission, a government agency, could send people out, to do this; it's not even expensive. All you have to do is call in most cases. Landlords discriminate over the phone all the time. So you can just call them and see what they're going to do. And so if the Commission could then just go and say 'Hi, I'm the Human Rights Commission. This is what you're going to do to address this or we're going to take you to the human rights tribunal or we're going to slap a fine on you.'" Or something like that. Some kind of punitive monitoring, sting kind of measures to ensure that it's enforced and to make know housing providers know that they have to watch out...You have these kind of things but not in human rights. You have it under labour standards. Not enough. It's never effective enough. But if you at least had landlords aware that they could be monitored or are being monitored, I think that would be phenomenal.

One organization that has put this into practice is the Parkdale Tenants Association (PTA), a grassroots community organization that employs a shaming tactic. In 2002 the PTA, following the idea that restaurants are rated, rated apartments in the Parkdale neighborhood according to a Pass/ Fail or Conditional Pass rating. Volunteers at the PTA interviewed tenants of various apartment blocks using a simple questionnaire asking questions about health and maintenance standards and tenants' overall situation in the apartment. They then held community meetings to decide how the community could best pressure the government and the landlords to make the necessary changes. Based upon these ratings, the PTA designed the Golden Cockroach and Golden Weasel awards.

The Golden Cockroach award is for the “best” slum landlord.⁵³ The PTA believes that the responsibility to provide quality housing isn’t just that of the landlords but also of the government, in its capacity to enforce rules and regulations. For this reason the organization also awards the Golden Weasel, which is “for the person or level of government which has weaseled out of its commitment to protect tenants against slum conditions.” The awarding of these two awards in 2004 was heavily publicized, thereby making use of the local media to shame landlords and City officials into making improvements in the housing of marginalized communities.⁵⁴

I think that these are interesting examples of using publicity and the media to shame “slum landlords.” In the absence of monitoring by the Human Rights Commission and/ or by the City of Toronto and the doling out of fines as suggested by the respondent quoted above, shaming can be an effective tool. Indeed, it is the tool used at the

⁵³ The PTA describes the trophy and its symbolism: “Mounted on an imitation marble and stainless steel stand, the illustration below the mounting bracket subtly hints at a crumbling apartment building, thus signifying the ever-present effort by slumlords to run their buildings into the ground at high rents. The stainless steel curves sweeping upwards towards the sky symbolize the ever-increasing rents which know no limit and the efforts by slumlords to charge sky-high rents. Finally, at its pinnacle, there is the Golden Cockroach itself, clad in all its gold and splendour, thus subtly denoting the filth and health hazards which these landlords aspire to create for their tenants. The gold also symbolizes the huge profits which slum landlords are making at the expense of their tenants.” <http://www.goldencockroach.org/gca.php>

⁵⁴ The Golden Cockroach and Golden Weasel Awards are not annual awards. Rather, when there is a problematic landlord that the organization thinks might be influenced positively by the use of negative publicity, there is greater incentive to make the award. The awarding is also dependent upon volunteers’ availability to conduct the door-to-door surveys. A significant achievement of the committee’s is the inclusion on the City of Toronto website of a housing violation log. A person can enter in an address and gain access to a two-year history of complaints filed against the particular landlord and whether or not there is a backlog of work orders pertaining to maintenance of the facility.

international level when a government, country-member of the United Nations, does not respect human rights.

I also think that the shaming technique can be turned on its head and positive reinforcement could be given. For example awards could be given to the landlord or housing agency that made the most effort to address discrimination in their own practice. Landlords who institutionalize positive steps- such as by agreeing to rent on a scale of affordability as is currently required by RENT for participation in the Landlord Connect program (See next section). Similarly, an award could be given to the official or government institution that took steps towards promoting inclusion in the housing sector as a matter of design and not simply as a means of accommodation.

5.6 Making the Connections between landlords and refugees

A key part of rights and obligation education for landlords and tenants is helping each side to understand the others' point of view. Efforts made to bring both sides to the table and to promote a greater understanding of the other's position are important in fostering a more inclusive housing system. Below I discuss three different strategies of how this collaboration is being fostered: 1) RENT and Landlord Connect; 2) Keeping a list of landlord partners and; 3) Accompaniment.

RENT and Landlord Connect

Landlord Connect is a great example of effective online networking and resourcing. This is a program that was designed and is managed by RENT- Resources

Exist for Networking and Training.⁵⁵ The Landlord Connect program began as a pilot project in 2006 and as a result of its success has become a permanent program.⁵⁶ It is an online centre of information and vacancy listing that facilitates the identification of private landlords offering affordable housing. The program also provides support to partnerships between landlords and housing help services.⁵⁷ Landlord Connect deals specifically with market rent units- apartments, second-suites, rooming houses- which on account of the long waiting lists at social housing, is where most refugee claimants live, at least initially. Housing workers assist their clients to locate such units, negotiate and mediate with the landlord and ensure that the tenants make connections with the income supports they need.

Both housing workers and landlords register to become members of the program. Registration is free of charge however *is* required because of certain protocols that all interested parties must agree to in order to participate and take advantage of the benefits that the program offers. The protocols are designed to ensure that a three-way relationship of trust and support is established between the landlord, their tenant and their housing worker. There are five protocols for landlords one of which is around affordability. They must specifically agree to not discriminate on the basis of level or source of income. Landlords are also asked to be flexible around screening criteria such

⁵⁵ RENT's mission as advertised on their website is: "to build the capacity of the housing help sector by facilitating the housing workers' peer-learning network in which coordinated resource development is a priority." <http://www.housingworkers.ca/about/index.cfm>

⁵⁶ Currently, the program is designed for the entire City of Toronto but there are plans to expand to create a provincial program as well.

⁵⁷ Housing help services are the link between people who are precariously housed- many of whom are refugee claimants- and affordable housing units available in the private rental market, social housing, supportive housing, and other types of housing.

as credit history and Canadian references. On account of the Residential Tenancies Act they cannot require that landlords wave these criteria but they do request that landlords be flexible. Landlords are also required to contact the corresponding housing worker immediately if a problem emerges and prior to commencing with eviction proceedings.

Housing workers must also agree to certain protocols. For instance, they must agree to support the tenancy for a minimum of three months. This means that they will keep in contact and if a problem emerges with the landlord, they will negotiate and try to ensure that their client remains housed.

Landlord Connect offers significant benefits both for landlords and for housing help workers and their clients. For landlords, the program offers them a source for tenants as well as guaranteed support for those tenants. This support as well as the educational materials provided to them by RENT serves as an eviction prevention program for landlords, which can ultimately save them a lot of money and effort in searching for a new tenant. For those small landlords who may not have the funds to pay for advertising it is a big advantage for them to be able to post their unit on the website and know that it will be filled and that they will get back-up support with that tenant.

For housing workers and their clients, the program also offers tremendous advantages. The program narrows their housing search to units that are affordable and to landlords who are willing to rent to vulnerable people. In addition, each unit is mapped which means that the worker and their client can see what services are nearby- for example reasonably-priced grocery stores, food banks, community centres, and so forth. There is also a discussion board through which housing workers from all across Toronto can communicate with one another, thereby sharing knowledge and resources. For

example if a worker has a client who doesn't speak English and the worker can't communicate with them, they can put a request on the discussion board for assistance from a worker who does speak that language or ask for contact details for a translator. There is also a search that allows members to see which housing workers speak which languages.⁵⁸

The importance of sharing resources, experience and information is also at the heart of RENT's networking luncheons for landlords and housing workers and the educational training opportunities for housing workers. The former happens twice a year and is a great opportunity for both parties to learn about the others' perspective. As Cathy, a former housing worker and current RENT employee notes: "those are 2 sectors that are very different- the housing help comes out of a social work framework and landlords come out of a business framework and when the two come together there are lots of things to learn." The training opportunities for housing workers are monthly and include topics such as eviction prevention, working with immigrants and refugees and others. RENT invites other government and community organizations to participate as speakers and has repeatedly invited CERA.

Learning about housing and one's rights and responsibilities within the sector is also promoted by RENT through their design and distribution of printed materials for

⁵⁸ In addition to the general discussion board there are specific discussion boards created according to interest. By giving workers the opportunity to share knowledge and ideas they can also be the catalyst for advocacy on behalf of vulnerable sectors of the city. A case in point was the creation of the discussion board on the subject of the Rent Bank. A staff-person interviewed describes how when there was talk of cutting the funding to the program, they created a discussion board on the topic and promoted advocacy and lobbying from there: "When Rent Bank was about to have its funding cut, we [RENT] created a discussion board (Rent Bank Funding Group) about it and that helped the advocacy campaign happen. We started a special discussion group, letters, lobbying efforts; so people that are key rent bank advocates can work together. And it did get sustained. It [Rent Bank] got saved."

landlords and housing workers. Again, these materials help each side learn about the other and to learn about their own role in helping to house vulnerable sectors of society.

This program therefore helps to reduce discrimination in the short-term as well as the long-term. In the short-term by requiring that landlords agree to rent according to an affordability scale and to not discriminate on any grounds and by providing them support through the housing worker, the program facilitates access to housing in a concrete way. In the long-term, the program promotes and facilitates dialogue between different sectors and encourages people to try and understand the other's perspective. As Cathy explained: "there's a discussion happening and that's how peoples' fears...I mean discrimination comes from fear right and fears can be lessened as we talk it through with them." Likewise, "The bottom line is you want that person to have housing. It's the most important thing for them to have a home. So you're [housing worker] not going to put up with a landlord who will not treat someone with respect but if they [the landlord] have attitudes that could be worked on, we [RENT] try and support housing workers to do that."

Keeping a List of Working Partners

Landlord Connect is one way of limiting one's search for non-discriminatory landlords. Another way is the strategy used by COSTI North York Housing Help, who keeps a list of landlords with whom they have worked. This is a good idea in a city where unfortunately not all landlords treat all applicants equally. By establishing a long-lasting working relationship between the organization's housing workers and landlords, the organization is better able to quickly assist their refugee claimant clients in finding

adequate housing. Likewise, landlords know that they can count on COSTI North York Housing Help for support and follow-up should they encounter difficulties with their client. This practice promotes cooperation and good faith and provides benefits to all sides.

Accompaniment

Accompaniment refers to the practice of a having a staff person from a settlement agency or support service accompany a claimant in their search for permanent housing. This can mean helping with online searches, travelling to the units, negotiating with the landlord, etc. While some researchers claim that this process is disempowering and involves too much hand-holding, members of the IRHC that participated in this study indicated that they thought it was an important good practice, especially when the person is struggling with English. One IRHC member stated that “when you talk about barriers in housing in terms of best practices, this [accompaniment] is a crucial one.”

Romero House is one of the organizations most well-known for this practice. In accompanying refugees on their search for housing, Romero House interns are able to steer their clients away from landlords known to be discriminatory and thereby spare the individual the pain of being mistreated.⁵⁹ In addition to being a support for the claimant who is in search for housing, the volunteers also represent a support to landlords. While

⁵⁹ Romero House notes the following in their 2000 report: “Romero House volunteers have witnessed blatant racism from landlords; for example, one landlord phoned Romero House in search of a potential tenant, he asked for anyone who was not black and had no kids! The absence of available low-cost government controlled housing for refugees puts all of the advantages on the side of the landowner, and often, they abuse this power” (Ryan and Woodill 2000: 21).

the applicant may not have a Canadian rental history, the volunteer and the organization that they represent can act as a reference. Having this contact has been shown to put wary landlords at ease. This is exactly what was expressed by a Chipo, a single mother and former Romero House tenant:

I think that this lady just see me with [the intern] and explaining that I was from Romero, this made the landlord feel comfortable. Because each time you go out with them [the intern], they do the introduction for you so that alone was a plus. And the landlord feels that there's an organization to trust that you're attached to.

Similarly, the organization can serve as a reference for landlords. When asked if landlords requested Canadian references, Chipo said "Oh yes, they do. But as I was saying being part of Romero is advantageous because it's easy to give them Romero as your reference for such things." Romero House will also drive their clients to the various housing appointments. While this may seem incidental, getting around Toronto to see all the various potential units in different neighborhoods can be costly and time consuming. By driving their clients to the appointments, Romero House spares their clients time, money and frustration.

5.7 Addressing the challenges of affordability

A lack of income sufficient to rent a safe and adequate unit in the private rental market in Toronto is not a problem suffered only by refugees and claimant. However, as a Code protected group special measures ought to be enacted to assist refugees in this regard. The following two programs- 1) Rent Geared to Income (RGI) and 2) Rent Banks- offer refugee claimants the added support that allows them to participate more equitably into Toronto's private rental market.

RGI is a subsidy from the City of Toronto that makes up the difference between the amount that a household can pay for the unit and the *market rent* for the unit. A household usually pays approximately 30 percent of their income. This subsidy is given to organizations that rent out units and allows them to provide good quality housing in safe neighborhoods without passing 100 percent of the cost on to the tenant. Two organizations that participated in this study offer RGI housing- Romero House (RH) and Faithful Companions of Jesus Refugee House (FCJ). Romero House is a community-based organization that started in 1992. It provides transitional subsidized housing for refugee claimants. They have three houses converted into apartments, all of which can accommodate single people and/ or families. Each apartment is a self-contained unit with bathroom and kitchen. A person's rent is determined according to the level of their income. The majority of Romero House tenants are on social assistance and so contribute 30 percent of what they receive in social assistance payments to rent. The result is that they can live in a safe and accessible neighborhood in an apartment of good quality and in addition with supports available.

FCJ is also a community-based organization that provides transitional housing for women and children only. They have three houses. Each person has a private room and the bathroom and kitchen facilities are shared. Residents share the cleaning and general care of the home. Tenants pay the maximum amount that Ontario Works sets aside for shelter, so for a single person that would be \$356.00. Again the result is that tenants live in a safe and clean location and also have supports available should they require them.

The organizations recognize that even with RGI, once a tenant pays their rent, there is little left over for other expenditures. As a result both organizations also assist

tenants through food, clothing and furniture banks. In addition, both organizations assist claimants with their immigration process.⁶⁰

In addition, Romero House provides assistance with the payment of immigration fees. If a tenant's refugee status determination hearing is successful, that person must then pay the \$550.00 per adult and \$150.00 per child fee to apply for permanent residency. Many will be unable to pay this fee for some time and until they can, will not enjoy all of the rights they are entitled to as permanent residents. And for RH residents, once they have had their hearing they must search for new housing and will be unlikely to acquire another RGI unit. So their expenditures are likely to go up. In recognition of these difficulties, RH will pay half of the costs for such fees for their tenants. In the case of a negative status determination decision, RH will pay half of the costs associated with a humanitarian and compassionate appeal or Pre-Removal Risk Assessment should their tenant decide to pursue these avenues. This financial assistance is a gift. It is not a loan that needs to be repaid.

Whereas RGI units are particularly helpful for claimants that have recently arrived, Rent Banks provide support for refugees and claimants who generally have been here longer and are not on social assistance. In fact, in order to be eligible, one cannot be in receipt of any form of social assistance. Rent Bank, funded by the provincial government, is a short-term funding mechanism through which low-income tenants may apply to receive financial aid in the form of zero interest loans. Rent Bank is offered

⁶⁰ FCJ also provides free legal assistance to non-tenants. They assist with the completion of refugee claims, PIFs, PRAAs, H & Cs, change of address forms, and so forth. They provide this assistance in Spanish and English and also have volunteers who speak some additional languages. Lawyers and immigration consultants charge a fee to assist with these applications so FCJ's free support in this area is extremely useful for refugee claimants.

through different organization's housing programs, such as COSTI North York Housing Help. It is also available at the housing help centres across Toronto.⁶¹ It is important to note that the program is available to both Convention refugees as well as refugee claimants who have had their initial hearing. Service providers interviewed for this study all agreed that Rent Bank is an important part of their eviction prevention programs.

Specifically allotting RGI units to refugee claimants addresses, in part, the lack of subsidized housing specifically reserved for refugee claimants. It reflects an understanding of the income related difficulties faced by claimants upon arrival as well as the need to provide them with safe and good quality housing to promote their healthy integration into Canadian society.

5.8 Putting Housing in the Big Picture

Having a home is not simply about having shelter. I asked all 19 participants if they distinguished between a house and a home and all of them did. Janine, a woman who works with refugee claimants in a transitional housing organization explains how she understands the difference:

You can be housed and feel homeless. Part of feeling like you're in a home is the shelter aspect, safety and security. Do you feel safe where you're living? Do you feel safe where you're living? Part of it is being identified as part of something.

⁶¹ To be eligible applicants must: Be a resident of the City of Toronto. This includes families, couples and single individuals; Be in imminent danger of losing his/her housing due to rental arrears; Have an income no greater than 20% above the low income cut-off (LICO); Have a steady income; Be living in a tenancy covered by the Tenant Protection Act; Owe no more than two months rent; Be Canadian citizen, landed immigrant, permanent resident, conventional refugee or a refugee claimant who has had their initial hearing. In addition, the applicant's housing and income situation must be assessed as sustainable for the future, once help is given. It cannot be a situation that is likely to recur month after month. The applicant has to have exhausted all other forms of financial assistance available to them (e.g. bank/credit union loans, social assistance, family etc...) The landlord must be willing to allow the tenant to stay, and drop all eviction proceeding once the arrears are paid.

So that's what makes it a home. If you live somewhere and you feel welcomed; if you're a part of something than it's a home.

Janine notes how feeling welcomed and appreciated for who you are, are important factors in turning a house into a home. It is precisely this lack of belonging that makes Fatima feel not at home in her present accommodation. In tears she explained:

The room was good but it doesn't have a good bed, doesn't have good pillows; it was so dirty pillows. It was used a lot, blankets everything full of smell...Even you wash it, whatever. But for me ...I'm not comfortable... But I say, you have to, you are a refugee now. That was your past life. Now you are nothing. You don't have anything with you. I cried 3 nights. I lock my door inside and I cried whole night. Next day, next day, next day I was crying all the time... You have a shelter. But still you are a refugee there.

I understood Fatima to be saying that even though she is sheltered, she does not feel like herself; like Fatima. Instead she feels like a "refugee" a category she repeatedly denounced throughout the interview as being one that conveyed inferiority. She further explained that for her, the difference between a house and a home is: "House you live, it's only a building. A construction of rooms, that's it. Home is the place you are comfortable. There is love. There is peace of mind. You have full authority. You don't have any stress." The need for belonging as fundamental to the sense of 'home' is also mentioned by Nomsa, a single mother. She explains how it is difficult to feel at home in Canada when you are unsure if the government will accept you. When asked if she thinks she will someday feel at home in Canada, she replied: "Right now I'm not sure because I'm still waiting for my hearing. It's difficult. You have no plans. Even if you have dreams, I want to buy myself a house, blah, blah, they may call you next week and say 'we're not giving you status.'"

What is clear from these statements is that a home is not simply about the physical structure- the bed, the sheets, four walls and a roof. As all three noted, it's about being a part of something; feeling welcomed. One can have shelter and still feel isolated, alone and miserable as is noted by Fatima. Jose agrees: "You can have a nice home in an ugly house." In other words, the physical structure is only a part of it. The realization that refugees need a home and not simply accommodation is what informs many organizations' holistic approach to housing. In this section, I will specifically discuss three particular organizations who have implemented programs and policies to address housing in the big picture: Romero House, FCJ Refugee Centre and COSTI North York Housing Help.

Romero House

A successful practice that aims specifically at fostering community integration and making a house into a home is what Romero House calls "accompaniment." Used here, it goes beyond accompanying a refugee on their housing search as was mentioned above and involves their service delivery approach of living together with their "clients" (Ryan and Woodill 2000: 3). Romero House considers accompaniment as "the fundamental best practice" (Ibid 26).

While each family at Romero House has a self-contained unit, in each house there is shared living space to promote a sense of community amongst the tenants. Two volunteers, "interns," live in each home. They are the "go-to" person when there are questions, concerns, conflicts, etc. Chipso, a single mother and former tenant of Romero House explains how having the intern live with them was advantageous:

To me it made it easier to have a common person to start off. Like as I said we shared the lounge. Sometimes we sit there and you're all holding back. You don't know each other, different backgrounds. Like the first time one guy was from Iran and the other was from Iraq. And the lady upstairs was from the Congo and then me from Zimbabwe. So really, nothing really brings you together. But then when you are down there in the lounge the intern is there and the intern has something to talk about with each one of us. Or if they know something that is possible to share like "Oh, you know what, Lucy has been to the islands. Tell us Lucy, about your experience to the islands." Because the intern would be knowing that I had been to the islands so they're able to start a conversation between ourselves. And then with time you get comfortable with one another, as I say, and then things just flow and you become one big family.

Similarly, Mauricio a current tenant explains why he and his mom like having the intern live close by: "We can go to them for anything we need. We can always tell them. They're usually always there and if they're not we can call them. They take care of everything." The interns are full-time volunteers who live and work for room and board and a monthly stipend. The relationship between volunteers and tenants is not one of landlord/ tenant but rather of neighbors. Activities are organized to promote relationship building between tenants, such as movie night, yoga, language classes, women's club, and others. Residents are autonomous and independent but have the opportunity to meet and share with others. I interviewed a woman who was previously an intern with RH and is now working there. She noted that:

There's a dynamic that develops and that is encouraged quite intentionally between the residents of the houses. So you get a single-parent family who is living with another single parent family and both their kids go to the same school so they take turns taking the kids to school. You have a mother who's just given birth in a new country, it's the first kid that she's ever had, and she lives with other mothers who are able to give her a sense of what the heck is going on. These are real advantages in terms of not feeling alone. A big thing is that they're not alone. They don't feel that they're isolated.

Furthermore, by living together with people from all over the world, tenants are given the opportunity to work on whatever personal prejudices they may have brought with them from their countries of origin. This is important. Discrimination does not always flow from white to black, man to woman, etc. As I mentioned earlier a person who is discriminated against in one context may be discriminatory in another. Newcomers are no different. It was noted in RENT's study of Rooming Houses that many rooming houses landlords are newcomers who have been in Toronto for a few years. And participants in this study who lived in rooming houses or second-suites frequently mentioned that they were discriminated against and mistreated by a landlord who was either from their same ethno-cultural group or simply a newcomer who's been here longer. For this reason, living together with peoples from all different cultural and ethnic backgrounds at Romero House encourages people to open their minds and to confront their own prejudices. When people arrive in Canada it does not mean that they have necessarily left their old prejudices behind. Enrique's comment is illustrative:

I always look for a place where people speak my language. Otherwise, you don't know if your neighbor will have the same customs as you, or I don't know, I have friends who rented and whose neighbors were black and they had so many problems with them. They'd play their music so loud and refuse to turn it down, things like that. So I always look for someone who speaks Spanish.

Another participant, a refugee claimant in a position of leadership within a transitional housing arrangement, describes how her fellow tenants mistreated her and excluded her. When asked why, she replied: "Colour of my skin b/c most of them... Maybe some expecting me, don't get the job...I think it was the first time they see a black woman."

Likewise, Fatima explains the difficulty that some people have in overcoming their own prejudices:

I am flexible with everyone, that's why I don't have any problem with people in the house. But I saw the people who doesn't have flexibility. They come from different places and for them it's difficult. They didn't grow in a place with other people, from other religions, from other countries, of different colour. It's difficult for them to adjust themselves; really difficult. No one can adjust yourself- you live like 40 years in the same culture and just in a month you change. It's difficult to change yourself.

Refugees, like everyone else, have prejudices and stereotypes and it is important to break these down. Romero House has had success with this. Janine with several years experience at RH explains: "Within the houses there are barriers being broken. For example, a catholic Spanish-speaking Colombian now eats at a table by a Palestinian Iraqi Muslim who speaks Arabic. So therefore in their minds, their own prejudices are addressed and create in themselves a more open way forward..."

Romero House also organizes two annual 'escapes' from Toronto. One is a camp mostly targeted at former Romero House residents who come with their families and in addition to the fun outdoor activities organized, participate in leadership development. These people remain involved with the organization in leadership positions, such as organizing the women's club for example. Chipso explains how this is an important way for her and other former tenants to give back- "also I feel that it's my turn, not really to pay them back, but try and do something as much as I can. So each time there's something where I can help I always do." The other camp is for current residents. Its goal is to simply give these people a vacation as a family; a chance to experience Northern Ontario.

In addition, barriers are broken down through the community integration efforts made by Romero House in the communities where their houses are located. All three houses are located near to one another in a residential neighborhood in the City of Toronto. There is an annual block party organized by the street neighborhood. The street is closed to traffic, there are games, a talent show and dinner. The Romero House tenants participate together with the rest of the residents on the block. Romero House also organizes a Christmas dinner and Thanksgiving dinner for tenants and community members alike. Through all of these activities as well as simply being good neighbors themselves, Romero House tenants have integrated into the community where their houses are located. They have built relationships with the other tenants. While integration into a new society, new setting, new people and so forth is never easy, this practice of accompaniment has certainly proven to make it easier. Chipo sums up the benefits of having lived at Romero House: “Especially that I didn’t get the experiences that I hear from others from the shelters. I feel so much blessed and privileged to have come to Romero. I don’t know what I would’ve done without Romero. I really don’t know what I would’ve done.”

FCJ Refugee Centre

This organization promotes integration in part through its Community Kitchen and skills training activities. The community Kitchen is a monthly activity in which members of the organization and the tenants from the three houses come together to share a meal. The meal is prepared by one of the tenants and they are encouraged to prepare something “from home”; to share a typical type of food from their country-of-origin. This

opens the door for tenants and staff to learn about different cultures and places. It also gives tenants the opportunity to demonstrate their skills and talents in the kitchen.

Similarly, the organization offers weekly English language classes and jewelry making classes. The classes are open to any non-status women; women who on account of their lack of immigration status cannot take advantage of government funded settlement programs such as English classes.⁶² Learning the language is often a first crucial step towards integrating into the wider society and is also necessary for employment and further education purposes. In learning to make jewelry, the women have an opportunity to learn a new skill, to develop their creative capacity and to meet and visit with women in similar situations to them. Again, this is an important aspect in fighting off social isolation.

COSTI North York Housing Help Volunteer/ Mentorship Program

COSTI North York Housing Help promotes housing within what one experienced staff person interviewed described as the “big picture” and for COSTI that means addressing the problem of access to income: “Thinking of housing as a big picture- if you don’t have income you don’t have housing.” Key to this ‘big picture’ approach is the volunteer/mentorship program at COSTI North York Housing Help. This is a program specifically designed for immigrant and refugee women without traditional work experience and with minimum marketable skills. This program is evidence of the holistic approach to housing taken by COSTI North York Housing Help and of the multi-faceted

⁶² Non-status people refers to those without any sort of legal immigration status in Canada. They may be victims of trafficking, people who entered Canada as temporary workers but stayed on past their visa expiration date, women who were under family sponsorship agreements but who have left their spouse on account of domestic violence, Persons from countries to which Canada generally does not deport because of a situation of generalized risk (moratorium countries), and many others.

barriers facing refugee claimants in housing. If a person cannot get a job because they lack Canadian experience for example or because their education and training are not recognized here, then it will be very difficult for that person to raise their income to a level that they can afford to rent, never mind own, a good quality, safe housing unit.

The mentorship program attempts to do just that, see housing as part of bigger picture. Participants include homeless women, for example who may be living in shelter, as well as the “hidden homeless”- women who are staying at friends, ‘couch-surfing.’ Through volunteering they gain work experience in a not-for-profit social services sector. There are volunteer placement opportunities, one-on-one and group counseling, job shadowing and mentoring activities as well as life-skills training. Recognizing that one of the barriers to participating in society that is faced by refugee and claimant women in particular is a lack of childcare, the program also offers childcare respite. This program provides a valuable outlet for refugee women, giving the opportunities to meet and speak with to others and to learn skills that they will need in Canadian society. In this way the organization hopes to address the big picture of housing. Again, housing is not just about the four walls and a roof overhead.

5.9 Successfully Taking Aim at Housing Discrimination

Refugees tend to be very resilient people. They have arrived in Canada against all odds. Many have spent years living in squalid conditions in refugee camps. Many have witnessed violence done to their loved ones. That they are here reflects their burning desire to live. They come to Canada not out of choice but because they have been forced from their countries. How we- as a country, as individuals, as communities- receive them

is a reflection of how well or how poorly we understand what they have gone through in order to begin their lives anew.

In my opinion, the practices that I have detailed here are examples of how, in Toronto people and organizations are coming to understand the specific challenges, barriers and opportunities that exist for refugee claimants in the private housing market. These practices are considered to be successful practices to the extent that they take aim at the forms of discrimination experienced by claimants in the housing sector and that they seek to address some of the consequences caused by this social illness, such as exclusion, isolation and disappointment. They are successful because they aim to fill gaps that have been identified by front-line service providers and refugees themselves.

6. How good practices inform policy

The purpose of learning about successful practices is not simply to congratulate a job well done, although that is certainly merited. Rather my purpose here is to give others the opportunity to learn about creative and innovative ideas that have been put into action to reduce discrimination in Toronto's housing sector and to take what they learn to their respective tables. By that I mean, apply or at least consider how the principles and values espoused through these practices might influence the design of more practices and policies whose aim is to facilitate refugee and claimants' integration. My hope is that this research will be useful to researchers, policy makers and concerned individuals in Toronto and other Canadian cities. Studies done in Vancouver, Montreal and Winnipeg show that housing discrimination is not a problem that is unique to Toronto (Novac 2002, Carter 2008). This is confirmed by ECOSOC's characterization of Canada's housing as a

“national emergency.” Furthermore, discrimination is unfortunately not confined to the housing sector. Discrimination towards refugees and claimants in the employment sector, education sector and in the community as a whole has been documented. Since the shapes that discrimination takes in these other sectors are often similar to the ways it is evidenced in the housing sector, I think that the lessons learned here are not only potentially transferrable to different geographic settings but also to other sectors.

Based on the good practices described in the previous section, I have drawn four major policy-relevant themes: 1) Recognize refugees’ specific vulnerability; 2) Assist landlords to mitigate risk; 3) Make housing discrimination a public concern; 4) Promote an integrated approach. It is these themes which I hope will influence policy-makers and decision-makers. The idea is not simply that one specific program, for example FCJ’s community kitchen, be replicated in all organizations across Canada. Conditions vary in each location and with each organization such that a blue-print approach will not work. Rather the idea is that the theme behind that community kitchen- namely promoting social integration and giving people the space to learn about one another and themselves- ought to be a goal for organizations and government agencies working with GAR and claimants and housing.

It is important to note that all levels of government have a responsibility to ensuring an inclusive housing system. In Toronto, there are good examples of how community and government can work together to address the problems and to capitalize upon each sector’s respective strength.

6.1 Recognize refugees' specific vulnerability

In order to achieve equality, people who are in different situations need to be treated differently. This recognition informs the implementation of affirmative action programs, where a marginalized group is temporarily treated with preference until that day where there is substantive equal participation. What has come out of the literature and is reflected in the practices described here is the need to recognize the specificity of refugee claimants' vulnerability. While they have the same rights as anyone else, their condition as newly arrived people in Canada and their uncertain immigration status means that they are unable, in many circumstances, to act upon their rights. A case in point is the requirement often used by landlords of presenting Canadian references. On the surface of things, this requirement is not discriminatory because it is applied to all applicants equally. However, the effect is discriminatory because a person who is new to Canada will not be able to satisfy that requirement. An experienced staff person at CERA interviewed explains how he explains this complexity to landlords:

We're saying 'you (landlords) can have your rules. You can have your requirements, but you just have to recognize that when someone comes to you who's a refugee that's just arrived in Canada, you're going to have to be flexible with how you apply those rules. Because if you're not, you're going to be discriminating against them. You may not intend to do that but that's what the effect of your rules is going to be.

It is this same understanding that led to the development of refugee claimant only emergency shelters. In recognition of the fact that claimants' specific needs were not being met nor could they easily be met in homeless shelters, the IRHC and others pushed for the establishment of shelters uniquely for claimants where staff spoke several

languages, where settlement services were available, and so forth.⁶³ Had the different situation of refugee claimants been ignored, their needs would continue to go unmet in homeless shelters, whose mandate is to work with a different population and whose staff is not necessarily equipped to deal with settlement issues.⁶⁴

Were the government to acknowledge the specific vulnerability of refugees and of their particular need for support, they should consider the following: 1) Increasing subsidized housing for refugees; 2) Engaging in more outreach and; 3) Building up information/ research base on nature and scope of housing discrimination. I will now discuss each of these in turn.

Increase RGI allotment for refugees

One way to promote inclusive housing policy would be to increase the amount of RGI housing allotted to refugee claimants. With affordability being the number one barrier for refugees in search of safe and good quality housing (Zine 2002, Murdie 2005, Alfred 2002), RGI is an excellent source of assistance and kills two birds with one stone. On the one hand, this practice recognizes that small-scale landlords are often in a financial tight spot and are therefore hesitant to rent to newcomers who are on social assistance. By providing these landlords with the top-up between what the subsidized rent paid by tenants and what would be the private market rental rate, the government can ease the financial risk perceived by landlords. At the same time, dedicating more RGI

⁶³ Refugee-specific shelters in Toronto include: Sojourn House, Christie Refugee Welcome Centre, Matthew House and Adam House.

⁶⁴ This problem was clearly identified in Access Alliance's 2003 *Report Best Practices in Working with Homeless Refugees*.

housing to refugees and claimants would reflect an understanding of the particular affordability challenges they face as they arrive in Canada.

Outreach

Refugee claimants are particularly vulnerable upon arrival due to their lack of understanding of how the housing market works in Canada and what their rights and obligations are. Knowing that claimants are hesitant to report mistreatment or discrimination to authorities, a policy emphasis ought to be placed on prevention. This also means taking the information *to* them as opposed to waiting for them to show up at agencies' doors asking for it. The distribution of information on rights and services such as that promoted by the IRHC, First Contact and CLEO for example are indispensable. More of this is required so as to ensure that refugee claimants have the information they require to make informed choices. In order to do this, organizations need more funding to conduct outreach and produce materials.

Build up information/research base on nature and scope of housing discrimination.

So as to properly design effective inclusive policies, it is important that more information be gathered and greater analysis done of the scope and depth of housing discrimination suffered by refugees specifically and by marginalized groups more generally. There is a need to conduct more studies aimed at measuring discrimination-housing audits, for example. While there are limitations to this type of study as well as the ethical dilemma of designing research based on deception, researchers agree that they are important tools in determining the scope and nature of discrimination (Novac and

Hulchanski 2002; Dion 2001; CERA 2001). In addition, there needs to be a better understanding of what landlords' preferences are and why and how those play into the discrimination process. This information could then be used for the design of anti-discrimination policies. One member of the IRHC noted that while there is great talk of "anti-discrimination" and "anti-oppression" policies, few people know exactly what that means. With better base research and in-depth evaluations of current anti-discrimination problems, effective and meaningful anti-discrimination policies could be enacted.

6.2 Assist landlords to mitigate risk

A refugee claimant is, for many landlords, a person who represents significant risk as a tenant. This may be so on account of their level and source of income, immigration status, lack of Canadian rental history, and so forth. While legally landlords are not allowed to refuse a unit to a newcomer on account of these factors (*Ahmed* and *Kearney* cases), we have seen that it nevertheless remains a problem. I think that the majority of landlords are not bad people and that in many cases they are simply trying to protect an investment. As noted by LSHC, the majority of their clients are simply scraping by hence their reluctance to assume an applicant they perceive to be high-risk. Reflecting this understanding several organizations, including CERA and Canada Mortgage and Housing Corporation (CMHC) have suggested the development of a Rent Arrears Insurance program. The program represents a middle ground that avoids discrimination and enables prudent management. Researchers at CMHC have noted that many landlords simply try and avoid risk all together as opposed to mitigating it and this sometimes leads them to exclude certain applicants based on prejudice and stereotype. A

Rent Arrears Insurance program would work similarly to mortgage loan insurance that protects lenders. CMHC states that “This would be helpful in forming an objective system of risk analysis and may reduce barriers caused by stereotypes” (CMHC 2002: 4). Ultimately, the proposed insurance program would 1) take some of the weight off the shoulders of landlords for assuming 100 percent of the risk; 2) improve access to people who are unjustly marginalized by the structure of the housing system. It would be important to ensure that the costs borne by landlords seeking to be covered by such an insurance program be low so as not to exclude the many small-scale landlords who rent as a means of subsidizing their own housing costs. Government should give serious consideration to this proposal and investigate whether or not it could be effective in Toronto.

Likewise housing is not simply about access, although that it is a major barrier. It is also about the enjoyment of one’s house and what makes a house into a home. Policy for housing programs for refugee claimants ought to reflect this. The practices mentioned here include activities aimed at reducing social isolation, activities aimed at life and employment skills training and leadership development, language and so forth. In other words, housing policy needs to be holistic. Only in this way can housing truly play a positive role in a person’s integration into Canadian society. Consequently, policy should prioritize networking opportunities. Organizations such as RENT and IRHC help people to understand others’ perspectives and to incorporate them into project and program design. There needs to be even greater collaboration between government, community, academia and refugee communities to ensure better communication, sharing of expertise and resources and pooling of ideas for improved practice and policy.

6.3 Make housing discrimination a public concern

Discrimination is a violation of human rights. As such, it is a public concern. However, it is frequently viewed as a private problem for those who suffer it. Mike who has over ten years working in equality in accommodation advocacy notes with frustration: “This [discrimination] is an issue that has no profile except for people who are experiencing it and among agencies that work with them. For anyone else it doesn’t exist.” The lack of profile is problematic. Discrimination as a violation of human rights affects all people in a society. Consequently, policies should be designed to inform everyone about their rights and about the negative effects of discrimination. Steve, with ten years experience working with landlords suggested putting information up on bus stops, sides of garbage cans, and so forth to raise awareness of housing discrimination as a societal ill.

It follows then that rights education cannot be limited to refugees and landlords. A concerted effort needs to be made to explain to the public at large what housing discrimination means, what it entails, what it looks like, what consequences it has on those who are excluded and most importantly what can be done to prevent it and to eliminate it.

Regulation

Were housing to be considered a public concern and not simply a private matter, the government would have to seriously consider the issue of regulating landlords to ensure that they are maintaining their buildings according to health and safety codes. One

way of doing so is via a licensing system. The lack of licensing is what has permitted neglectful and discriminatory landlords to continue business as usual. Indeed, the Golden Cockroach and Golden Weasel Awards previously mentioned, seems to me to be one organization's way of denouncing neglectful landlords in the absence of government action.

The City of Toronto has taken interim steps regarding landlord regulation. On December 1, 2008 the City of Toronto launched its Multi-residential apartment buildings (MRAB) audit and enforcement programme which involves the inspection of 167 of Toronto's most poorly maintained apartment buildings. The programme does not however include licensing, something many community activists in Toronto are upset about. Marva Burnett, chair of the Danforth and Eglinton branch of ACORN (Association of Community Organizations for Reform Now) explains: "We need landlords to be licensed so we won't have so many disgustingly unsafe, unhealthy apartment buildings" (Newspaper November 10, 2008: A11). ACORN, like Parkdale Tenants Association, wants landlords to be licensed in a similar way as restaurants, with signs verifying that the buildings are okay. Similarly, in their 2008 report RENT advocates for the licensing of rooming houses.

The Parkdale Tenants' Association and Parkdale Legal Clinic have advocated for a licensing system through which landlords must pay to be licensed and agree to attend courses on property management, responsibilities of landlords under the Ontario Human Rights Code, property standards law, tenant law, non-discrimination and so forth. Having landlords pay would be one way to get around the City's lack of ability to afford proactive inspections. In return for their payment and for attending the courses and

provided they maintain the building standards, the association suggested that landlords receive a reduction in their property taxes. Similar to the carrot and stick analysis described in the previous section, a staff person at the clinic who spoke to me about this initiative described the licensing with education component as a way to “control bad landlords and improve dumb landlords.” Expressing frustration at the City dragging its heels on this issue, she further noted: “The City trains and grades taxi drivers, so why not landlords?”

Licensing of apartments and rooming houses could go a long way in defending the rights of Code-protected groups, refugees and claimants among them. Due to lack of knowledge of their rights and a lack of awareness of organizations that could assist them, many are left with little option other than to simply tolerate unhealthy housing or to move out in the hopes of finding something better. The landlord however, remains ‘in business.’

All human beings have the right to a decent place to live and it is the government’s obligation to promote, implement and defend that right. So in the case of private rental market, human rights law makes it clear that the Government’s role involves monitoring for quality, ensuring that discrimination is not happening, and sanctioning those landlords who do not comply with the minimum standards and/ or who discriminate. Licensing is one way of doing that.

6.4 Need an integrated approach

An integrated approach implies not only involving all the different stakeholders but also developing policies that take aim at both the short-term consequences of

discrimination as well as the long-term problems. For example, that claimants are being refused housing units on account of the source of their income is a real problem that has immediate consequences. They cannot find housing. Hence the need for more programs like Landlord Connect that introduces landlords with affordable units to housing workers who have refugee claimant clients. The result is a facilitated path to housing. There is an immediate benefit. Similarly, the City's "Don't Ask, Don't Tell" policy immediately benefits non-status peoples because they are served in the same way as anyone else. It would not be fair to ask these people to wait for housing until Canadian society is no longer discriminatory.

Such practices need to be accompanied by long-term efforts to change the way people think and act. This is where the educational component, highlighted by all of the respondents as key to reducing discrimination, comes in. It is also where improved policy comes in, policy that reflects an understanding of the particular vulnerability of refugee claimants. In order for this policy to have an effect on the ground, it needs to be accompanied by actions that have immediate effect. As noted by Novac, "The knowledge itself [of human rights and responsibilities] will not prove an effective deterrent to mistreatment if it is not backed up by appropriate assistance from advocates who can act directly with the tenants" (1996: 4). Such assistance can take the form of legal representation such as that conducted by CERA. Their case-work and test-case litigation assists the particular tenant being ill-treated but also positively affects the rental policy arena. Everyone needs to be made aware of these policies and there ought to be consequences for those who ignore it. It cannot be assumed that simply because a policy has been passed that it will translate into action.

Ultimately, for housing discrimination to be reduced strategies must be two-pronged. They must take aim at the immediate consequences of discrimination felt by refugee claimants and simultaneously they must work at changing the structures that allow for such discrimination in the first place. I do not mean to say that each organization or program has to do both things. There are many actors and stakeholders. With greater collaboration and communication organizations and agencies can work together to ensure that their various programs and policies complement one another.

7 Conclusion: Joining efforts to combat housing discrimination

Having fled their countries of origin due to the fear of persecution, death or cruel and inhuman treatment, people come to Toronto with the hope that they will be able to begin their lives anew. To do this, they need a safe and clean place to lay their heads. The importance for refugee claimants of finding safe and quality housing cannot be over-estimated. Without shelter, they will be unable to heal and process their ordeal. They will be unable to seek employment, continue in education, learn English and/or French, make friends, and so forth. Without housing, refugees' integration process will be nipped in the bud.

Nevertheless, my findings support previous research that indicates that there is a housing crisis in Toronto and that this has particularly affected refugee claimants. This study confirms that although the problem of affordable housing supply is clearly a factor, discrimination- both interpersonal and structural- is an operative dynamic in the rental market that contributes to the risk of homelessness for refugee claimants. The voices of the refugee claimants and service providers presented in this report echo allegations made

in previous studies, of discrimination based on Code prohibited grounds, as well as structural discrimination within a housing system that ignores their particular vulnerability. While this study interviewed refugee claimants in particular, the ways in which discrimination manifests itself suggest that all newcomers, including immigrants, temporary foreign workers, and Convention refugees may be more vulnerable to housing discrimination and therefore would benefit from the diverse anti-discrimination initiatives discussed.

The *Mayor's Homelessness Action Task Force: Taking responsibility for Homelessness: An Action Plan for Toronto, 1998*, acknowledged that "discrimination can make the housing market impenetrable for those most in need of housing" (Toronto 1998: 91). While the report acknowledged the magnitude of the problem, it also stated that issues of human rights related to housing were beyond its mandate. As a result, both the report's strategies for prevention of homelessness and supply of new housing did not address ways to combat discrimination in housing. Nevertheless, many not-for-profit organizations and individual departments of the City of Toronto have engaged in anti-discrimination programming and projects. While it is beyond the scope of this report to measure how and in what specific ways discrimination has been measurably reduced, and indeed this was not my aim, I hope to have shown that organizations who specifically target the ways in which housing discrimination of refugee claimants manifests itself, are contributing to the design and implementation of an inclusive housing market in Toronto. Out of this deeper analysis, a number of new insights have emerged.

First, this study systematically analyzed for the first time the different efforts being made to combat housing discrimination of refugee claimants. Toronto is Canada's

largest immigration reception centre and also receives the most refugee claimants in the country, many of whom have to wait years before getting a final decision from the Immigration and Refugee Board. Toronto is also home to many foreign temporary workers who may face housing discrimination for the same reasons as would refugee claimants. While studies have demonstrated the discrimination suffered by different newcomer groups and called for housing discrimination to be addressed, this report is the first thematically organize and present such efforts as components of a city-wide effort to combat housing discrimination.

This study indicates that efforts at the community and city levels are having a positive effect on raising awareness about housing discrimination of claimants. Research has shown that refugees form part of the new face of homelessness in Toronto (City 1999, Ballay and Bulthuis 2002, Paradis 2008). The problem cannot be adequately addressed by analyzing it as a pure failure of the market to meet demand with supply. The efforts by settlement organizations and academic communities of Toronto to shed light on this problem go a long way towards ensuring that the government takes note of the inequities imbedded in its housing system.

Similarly, this study demonstrates how a human rights framework has allowed organizations such as CERA in collaboration with settlement organizations, to engage in case work and test-case litigation. This legal advocacy has resulted in important policy changes being made at the provincial level that particularly benefit refugees and newcomers. While representing one client, their efforts have a ripple effect fostering an inclusive housing system in the province of Ontario. Moreover, such litigation goes a

long way to raising awareness that there are real penalties for discriminating and that the right to housing is not simply a right on paper alone.

The participants in this study support the recommendations made by other researchers, namely that rights education is imperative for all newcomers. What this study shows is that it is important to take the education opportunities to refugee communities through various outreach initiatives. The participants all bemoaned that they did not initially seek out the assistance of organizations because they weren't aware of their existence. This report shows then the importance of engaging in proactive, creative and mobile educational initiatives and not waiting for refugees to search out educational opportunities.

While rights education will give refugees the “cultural capital” to advocate for themselves, participants in this study indicated that for education to contribute towards a reduction in discrimination it must also be made available to landlords. This study confirmed the importance of fostering opportunities for the landlord and refugee communities to learn about one another. The experiences documented in this report show the importance of collaboration and demonstrating in concrete ways the mutual benefits incurred through landlord-refugee partnering.

Participants were clear that while educational and test-case litigation help in the long-run to foster inclusive housing system, there is an urgent need to tackle the problem of affordability. This study shows that programs such as rent-geared-to-income and rent banks are important supports for refugees. They are especially important in the short-term to help get refugees housed.

Finally, this study calls for an integrated approach to combat the multi-faceted problem of discrimination. Housing is part of an entire system of integration and efforts to facilitate positive housing experiences must recognize this. Tackling social isolation and problems finding employment are two ways in which the ‘big picture’ of housing in Toronto is being addressed.

These insights suggest important policy directions that will enable the design of an inclusive housing system. It is clear that treating everyone equally does not mean treating everyone the same. It is the government’s responsibility to ensure equal access to housing and that includes supporting landlords as gatekeepers to housing and helping them to mitigate risk. By recognizing their responsibility, the government can ensure that housing discrimination is understood to be a public concern rather than simply the private problem between the person discriminated and the person discriminating. Finally, anti-discrimination housing strategies need to address both short term needs (like immediate access) and long-term vision (inclusive design).

Finally, it is important to remember that what refugees need for their successful integration isn’t simply accommodation understood as four walls and a roof overhead. They need to be given the opportunity to build a home here. Otherwise, as noted by the participants, while they may have shelter, they will always feel like a refugee. Fatima’s words help us understand what that means: “it is enough for us that we have the name of refugees in our face and no one respect us as a human. They don’t give us a value that others have.” In other words, as long as they feel like refugee claimants they will not feel welcome. Without the possibility of building a home, claimants will not feel Canadian. They will feel, as Fatima does, as if she is nothing. Government ought to ask itself if this

is the feeling it seeks to promote. I trust that its answer would be negative. In that case it is imperative that government policies and community initiatives are designed so as to bring refugees in from “the ragged edges,” as one author has described their living situation, and foster their integration as equal bearers of human rights.

Annex I

Interview Guide for Service Providers

Background information

1. What type of work does your organization do? What do you do within the Housing Program specifically?
 - a. How old is the organization? Have they always engaged in this type of work?
 - b. How and why did the organization select to work with this particular community/ sector?
2. What type of work do you personally do within this organization?
 - a. What are your job duties? (Probe: Describe a typical workday.)
 - b. What do you like and dislike about your position?
 - c. Had you done similar work before in other organizations? If so, how does it compare to what you do here?
3. From which ethnic communities are your clients?
 - a. In general, what is the socio-economic situation of your refugee clients?
 - b. Family size?
 - c. Upon arrival where do the majority of your refugee clients live? (with friends/family; shelters; hotels; etc)
 - d. Once they acquire more permanent housing, where do they tend to live?
 - e. In what type of housing? (private rental; social housing)
 - f. Do newcomers tend to want to live in neighborhoods where there are other members of their community?
4. In your opinion, what are the most crucial challenges facing your refugee clients?
 - a. What are the main barriers to them finding housing?
5. How are these challenges/ needs different from other groups?
6. Are these needs being met by your agency?
7. In your opinion, *should* these needs be met your agency?
8. Does your organization have a feedback system by way of which clients can share their opinions about how existing programs are working and make suggestions for new types of programming?
9. Have clients expressed frustration or praise regarding your organization's programming in regards to these challenges?
10. Does your agency connect clients with permanent housing providers?

11. What are the shortcomings of your organization?
12. What are the strengths of your organization?

General Feelings of Discrimination

1. I would like to ask you what it's like to be a refugee in Toronto Metro area. From your perspective and based upon your experience, do refugees feel welcome in Canadian society?
2. Do you think that significant efforts have been made by society in general to ensure such a feeling of welcome?
 - a. What does your organization do to promote a feeling of welcomeness?
 - b. Follow-up: What else could be done? By the community? By the organization?
3. In your perspective, how do local communities react to a large influx of refugee newcomers?
4. Do you think that discrimination is an important causal factor in homelessness?
 - a. If so, in what ways?
 - b. How does your organization define/ understand housing "discrimination"?
 - c. Has your organization clearly identified the need to address housing discrimination?
 - d. Have refugees been identified by your organization as a group that is particularly vulnerable to housing discrimination?
 - e. How does your organization define/ understand "homelessness"?
 - f. Do you distinguish between a "house" and a "home"? If so, how?
5. What forms of discrimination are most common in the community in which you work?
6. Has the need to develop services/ practices to combat discrimination in the housing sector, been a need identified by your refugee clients?

"Good Practices"

1. What services does your organization offer that are aimed at combating housing discrimination towards refugees?
 - a. Internal services (eg staff training)
 - b. Services in the community
2. Does the service involve refugees and community members to the extent that they feel that they are an integral part of it (How is inclusion fostered)?
3. What has been the reaction of your clients to such services?

4. How do you think this particular service/ program contributes to a reduction in housing discrimination?
5. How do you think efforts aimed at combating discrimination against refugees in the housing sector could be strengthened?
 - a. What changes need to be made to improve services for this population?
 - i. At the level of the Organization?
 - ii. At the level of service providers?
 - iii. At the government/policy level?
6. Are you aware of any other practices/ services done by agencies/ organizations/ informal community networks in other parts of the country from which we could learn?
7. What characteristics or principles do you think must be present in any policy/ program/ service in order to deem it a "good practice"?

Annex II

Interview Guide Refugee Participants

1. Please tell me a bit about yourself, where you're from, for how long you've been in Toronto?
2. Please tell me about yourself and what has been happening to you over the last: 2 months; 6 months; 12 months; 24 months
3. How are you feeling? (Probe: How is your health? How is your physical health? How are your emotions?)
4. Please describe your experiences trying to find a house in Toronto.(experiences with service providers, landlords, people in general....)
5. Did you ever feel that you people treated you badly because of your race? Gender? Colour? Other aspects?
6. Where did you live when you first arrived? Where did you spend your first night in Toronto?
 - a. Was it difficult to find permanent housing?
 - b. Why or why not?
 - c. What did the landlord require of you in order to rent the unit?
 - d. What services were the most effective in enabling you get access to housing?
7. In what neighborhood do you currently live?
 - a. Have you always lived in this neighborhood? (probe- if not, where did you live prior?)
 - b. Why did you settle in this part of Toronto?
 - c. Was it easy to find housing in this sector?
 - i. Probe- why or why not?
 - ii. What services were most helpful to you in finding this accommodation?
 - d. Please tell me more about your neighborhood.
 - i. Probes- do you participate in extracurricular neighborhood activities? Do you relate to your neighbors? If so, how? Are there other people from similar ethnic-cultural background as you?
 - ii. Is the community safe?
 - iii. Are you close to local transportation systems? To schools?
 - iv. When you first arrived in this community, did you feel welcomed?
 - v. Do you feel "at home?" Probe- What does "home" mean to you? What does homelessness mean to you? How do you differentiate between 'house' and 'home'?
 - vi. Do you feel welcomed now? (If there is a difference between answers a and b, then ask: What factors contributed to you feeling more or less welcomed?)

- vii. What role, if any, did members of your own ethno-cultural community play in welcoming you? What about in welcoming others?
8. Are you satisfied with your current housing? On a scale of 1-10 (with 1 being the worst place you could imagine and 10 being the best).
9. Is housing and the process of getting housing in Canada what you imagined prior to coming?
10. What percentage of your income do you spend on rent?
11. Did any community members assist you in finding housing? How so? Do they help others? How?
12. What experience would help you feel more at home here?
13. What prevents you from feeling at home and why?
14. How are you involved with _____ Organization?
15. Have you heard/ used of _____ program/ service?
16. If so, did you find it to be useful? Is it directed at a need you yourself perceive? Do you know what others' reactions have been to this program?
17. What suggestions do you have to community and government housing agencies to better meet your needs and those of other refugees and refugee claimants?

Annex III

Consent form

You are invited to participate in a study looking at ways in which housing discrimination towards refugees in Toronto is being addressed. Specifically we are interested in discrimination and racism as contributing factors to homelessness. We are interested to know what is being done by community organizations and government agencies to combat discrimination against refugees in the housing sector.

I am looking to compile examples of good practices that community-based organizations and government agencies consider to have been successful in breaking down barriers between refugees and the larger community and in what ways this positively influenced refugees' experiences in the housing sector.

This study is part of a larger project that examines the potential of community development for solving the complex problems that Manitoba's multi-ethnic Inner-city communities face. The research is being led by the Canadian Centre for Policy alternative- Manitoba (CCPA-MB) and involves academic from the University of Winnipeg and the University of Manitoba, the Institute of Urban Studies, as well as a wide range of community organizations.

Much of the research relies on the lived experiences of those who agree to participate in the project. Data collection will be done using interviews. The interviews will be recorded, transcribed, and then compiled into a report to be released to the public. Your personal name will not be used in the written case report.

Lastly, if interested, you will have the option of reviewing the final report before it is submitted to ensure that your opinions and experiences are accurate. If you are interested, please include your contact information below. The study will be conducted from November 2008 to April 2009. Please note that your participation is voluntary and you are encouraged to ask any questions at any time regarding the nature of the study and the methods that are being used. Further, you have the right to refuse to answer any questions and may withdraw at any time without consequence. Should you have any questions or concern at any point, please feel free to contact me, Claire Reid, at clairepatriciareid@yahoo.ca. You can also contact the lead on the project, Professor Parvin Ghorayshi at p.ghorayshi@uwinnipeg.ca

Do you grant permission to be audio-recorded? YES NO

I agree to the terms:

Name Participant _____ Signature: _____

Date _____

Phone: _____ Email: _____

I agree to the terms:

Researcher _____ Date _____

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