#### U of T, Nov. 22, 2006

# Ripped from the headlines!!! Housing, homelessness: Issues and solutions

#### **Michael Shapcott**

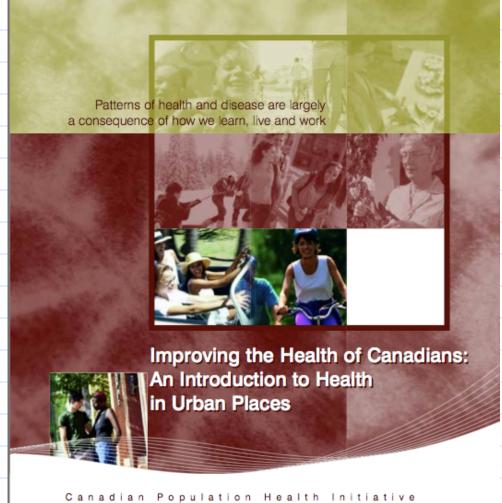
Senior Fellow, The Wellesley Institute





"Housing is a key component of neighbourhoods and urban development; the home is a key social environment... In the urban setting, housing affordability is a key issue linked to the ability to obtain and maintain appropriate and healthy housing."

p.91









"Vital cities have marvelous innate abilities for understanding, communicating, contriving and investing what is required to combat their difficulties. Perhaps the most striking example of this ability is the effect that big cities have had on disease. Cities were once the most helpless and devastated victims of disease, but they became great disease conquerors."



# Prerequisite for health

WHO's Ottawa Charter for Health Promotion (1986) lists fundamental conditions and resources for health:

- peace,
- shelter,
- education,
- food,
- income,
- a stable eco-system,
- sustainable resources,
- social justice, and equity

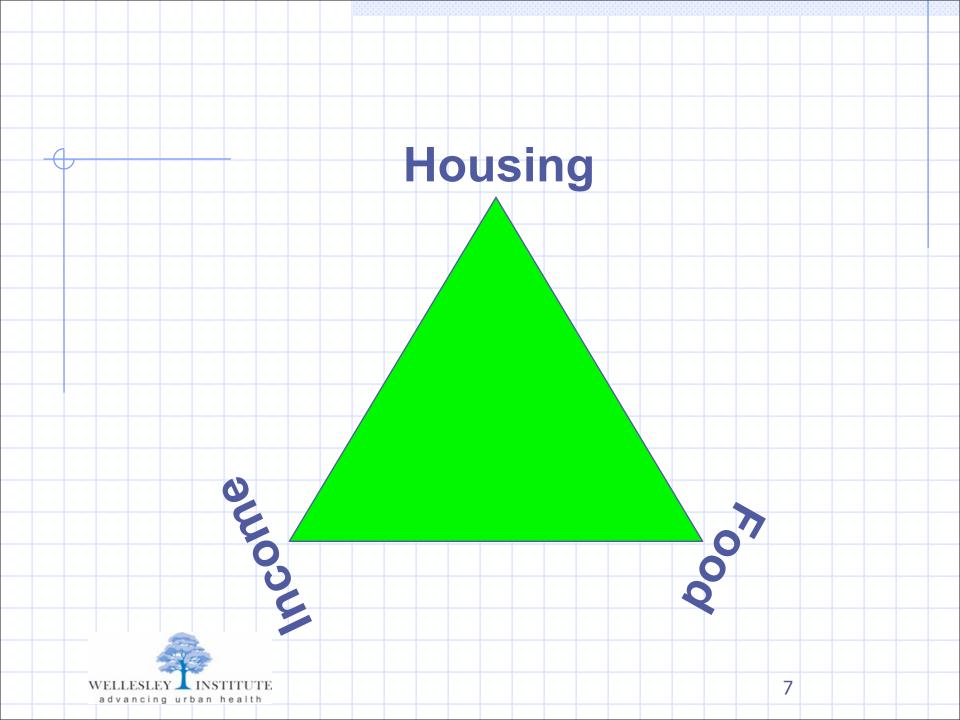


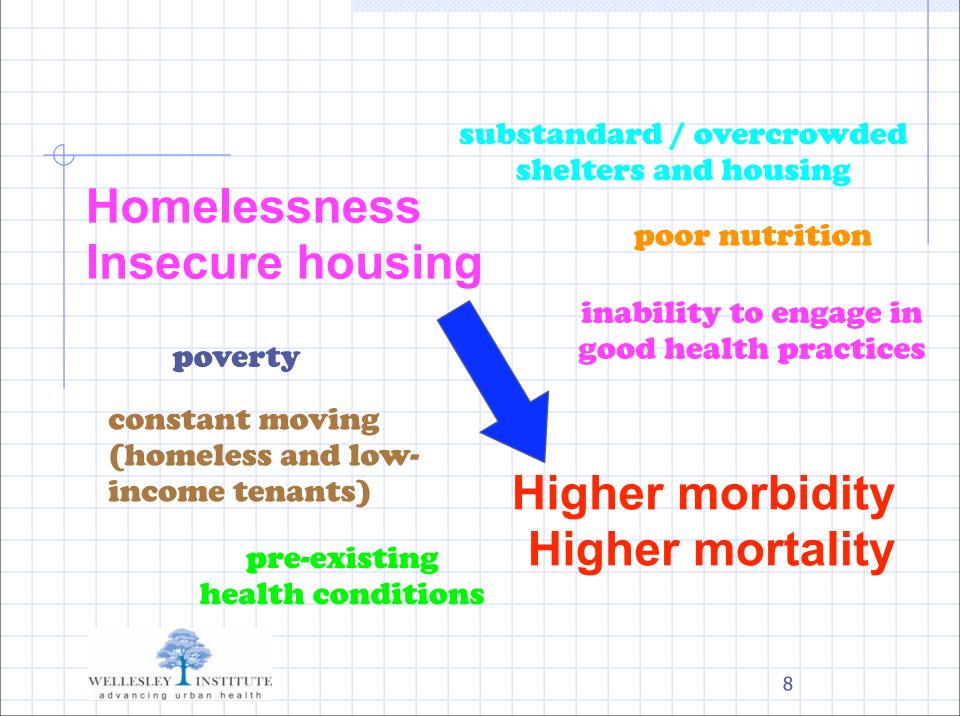
# Also co-requisite for health

## Social determinants of health:

Those non-medical factors that are necessary to create, maintain and regain a healthy life







# Housing and health (1984)

"Inadequate accommodation is not the sole solution to health problems among Toronto's poor, but being homeless or living in unaffordable or substandard housing makes it difficult, if not impossible, to engage in many practices that promote health."



# Housing and health (cont'd)

"Moreover, inadequate housing fosters stress which lowers physical resistance to disease and exacerbates pre-existing emotional strains."

Public Health Implications of the Crisis in Affordable Housing,

Toronto Department of Public Health, 1984



# Life circumstances, poverty

"Homeless women and men do not have 'different' illnesses than general population. However, their living circumstances and poverty affect their ability to cope with health problems."

- Street Health Report, 1992



## Homelessness and health

- "The health effects of homelessness include:
- cold injury [hypothermia and frostbite];
- cardio-respiratory disease [coronary artery disease, high blood pressure, emphysema]
- tuberculosis;
- skin problems [infected and ulcerated lesions];
- nutritional disorders [leading to greater risk for infectious diseases, gastrointestinal disorders, skin disease, nervous system dysfunction];

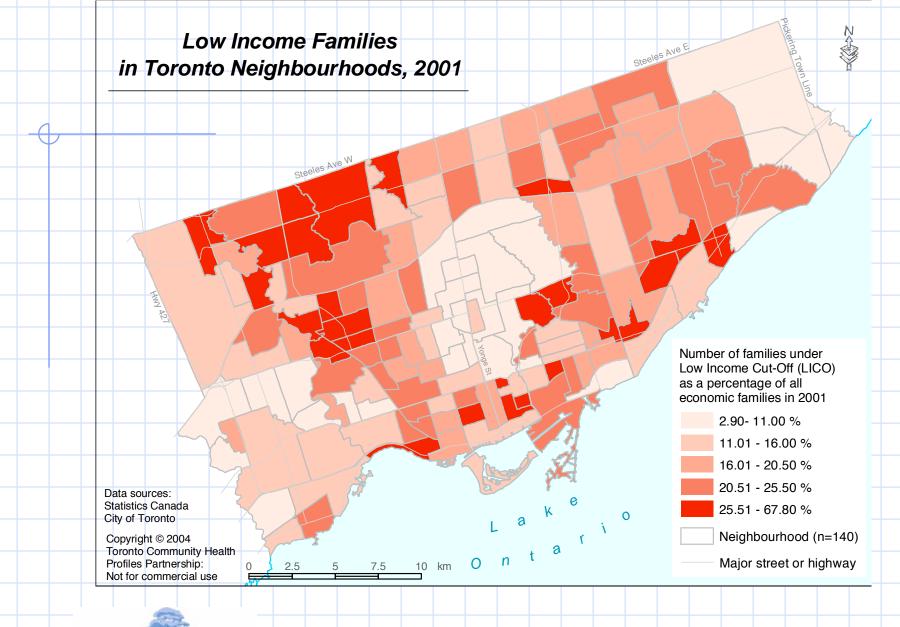


#### Health effects of homelessness

- sleep deprivation [leading to instability, emotional irritability, concentration deficits, cognitive impairment, apathy and behaviour disorders];
- children's mental health disorders [leading to developmental lags, anxiety, depression, learning difficulties];
- adult psychiatric disorders; and
- chronic stress [including insomnia, anxiety, depression, loss of self-esteem and withdrawal]."

Public inquiry into homelessness and health, 1987

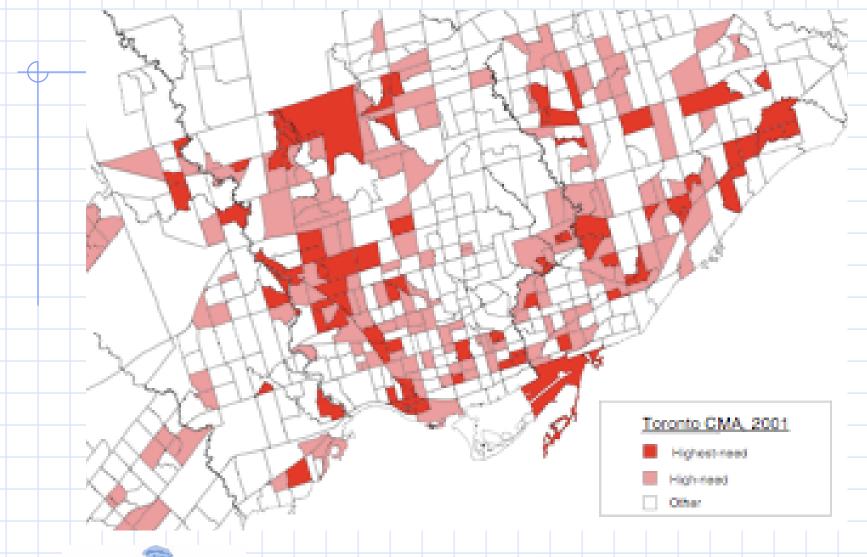




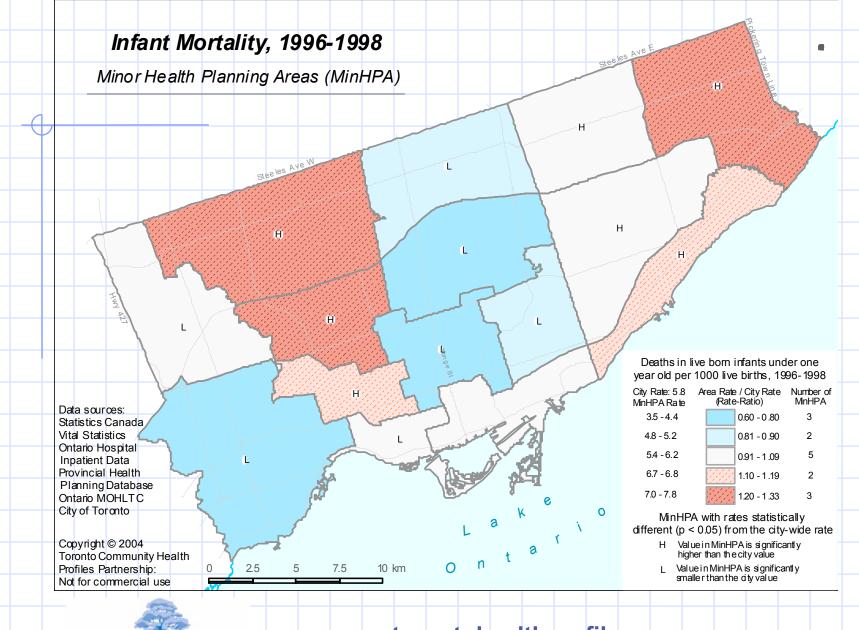


#### Housing core need

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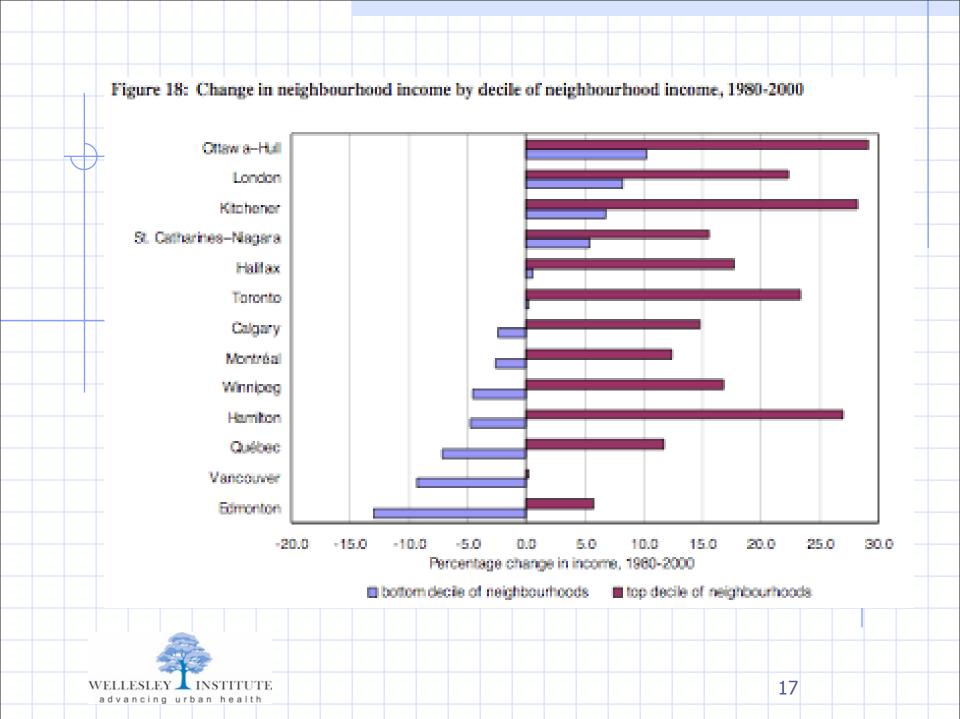


Source: Statistics Canada, 2001 Census



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# What we know (micro). . .

- Lack of good quality, affordable housing affects personal health
  - homelessness, insecure housing leads to higher morbidity and higher mortality
- 2. Subsidized housing is key factor in helping the homeless become housed
  - subsidized housing leads to being housed



# ...and we also know (macro)

- 3. Housing insecurity causes social and economic problems for communities
  - Poor housing leads to social problems, higher taxes, diminished competitiveness
- 4. Subsidized housing is a good investment in people and communities
  - Subsidized housing leads to new homes, good jobs, economic stimulation



# Dr Charles Hastings, 1918

"Every nation that permits people to remain under fetters of preventable disease and permits social conditions to exist that make it impossible for them to be properly fed, clothed and housed so as to maintain a high degree of resistance and physical fitness; and, who endorses a wage that does not afford sufficient revenue for the home, a revenue that will make possible development of a sound mind and body, is trampling on a primary principle of democracy."



# International right to housing

Article 25 of Universal Declaration of Human Rights (adopted by United Nations General Assembly, 1948) incorporated into the International Covenant on Economic, Social and Cultural Rights (adopted by United Nations General Assembly, 1966)

◆ 11.1: The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.



Vancouver Declaration on Human Settlements (UN Conference on Human Settlements, 1976): Adequate shelter and services are a basic human right which places an obligation on governments to ensure their attainment by all people, beginning with direct assistance to the least advantaged through guided programmes of self-help and community action. Governments should endeavour to remove all impediments hindering attainment of these goals. Of special importance is the elimination of social and racial segregation, inter alia, through the creation of better balanced communities, which blend different social groups, occupations, housing and amenities.

Convention on Elimination of All Forms of Discrimination Against Women (United Nations General Assembly, 18 December 1979): States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: . . . (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.



Declaration on the Right to Development (United Nations General Assembly, 4 December 1986): States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter-alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.

Convention on the Rights of the Child (United Nations' General Assembly, 20 November 1989): States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.



International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (United Nations' General Assembly, 16 December 1990): Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: . . . (d) Access to housing, including social housing schemes, and protection against exploitation in respect of rents.

Forced evictions (United Nations' Commission on Human Rights, 10 March 1993): The Commission on Human Rights . . . affirms that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing; . . . urges governments to undertake immediate measures, at all levels, aimed at eliminating the practice of forced evictions . . . to confer legal security of tenure on all persons currently threatened with forced evictions; . . . recommends that all Governments provide immediate restitution, compensation and/or appropriate and sufficient alternative accommodation or land . . . to persons or communities that have been forcibly evicted;



Habitat Agenda (adopted by 171 countries at Habitat II – United Nations' Conference on Housing and Human Settlements (Istanbul - 1996): 1.3 ...a large segment of the world's population lacks shelter and sanitation, particularly in developing countries. We recognize that access to safe and healthy shelter and basic services is essential to a person's physical, psychological, social and economic well-being and should be a fundamental part of our urgent actions for the more than one billion people without decent living conditions. Our objective is to achieve adequate shelter for all, especially the deprived urban and rural poor, through an enabling approach to the development and improvement of shelter that is environmentally sound.

39. We reaffirm our commitment to the full and progressive realization of the right to adequate housing... We recognize an obligation by Governments to enable people to obtain shelter and to protect and improve dwellings and neighbourhoods. We commit ourselves to the goal of improving living and working conditions on an equitable and sustainable basis, so that everyone will have adequate shelter that is healthy, safe, secure, accessible and affordable and that includes basic services, facilities and amenities, and will enjoy freedom from discrimination in housing and legal security of tenure.



# A substantive right

### CESCR General Comment #4 (1991):

- legal security of tenure
- → services, materials, facilities, infrastructure
- affordability
- habitability
- accessibility (non-discrimination)
- location
- cultural adequacy



# Key elements of this right...

- Canada has signed legal covenants and other international instruments
- The right to housing is substantive
- ☑ Non-retrogression / progressive realization
- Canada as a State Party has an obligation to ensure the realization of the right to housing



# Global campaigns...

UN Habitat (United Nation's Centre for Housing and Human Settlements, Nairobi)

www.unhabitat.org/

- **\*** Global campaign for secure tenure
- \* Millenium development goals
- **\*** Housing rights
- \* Habitat Agenda / World Urban Forums

**Habitat International Coalition** 

\* Housing and Land Rights Toolkit

http://toolkit.hlrn.org/English/start.htm



# UN periodic review (May 2006)

♦ 62. The Committee reiterates its recommendation that the federal, provincial and territorial governments address homelessness and inadequate housing as a national emergency by reinstating or increasing, where necessary, social housing programmes for those in need, improving and properly enforcing anti-discrimination legislation in the field of housing, increasing shelter allowances and social assistance rates to realistic levels, and providing adequate support services for persons with disabilities. The Committee urges the State party to implement a national strategy for the reduction of homelessness that includes measurable goals and timetables, consultation and collaboration with affected communities, complaints procedures, and transparent accountability mechanisms, in keeping with Covenant standards.



# National Housing Bill of Rights

1st Session, 37th Parliament, 49-50 Elizabeth II, 2001

HOUSE OF COMMONS OF CANADA.

1<sup>re</sup> session, 37<sup>c</sup> législature, 49-50 Elizabeth II, 2001

CHAMBRE DES COMMUNES DU CANADA

#### BILL C-416

An Act to provide for adequate, accessible and affordable housing for Canadians

Prescribia

WHEREAS the provision of and access to adequate housing is a fundamental human right according to paragraph 25(1) of the United Nations Universal Declaration of Human Rights, which reads as follows:

> "Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food, clothing, housing and medical care and necessary social ser-10

#### PROJET DE LOI C-416

Loi visant à assurer aux Canadiens un logement adéquat, accessible et abordable

#### Attendu :

que la prestation d'un logement adéquat et l'accès à celui-ci est un droit fondamental de la personne selon le paragraphe 25(1) de la Déclaration universelle des droits de 5 l'homme des Nations Unies, selon lequel:

« Toute personne a droit à un niveau de vie suffisant pour assurer sa santé, son bien-être et ceux de sa famille, notamment pour l'alimentation l'habillement 10 Présentule.

# National housing summit

- 12. (1) The Minister shall, within 180 days after the coming into force of this Act, convene a conference of the ministers of the Crown for each province responsible for housing and representatives of municipalities and the aboriginal communities.
- (2) The conference convened pursuant to subsection (1) shall
- (a) develop standards and objectives for the national housing strategy described in section 8, and programs to carry it out;
- (b) set targets for the commencement of the programs;
- (c) recommend a time by which an additional one percent of the annual expenditures of the federal and all provincial and municipal governments during the fiscal year ending March 31, 2002 are to be assigned to national housing programs throughout Canada; and
- (d) develop the principles of an agreement between the federal and all provincial governments and representatives of the municipalities and aboriginal communities for the development and delivery of the programs.



# Housing and the constitution

- Housing is NOT mentioned in BNA
- Charlottetown Accord assigns housing to exclusive provincial jurisdiction
- Charlottetown rejected by voters, but federal government continued with download in 1996



## Provinces and territories

- Constitutional change by stealth
- Provinces and territories are asserting constitutional responsibility for housing
- Federal government inclined to agree
- But most provinces are not providing housing funding or programmes to meet local needs



# The "golden era" of housing

- Post-second world war housing programs; creation of Central Mortgage and Housing Corporation; amendments to National Housing Act
- High-water mark: 1973 amendments to NHA, creation of national social housing program; 500,000plus new homes created across Canada
- In provinces: Growth of rent regulation and tenant protection laws



# The great housing download

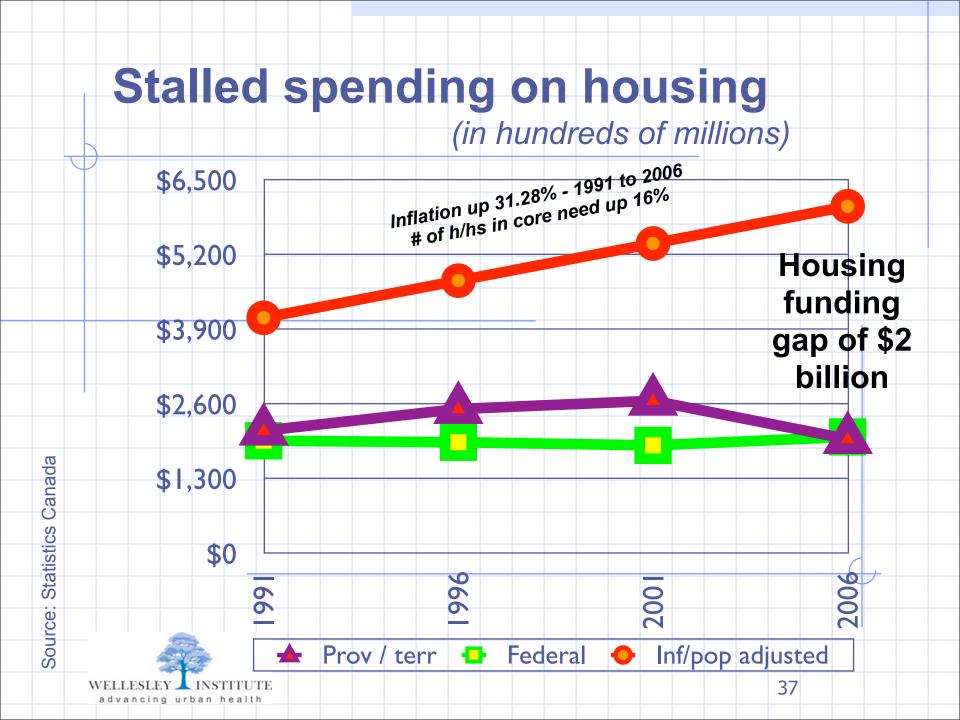
- 1984 to 1993 almost \$2 billion in federal housing cuts
- 1993 new federal housing spending cancelled
- 1995 Ontario cancels all new housing spending
- 1996 federal housing downloaded to provinces
- 1998 CMHC partially commercialized
- 1998 Ontario downloads housing to municipalities
- 1998 Ontario erodes tenant protection / rent regulation
- 2005 White Point housing principles
- 2006 further privatization of CMHC



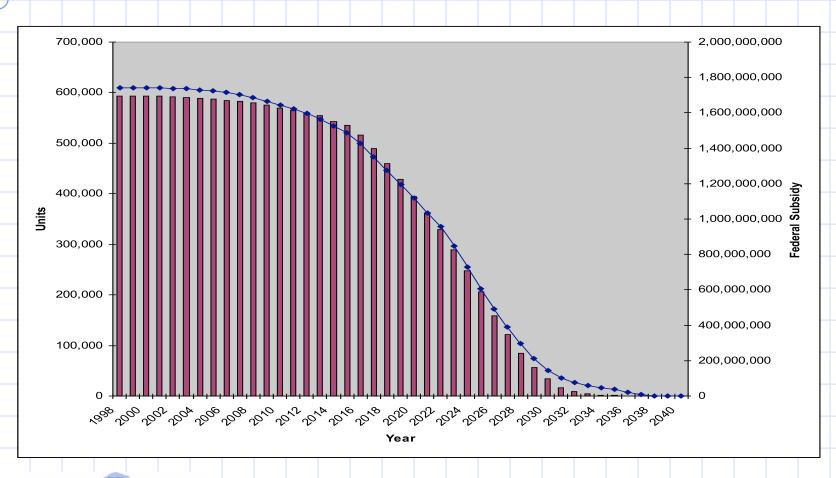
## 1990s - decade of housing cuts

	1993-1994 (\$ millions)	1999-2000 (\$ millions)	Dollar change	Percent change
Newfoundland	18.1	8.0	-10.1	-55.8
Prince Edward Island	2.3	3.2	+0.9	+39.1
Nova Scotia	24.2	14.3	-9.9	-40.9
New Brunswick	32.7	31.8	-0.9	-2.8
Quebec	286.3	288.3	+2	+0.7
Ontario	1,140.9	837.1	-303.8	-26.6
Manitoba	46.6	43.2	-3.4	-7.3
Saskatchewan	43.1	40.5	-2.6	-6.0
Alberta	287.3	93.2	-194.1	-67.6
British Columbia	83.4	90.9	+7.5	+9.0
NWT / Nunavut	69.7	114.4	+44.7	+64.1
Yukon	4.9	11.1	+6.2	+126.5
Total – provinces, territories	2,039.5	1,576.0	-463.5	-22.7
Canada (CMHC)	1,944.9	1,927.9	-17	-0.9
Total – all Canada	3,984.4	3,503.9	-480.5	-12.1





# Federal housing "step-out"

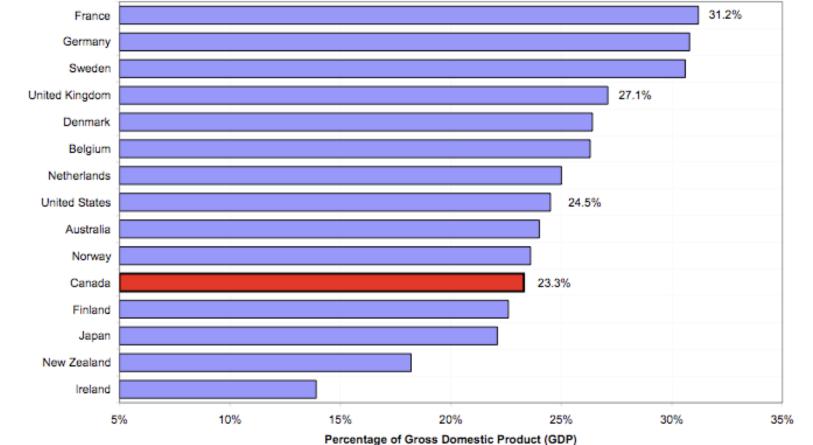


### Prof. Jean Wolfe

"It is only in Canada that the national government has, except for CMHC loans, withdrawn from social housing. The rush to get out of managing existing projects and building new, low-income housing has taken advocates by surprise. It was never imagined that a system that had taken 50 years to build-up could be dismantled so rapidly. Social housing policy in Canada now consists of a checker-board of 12 provincial and territorial policies, and innumerable local policies. It is truly post-modern."



#### Net Total Social Expenditure as a Percentage of GDP Fifteeen Country OECD Comparison, 2001



(c) Centre for Urban and Community Studies, University of Toronto, 2006

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Source: W. Adema and M. Ladaique, Net Social Expennditure, 2005 Edition, OECD Social, Employment and Migration Working Papers No. 29. DELSA/ELSA/WD/SEM(2005)8

# Canada ranks low in OECD - under U.S.

40

# Housing / homelessness gains

- Supporting Community Partnerships Initiative and federal homelessness strategy (December 1999)
- Residential Rehabilitation Assistance Program (December 1999 and federal budget 2003)
- Federal Surplus Real Lands for Homelessness Program (December 1999)
- Affordable Housing Framework Agreement (November 2001 and federal budget 2003)
- C-48 (NDP) budget bill (June 2005)
- Extension of SCPI and RRAP (November 2005)



# Current federal housing issues

- PREVIOUS COMMITMENTS: At December, 2005, feds report <u>\$474 million</u> of \$1 billion Affordable Housing Program remains unspent
- FEDERAL BUDGET 2006: \$1.4 billion in C-48 housing dollars allocated
- FEDERAL HOMELESS FUNDING: Entire federal homelessness program due to "sunset" at the end of fiscal 2006 (also federal housing rehab program)
- FEDERAL HOUSING SURPLUSES: Almost \$1 annually, yet the feds are considering further privatization of CMHC



# Current Ontario housing issues

### New affordable / supportive housing:

- → In 2003 election, Liberals promised 26,640 new affordable / supportive homes
- As of September 2006, 2,018 new homes occupied, 3,622 under development

### Affordability:

- In 2003 election, Liberals promised 35,000 shelter allowances
- As of September 2006, 6,670 delivered



# 2001 housing agreement

Excerpts from Affordable Housing Framework Agreement, 2001:

"THEREFORE, federal, provincial and territorial governments express their common understanding as follows: Provinces and territories have the primary responsibility for the design and delivery of housing programs within their jurisdiction."

"Provinces and Territories will be required to match Federal contributions overall. Provincial and territorial contributions may be capital or non-capital in nature, and may be in cash or in kind. These contributions may be made by the Province or Territory or by a third party."

The communications and accountability mechanism is based on "name and shame" - but no information has been released publicly.



# White Point principles

From the White Point housing principles adopted by provinces and territories in September 2005:

"Provinces and territories have responsibility for the design and delivery of housing policy and programs within their own jurisdictions in order to address their own specific needs and priorities."

"Federal funding should be provided directly to provinces and territories. New Federal initiatives should not require provinces and territories to cost-match or cost-share."



# White Point principles

White Point (continued)

"Accountability"

"Governments recognize the importance of accountability and the need to report to their respective citizens on housing initiatives. This means ensuring fairness and transparency in the delivery of housing programs and services and informing their citizens about how housing programs and services are performing."



# C-48 allocation process

- \$1.4 billion allocated to three housing trust funds (\$300 million for northern territories; \$300 million for off-reserve Aboriginal housing; \$800 million for affordable housing in provinces)
- Provinces and territories to submit specific plans, in line with federal principles (White Point principles)



# Municipalities taking action

- \* Blueprint to End Homelessness in New York City
  - √ Helped trigger tens of thousands of new homes
- \* Bi- and tri-partite housing agreements:
  - √ Vancouver, Winnipeg, NYC
- \* Inclusive zoning practices
  - √ Saskatoon, Vancouver, Ottawa
- \* Ten-year plans to end homelessness
  - ✓ More than 200 U.S. cities, plus Red Deer



# Criminalization of activities...

- associated with homelessness
  - Safe Streets Act
  - Nathan Phillips Square bylaw
  - municipal bylaws (in U.S. ordinances)
     regarding camping, feeding, sleeping,
     urination, parking lots, etc.



### Jones v. L.A.

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
Appeal from the United States District Court for the Central District of California
Edward Rafeedie, District Judge, Presiding

We hold only that... the Eighth
Amendment prohibits the City from
punishing involuntary sitting, lying, or
sleeping on public sidewalks that is an
unavoidable consequence of being
human and homeless without shelter in
the City of Los Angeles.



# The cost of criminalizing...

- → Four-fold increase in tickets issued by Montreal police under a municipal bylaw that bans sleeping in parks.
- **⇒** From 1994 to 2004, a total of 22,685. In 72% of cases, the person convicted was sent to jail because they couldn't pay the fine.
- → In Toronto, the average cost to taxpayers for a month in jail is \$4,333. The average cost for a month in social housing is \$199.92.



### Hate crime and homelessness

#### **Criminal Code of Canada**

718.2 A court that imposes a sentence shall also take into consideration the following principles:

- (a) a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender, and, without limiting the generality of the foregoing,
- (i) evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor,

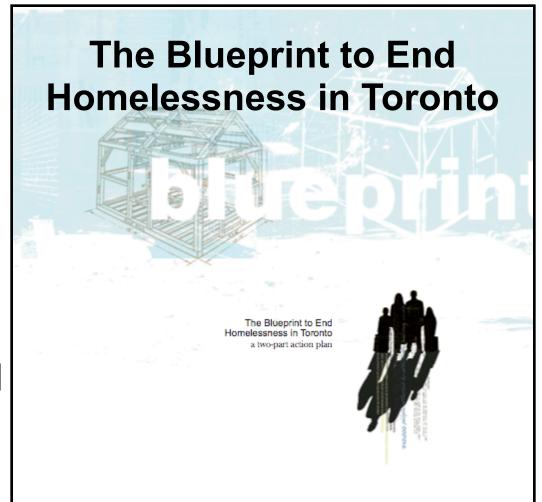


# Word of the day...

# "Uploading"

- Reverse cost-cutting and downloading of the 1990s.
- Create new partnerships among federal, provincial, municipal governments, and community and private sectors





practical

effective

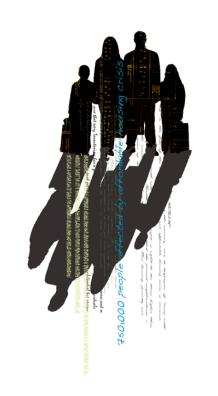
fully-costed



Key indicators...

# Growing housing need

552,525 people in Toronto are living below the poverty line



Toronto is projected to grow by 429,400 to 2031; TO needs 3,300 new rental homes annually

175,190 very-low income households have annual incomes less than \$20,000

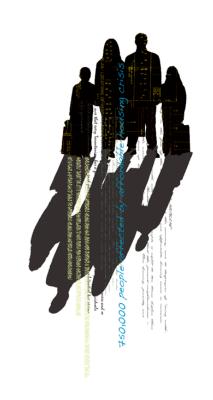
#### Key indicators...

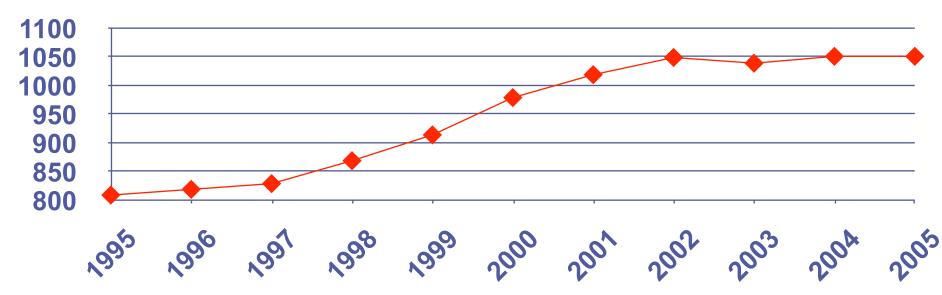
# Rapidly rising rents

Toronto's average market rents are the highest in Canada

To afford this, a household needs an annual income of \$42,000

Almost one-in-four households cannot afford the average rent





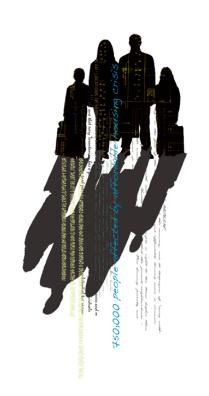
Key indicators...

# Shrinking rental supply

From 2001 to 2005, Toronto lost 3,259 rental units



The number of rented condo units dropped from 35,401 in 1991 to 27,143 in 2005





**Spruce Court, 1913 - Toronto's first affordable housing** 

The first of many housing successes for Toronto

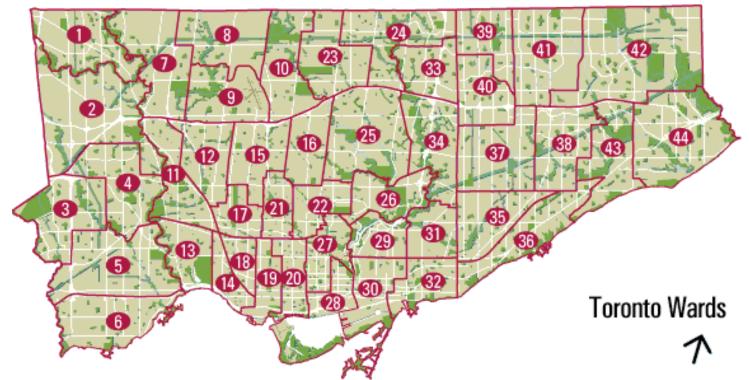
### Toronto's recent housing record

The federal government cancelled new housing funding in 1993, then downloaded most housing programs in 1996

The provincial government cancelled new housing funding in 1995, then downloaded most housing programs in 1998

As of 2006, the housing cuts have cost Toronto 27,900 new homes

Since 2000, 1,435 new "affordable " homes have been completed in Toronto; only 613 of those are truly affordable to the lowest-income households

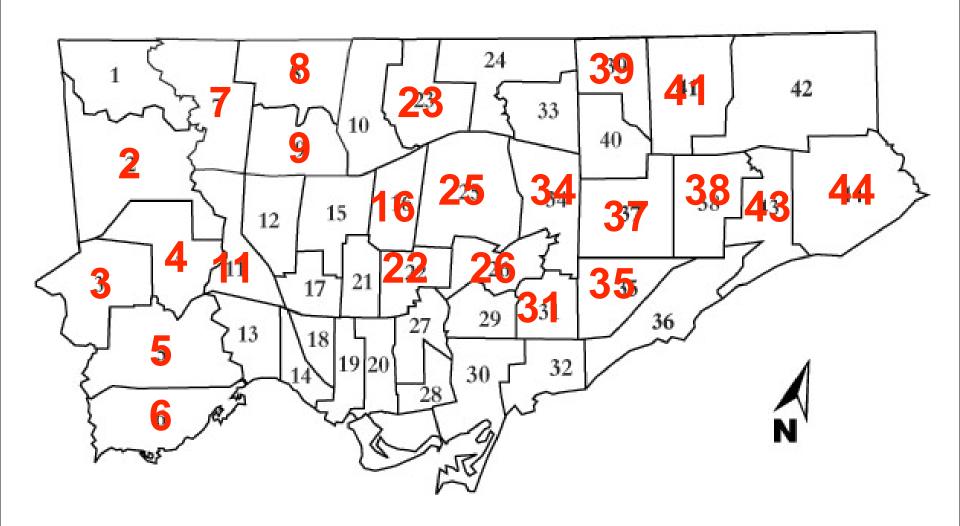


In 1993, the federal government cancelled new housing funding and downloaded housing in 1996

In 1993, the provincial government cancelled new housing funding and downloaded housing in 1998

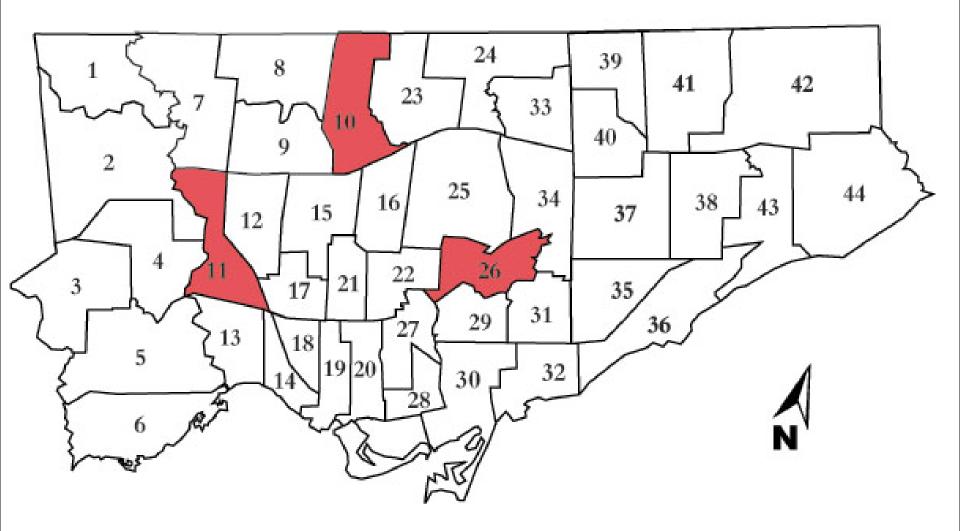
If programs had not been cancelled, Toronto would have 28,000 more homes

#### **Toronto Wards**



No new affordable homes in 23 of Toronto's 44 wards

#### **Toronto Wards**



### Toronto's three housing "hotspots"

... based on six key housing and poverty indicators

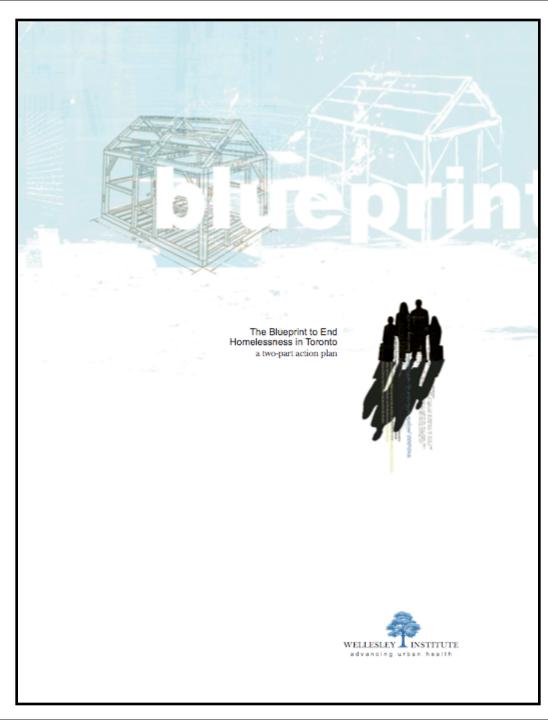


# The Blueprint: A two-part action plan

Step one:
Move the
"sheltered"
homeless
into homes

Monthly cost of a shelter bed: \$1,932

Monthly cost of a rent supplement: \$701



# The Blueprint: A two-part action plan

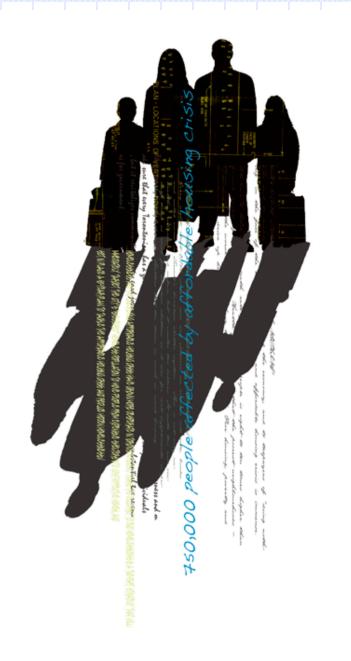
# Step two: Build new homes

- **√** 7,800 new homes
- **√** 2,000 supportive homes
- **√** 8,600 renovated homes
- **√** 9,750 rent supplements
- √ emergency relief
- ✓ eviction prevention
- √ inclusive planning

25% set-aside for Aboriginal housing

# For more information

Blueprint to End Homelessness in Toronto

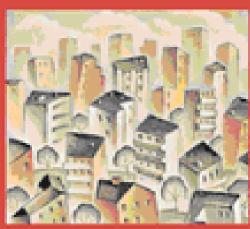


### For more information

# Finding Room: Policy Options for a Canadian Rental Housing Strategy

J. David Hulchanski,
Michael Shapcott, editors
www.urbancentre.utoronto.ca





Policy Options for a Canadian Rental Housing Strategy

> Edited by 3. Devict Matchesolic and Michael Dispute

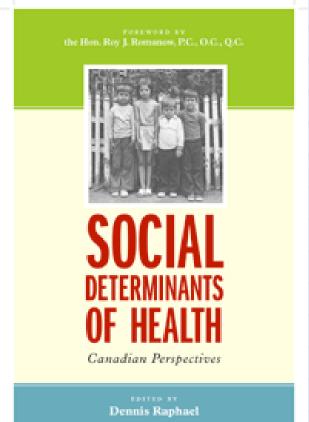


## For more information

### **Social Determinants** of Health: Canadian **Perspectives**

Dennis Raphael, editor

http://www.cspi.org/books/s/socialdeter.htm





# On the web...

- On-line housing library and links
   Centre for Urban and Community Studies,
   University of Toronto
  - www.urbancentre.utoronto.ca
- Wellesley Institute

www.wellesleyinstitute.com

"Would it not be a splendid thing to commemorate this, our hundredth civic year, by the creation of a large and noble plan conceived in a spirit of fellowship? A plan that would mould this city more nearly to our heart's desire, a plan that would recognize the inalienable right of every man and woman and child to a decent and dignified and healthful environment."

Dr. H.A. Bruce, March 6, 1934

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