

The Right Honourable Justin Trudeau, P.C., M.P.  
Prime Minister  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2

April 16, 2019

**Re: Open Letter Requesting Right to Housing Amendments to Bill C-97 and the National Housing Strategy Act**

Dear Prime Minister Trudeau,

In Bill C-97 (Budget Implementation Act, 2019) tabled Monday, April 8, 2019 your government took a major step forward on legislating housing rights by including a commitment to the progressive realization of the right to housing for the first time in Canada's history. We were pleased to see that the National Housing Strategy Act reflects some of the recommendations made in [our August 2018 open letter](#), signed by over 1,100 individuals and organizations from across Canada.

The National Housing Strategy Act makes a policy commitment to the progressive realization of the right to housing consistent with the International Covenant on Economic, Social and Cultural Rights, creates an independent Housing Advocate supported by the Canadian Human Rights Commission, establishes a National Housing Council with explicit inclusion of people with lived experience of homelessness and inadequate housing, and commits to ensuring participation of affected communities. We also look forward to the forthcoming announcement of the distinctions-based Indigenous housing strategies.

However, as it is written, the National Housing Strategy Act lacks essential elements of a workable, human rights accountability framework. Some additional elements need to be added for the legislation to implement an effective rights-based approach as promised when the National Housing Strategy was introduced in November 2017, and as required to bring Canada in line with international human rights standards.

We urge the government to make a few simple amendments, so that the National Housing Strategy Act:

- establishes a monitoring role for the Housing Council, that does not simply provide advice, but tracks progress on implementing the progressive realization of the right to housing;
- mandates the Housing Advocate to receive and investigate petitions identifying systemic housing rights issues, assess compliance with the housing policy commitment, and makes specific recommendations to the Minister that the Minister must respond to;
- establishes a procedure for the Housing Advocate to refer important systemic housing rights issues to public hearings before a three-person panel drawn from the Housing Council, ensuring affected groups have a voice, and that the panel's recommendations will be considered by the Minister; and,
- requires distinction-based housing strategies that identify and address the barriers, needs and rights of Indigenous peoples, as well as an urban and rural Indigenous housing strategy, co-developed with urban and rural Indigenous organizations, consistent with the UN Declaration on the Rights of Indigenous Peoples.

We have attached to this letter a mark-up of the National Housing Strategy Act with specific wording of proposed amendments. None of the necessary amendments alter the scope and principle of the legislation and none require any public expenditure that is not already provided for in the legislation. The amendments are necessary, however, to clarify what is currently unclear, and to bring the roles of the Housing Council and the Housing Advocate in line with the purpose of the legislation and the commitment to a rights-based approach based on international human rights.

Legislation implementing a rights-based national housing strategy provides an historic opportunity for the federal government to address, as a priority, a critical human rights issue at home and at the same time to provide leadership in human rights internationally. This is the first time in Canada's history that legislation recognizing the right to housing has been introduced and it is critical that this be done right. In the National Housing Strategy Act, your government provides an historic policy commitment to the right to housing, but that commitment must include mechanisms to ensure that this historic policy commitment is meaningfully implemented, and Indigenous rights and needs are respected.

Thank you for your consideration of our recommendations.

Sincerely,

Alan Broadbent, Avana Capital Corporation

Pedro Barata, United Way of Greater Toronto

Alyssa Brierley, Centre for Equality Right in Accommodation

Michele Biss, Canada Without Poverty

Shelagh Day, Human Rights Committee, Canadian Feminist Alliance for International Action

Kenn Hale, Advocacy Centre for Tenant Ontario

Elizabeth Mclsaac, Maytree

Alex Neve, Amnesty International Canada

Emily Paradis, Housing and Homelessness Expert and Advocate

Bruce Porter, Social Rights Advocacy Centre

Tim Richter, Canadian Alliance to End Homelessness

[On behalf of 1,100 signatories to August 18, 2018 Open Letter](#)

CC

The Honourable Jean-Yves Duclos, P.C., M.P., Minister of Families, Children and Social Development

The Honourable David Lametti, P.C., M.P., Minister of Justice and Attorney General of Canada

The Honourable Bill Morneau, P.C., M.P., Minister of Finance

The Honourable Andrew Scheer, P.C., M.P., Leader of the Official Opposition

The Honourable Jagmeet Singh, P.C., M.P., Leader of the New Democratic Party

Attachment