

Many Faces of Urban and Rural Displacement Project: Kingston Report

October 2023



**Social Planning Council
of Kingston & District**
since 1930

Acknowledgements

Thank you to all the tenants who stepped forward and shared their experiences and knowledge with us. Your stories will not go unheard.

The SPCK&D is grateful for all the help and assistance from the people in our community. This study would not be possible without their contributions.

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- Just Recovery Kingston
- Integrated Care Hub
- One Roof Youth Hub

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Additional contributions by SPCK&D Board members Patricia Streich, Board Chair, and Alice Gazeley, Board Secretary.

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Executive Summary

This study aims to better understand displacement in our community through firsthand accounts from affected tenants. Tenants' lived experiences can reveal how our city is changing, playing a key role in planning for a more equitable community.

"Displacement" goes beyond eviction to include a range of factors that push tenants out of their homes. This study considered: How and why are tenants displaced? How can tenants' experiences inform our decision-making? And how can research support tenant organizing and advocacy?

Our study in Kingston was part of a collaboration with the Social Planning Network of Ontario (SPNO), the Social Planning Council of Kingston & District (SPCK&D) and three communities: Cornwall Region, Oxford County, and York Region. An overall report on the four communities was prepared by SPNO, available at their website www.spno.ca and ours at www.spckingtonanddistrict.org

What We Did

In October 2022, we formed a Community Advisory Committee comprised of tenants and tenant advocates who met monthly to guide our research and develop ways to support ongoing tenant advocacy. From December 2022 to March 2023, we interviewed 28 tenants about their experiences of displacement in the KFL&A area. To support tenants, we developed and led eviction prevention workshops as well as a tenant community meeting in Spring 2023.

The stories we heard were summarized in the SPNO's Report. This SPCK&D Kingston Report provides in-depth feedback to our community.

What We Found

Kingston has experienced increased growth rates in the last five years. New construction is booming with most of the new rentals expected to be above average market rent. Average rental costs in Kingston have increased substantially in recent years.

Tenants' stories helped us understand the process of displacement, the challenges tenants faced fighting to stay in their homes, the impact displacement had on their lives, and their perspectives on the root causes behind displacement. We found four major themes reflected in tenants' stories, with subthemes for each outlined below. See pg. 11 for a full breakdown of our findings.

Process of Displacement

Tenants shared many reasons for why they were forced to leave their homes following evictions for profit such as "no fault evictions" and home sales; unlivable homes due to harassment, disrepair, or lack of accommodations for disability; and having no alternatives to eviction such as "fault evictions" or no rights as a tenant.

"They don't have to know how serious things are... But they do ask, "mom how long are we here for and when are we going to go home?" – Mary

Fighting Displacement

Tenants shared their experiences of trying to fight evictions and the challenges they faced. Often tenants could not stop their displacement because they had no support, did not know their rights, made a deal to leave with their landlord, or were too afraid to fight.

Impact of Displacement

Tenants shared ways displacement has impacted their lives. These included challenges finding a new home such as burdensome applications and bearing increased costs for declining quality of housing. The risk associated with homelessness includes living in precarious housing, everyday survival, and being vulnerable to exploitation. And trauma from displacement resulted in declining health, substance use, fear of future displacement, and distrust in the system.

Root Cause of Displacement

Tenants' stories revealed a larger narrative of systemic inequality behind displacement such as unaffordable housing and pressures from the student housing market; insufficient investment in social housing impacting tenants with long waitlists and lack of support to keep them housed; and the creation of a class of "undesirable" tenants for whom discrimination has been normalized and intensified existing inequalities.

"The prices are outrageous right now. I can't afford it. It's tripled since I've moved here. In nine years, it's tripled." – Poker

Next Steps and Conclusion

While some challenges, such as the pressures of the student rental market, were unique to Kingston, many issues are universal to tenants across Canada. Acting in Kingston to address displacement is part of a nation-wide movement to make renting more equitable.

Recommendations were developed based on suggestions from tenants we spoke to and the Community Advisory Committee. A companion Action Plan is being developed to support implementing recommendations. See pg. 32 for the full description of our recommendations.

- 1 More affordable rental unit availability
- 2 Improve capacity of property standards
- 3 Improve compliance with landlord responsibilities
- 4 Protect disabled tenants
- 5 Strengthen timely access to LTB, legal aid, and eviction prevention workers
- 6 Better options for unhoused people in emergency shelters and encampments

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This report aims to better understand displacement in our community through firsthand accounts from affected tenants. Their stories reveal how they cope with losing their homes and the profound impact it has on their lives. Tenants' lived experiences can reveal how our city is changing, playing a key role in planning for a more equitable community.

1.1. About This Study

Our study in Kingston was part of the province-wide initiative, “The Many Faces of Urban and Rural Displacement – Ontario Tenants Organize and Speak Up” with the Social Planning Network of Ontario (SPNO), the Social Planning Council of Kingston & District (SPCK&D) and social planning councils in three other communities: Cornwall Region, Oxford County, and York Region.

This study occurred between Spring 2022 and Fall 2023. It was funded through the Community Housing Transformation Centre’s Community Based Tenant Initiative Fund (CBTIF) under the federal National Housing Strategy (NHS). SPNO partnered with Dr. Brian Doucet at the University of Waterloo for research ethics approval and advising.

Our Kingston Report provides feedback to our community to foster engagement and collaboration that aims to address the needs of tenants who have been displaced or are at risk of displacement.



1.2. Why Use the Word “Displacement”?

Displacement describes a variety of ways tenants are forced to leave their homes. This is distinct from tenants making a personal choice to move of their own volition.

Close to 20% of tenants in Kingston “moved” homes in 2021-22 (CMHC 2023). This process is described as “turnover” of rental units. However, this data does not tell us which tenants chose to move and which tenants were forced by factors beyond their control.

One of the most conventional ways tenants are displaced is via eviction order by the Landlord and Tenant Board (LTB)—the Ontario Tribunal that presides over all rental housing matters. However, many more tenants leave before they receive a legal eviction order.

Tenants may leave their homes because they:

- Did not know their rights or how to fight an eviction under provisions in the Residential Tenancies Act (RTA).
- Could not afford to continue living in their home due to rent increases or loss of income.
- Were intimidated or threatened by their landlord to leave.
- Required significant repairs or accommodations that were neglected by their landlord.
- Lived in a building where large scale renovations required tenants to move out.
- Encountered issues but had no recourse as they are not considered tenants under the RTA.
- Were forced to leave by a partner, family member, or roommate.
- Were forced to leave due to a disaster (e.g., structural fire, flooding) or essential repairs ordered by the city.

1.3. Addressing Gaps in Our Understanding of Displacement

Our study was premised on three specific gaps in our understanding of displacement in the Kingston area:

1. **Gaps in knowledge:** How and why are tenants being displaced? Our community lacks understanding of displacement. Although some have experienced or heard about it, we believe tenants' firsthand accounts can teach us about broader patterns and processes of displacement.
2. **Gaps in lived experience:** How can tenants' lived experience inform our decision-making? Displaced tenants are under-represented in housing decision-making. Empowering their voices and leadership is crucial for meaningful change.
3. **Gaps in engagement:** How can information support tenant organizing and advocacy? While communities advocate for change, housing studies are often disconnected from their efforts. Bridging this gap requires working collaboratively with tenant organizers and advocates.

This report focusses primarily on the first two gaps to better understand the factors leading to tenant displacement and their recommendations as to how the rental situation can be improved.



Kingston tenants who lose their housing often struggle to find a new home in the private market and in social housing. However, recent trends have worsened the problems many tenants face.

2.2. Rental Supply and Demand

As of October 2022, Kingston has the second lowest vacancy rate in Ontario (CMHC 2023). Only 1% of rental units are available (vacant) —less than 200 apartments in the entire area, with most in new buildings that are much more expensive than the average rents.

Average rents have increased by approximately 5% a year, exceeding the provincial rent increase guidelines for occupied units. Given that approximately 20% of Kingston tenants move annually, landlords can further raise rents on turnover, driving up costs and reducing affordable units.

The rates of turnover are much higher for students. Over 35,000 students attend one of three Kingston colleges and universities, creating a separate sub-market of landlords geared to students. Many of the new rental buildings in recent years have targeted this profitable student market.

Coupled with these trends, Kingston caters to the housing needs of people posted to the Canadian Forces Base Kingston, which has grown in number in recent years. As well, the Kingston area has seven federal and provincial prisons. The limited rental stock has made it challenging for people recently released to find housing.

2.1. Affordable Rentals for Lower-income Tenants

People with the lowest incomes are unable to afford average market rent. Recent CMHC research shows less than 17% of purpose-built rentals were affordable to Kingston tenants making <40K a year (Golozub 2023). Many tenants instead depend on rent-geared-to-income (RGI) housing, especially tenants using the Ontario Disability Support Program (ODSP) and Ontario Works (OW) or seniors with a basic pension income.

The numbers of RGI units are fixed in the ‘agreements’ the province sets with the municipality. Currently, the maximum number of RGI units in the Kingston area is 2,003 (City of Kingston 2023). The 2021 SPCK&D study found that non-profits possess 40% (770) of the city's 2002 RGI units, while Kingston Frontenac Housing Corporation (KFHC), the municipal non-profit housing group, has around 60% (1,200) of units.

As of 2023, 1,334 households are on Kingston’s centralized housing waitlist. Wait times vary from months to nearly a decade (City of Kingston 2023). Priority groups such as families, seniors and survivors of domestic abuse may face shorter wait times, as there are specific units designated for them. Individuals applying for a one bedroom often face the longest wait times. However, all tenants face delays due to limited availability, and re-housing for displaced tenants is not guaranteed.

What Our Study Did

This study began in Spring 2022 as part of the broader SPNO project. In October 2022, to support direct tenant input a Community Advisory Committee consisting of three tenants and three community advocates was formed. The committee met monthly to discuss and strategize tenant support.

From December 2022 to March 2023, we conducted semi-structured interviews with 28 tenants. We recruited participants who were 18+ years of age and had experienced displacement within the past 10 years in the KFL&A region. Interview participants were recruited online as well as through local social service agencies and connections to tenants and advocates on the Community Advisory Committee.

Ethics approval was given by the University of Waterloo. Participants were compensated with a \$50 President's Choice gift card. Interviews averaged 45 minutes and were conducted via phone, Zoom, or in person. Consent was obtained from participants prior to interviews. Participants were assigned pseudonyms for identity protection and personal information was anonymized.

Data collected in Kingston was used in both the SPNO and Kingston reports.

Limitations to data collection

Due to the method of data collection, these data are not representative of the KFL&A tenant population. The study demographic on average is younger and mainly from downtown Kingston. The data may also reflect a higher percentage of people with a disability and/or receiving social support payments than the overall tenant population. Few tenants we spoke to came from rural areas in Frontenac and Napanee.

3.1. Community Engagement and Tenant Leadership

In addition to hearing tenants' stories of displacement, this project aimed to collaborate with tenants in the community to understand and address gaps in tenant leadership and engagement.

Peer Legal Advocacy Workshop

After conversations with tenants and the Community Advisory Committee, an online survey was conducted in December 2022 to identify tenant's areas of interest on tenant rights.

Survey responses and feedback from the Community Advisory Committee led to the creation of the Peer Legal Advocacy Workshop (PLAW). The workshop was adapted from the Centre for Legal Education Ontario (CLEO)'s presentation "Can I Avoid Being Evicted? Legal Information for Community Workers" with assistance from Aimee McCurdy, a Queen's Law student. This workshop was delivered to two groups of tenants in Spring 2023. The workshop is available on our website at www.spckingstonanddistrict.org

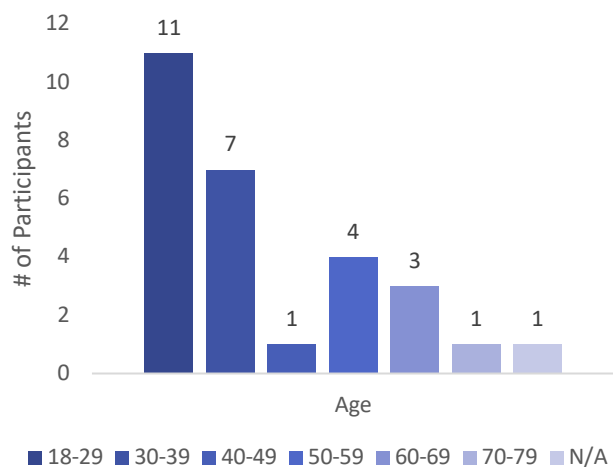
Kingston Tenant Community Meeting

On May 10, 2023, the SPCK&D organized the Tenant Community Meeting at Extend-A-Family Kingston. Over 30 tenants gathered to connect and strategize against evictions, in effort to prevent displacement. Small groups engaged in an activity discussing eviction scenarios and brainstorming intervention methods. A summary can be found the Appendix.

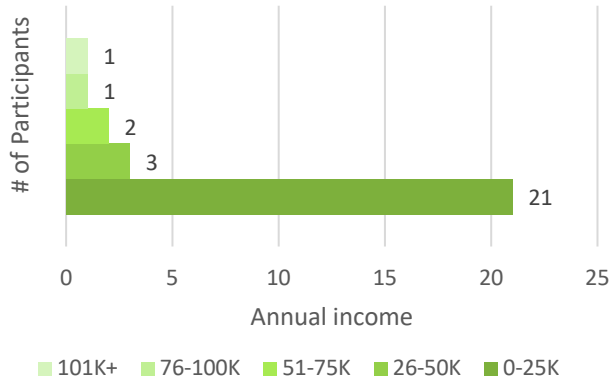
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Who Spoke to Us

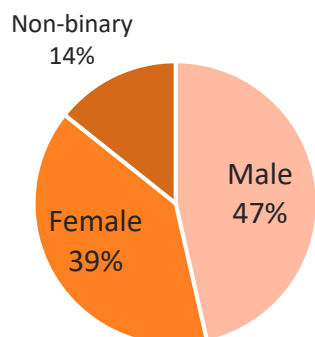
Age Range of Participants (18-79)



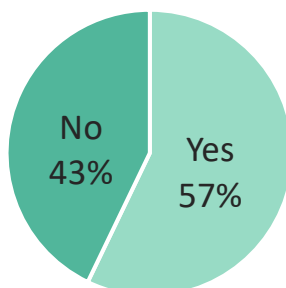
Annual Household Income (Pre-tax)



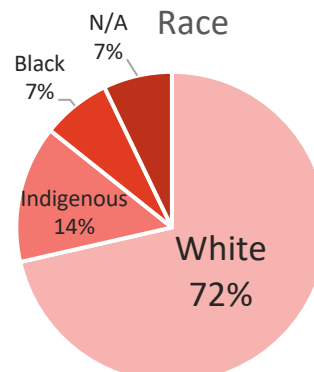
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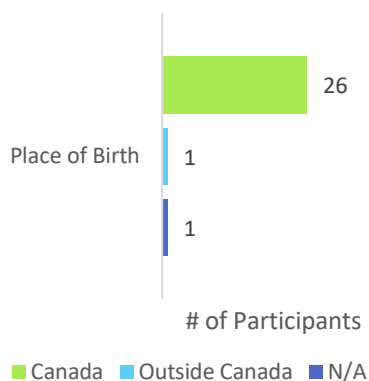
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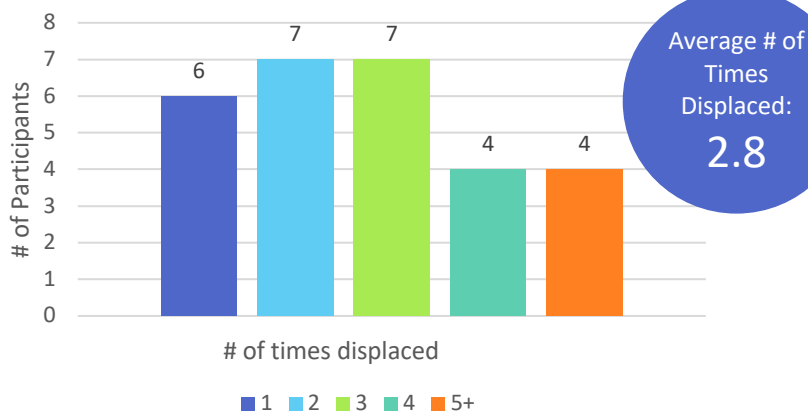
Race



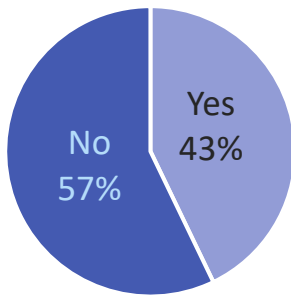
Participants Born in Canada



Number of Times Displaced in Kingston Over the Past 10 Years



Ongoing Risk of Displacement



Ongoing risk of displacement estimated by number of tenants that are currently unhoused or at imminent risk of displacement (e.g., they have been threatened with eviction; house will be sold, etc.).

4.1. In Comparison

The tenants we spoke to were not representative of the average Kingston population. Overall tenants were lower in age and income and higher in rates of self-identified disability.

Tenants average income was lower than Kingston's average: \$42,800 (pre-tax)
Tenants average age was lower than Kingston's average: 43.2 years (Statistics Canada 2021).

22% of Canadians identify as being disabled compared to 57% of tenants in our study (Morris, Fawcett, Brisebois and Hughes 2018)



5

What We Heard

A total of 28 tenants shared their experiences of displacement from their homes in the KFL&A region. All names used in this report are pseudonyms. The chart below outlines the four themes explored in the interviews.

5.1 Process of Displacement	A. Eviction for Profit - No Fault Evictions - Selling Home - Eviction for Profit: Banjo's Story B. Unlivable Homes - Harassment - Disrepair - Accommodations C. No Alternatives to Eviction - Fault Evictions - No Tenant Rights
5.2 Fighting Displacement	A. Tenants Fighting Back: Cadence's Story B. When Tenants Stop Fighting - No Support - Unfamiliar with Rights - Deal to Leave - Afraid to Fight C. Too Late to Stay and Fight: Mary's Story
5.3 Impact of Displacement	A. Finding a New Home - Application Process - Cost of Living - Housing Downgrade B. Risk of Homelessness - Precarious Housing - Homelessness - Increased Vulnerability C. Trauma - Health Decline - Substance Use - Fear of Displacement - Distrust in the System
5.4 Root Cause of Displacement	A. Unaffordable Housing - Growing Unaffordability - Student Housing B. Social Housing Concerns - Long Waitlists - Lack of Support to Stay Housed - Still Seeking Refuge: Tahsin's Story C. Class of "Undesirable" Tenants - Normalizing Discrimination - Intensification of Inequality

5.1

Process of Displacement

We heard many different reasons why tenants were forced to leave their homes. Tenants may also have experienced multiple instances of displacement for different reasons each time. These include eviction for profit, unlivable homes, and no alternatives to eviction. In this section we summarized tenants' stories of displacement.

A. Eviction For Profit

Some tenants shared stories where they were forced to leave because their landlord wanted to change the occupants in the unit. For some tenants this happened due to “no fault” evictions, such as eviction for the landlord’s personal use (N12) or Eviction for Demolishing, Renovating or Converting a Unit (N13), while others were forced to leave when their landlord put their home up for sale.

No-Fault Evictions

Tenants in Kingston have been made to leave after their landlord states their spouse or child wants to move into their unit. In other instances, tenants were told to leave because their units needed to be renovated or repaired. Unlike most types of evictions, N12 and N13 evictions are known as “no fault” evictions—tenants can be evicted without having violated their lease. Due to **vacancy decontrol**, it appears N12/N13 evictions are being increasingly used to illegitimately evict tenants to increase rent.

Simon and over 80 other tenants received a letter from their landlord telling them to move out of their mid-rise apartment building for emergency repairs and asbestos remediation. Most tenants were low-income and had nowhere to go. Simon left all his belonging behind and slept in his car. Simon tried to return to his apartment, but the landlord would not take his calls. Shortly after the building was sold. The new apartments are now rented out at a significantly higher price.

After acquiring a triplex, Roland's new landlord evicted his downstairs neighbour using an N12 notice, claiming her daughter intended to move in. 12 months later, he received his own N12 notice, the landlord claiming their child got engaged and required more space. Roland moved out after receiving the notice and later

WHAT IS AN “N” NOTICE?

In Ontario, landlords must give a specific standard notice to tenants to end tenancy and begin the eviction process. These notices are known as “N” notices. Different reasons for eviction correspond to a number on the notices. Example: An “N4” is a notice given for non-payment of rent.

“These so-called No-Fault evictions... it's just a total misnomer to call this a “no fault eviction” because it's the tenant who pays.”— Cadence

WHAT IS VACANCY DECONTROL?

Vacancy decontrol allows landlords to set any rent amount for unoccupied units, while occupied units can only have a small annual rent increase, currently capped at 2.5%. The Advocacy Center for Tenants Ontario (ACTO) warns that this incentivizes landlords to evict long-term tenants for higher rent.

“We left and were told that we could come back in 3 months, so they could do their work, but couldn't because no one would respond when I called to come back.” — Simon

discovered the landlord had been listing the units on AirBnB. At that time, Roland didn't know he could go to the LTB to contest it, and now he regrets not trying.

“Incidentally, 12 months is the minimum amount of time that a personal use unit needs to be occupied by the person that's living in that unit, right? So, the guy got evicted in January. [The landlord's child] moved in in January 2018. 12 months later, how convenient, now they need to move into a bigger space.” – Roland

Selling Home

Many tenants were displaced as landlords sold their homes, often being asked to leave before the sale. Tenants have no control over whether they can stay after the sale, as the decision rests with the new owner.

Deacon and his family were repeatedly displaced, moving three times in three cities before coming to Kingston. Despite finding a nice home in Kingston, a year into their tenancy, the landlord informed Deacon of her plans to sell the house. Deacon asked the landlord to delay the sale for a year, so their youngest child could graduate high school before moving again. The landlord agreed, but now Deacon and his family are searching for a new home once more.

“She says, “look, I'm thinking of selling the place. What do you think about that?”” And it was like, oh my God, we're screwed. Like, she was trying to be friendly but I really, at that point felt like, don't tell us you're going to sell the place.” – Deacon

Some tenants attempted to buy the homes they were renting when they went up for sale but being a tenant simultaneously made it complicated. Roland got preapproved for a mortgage in hopes of buying the home he rented. However, the landlord declined, opting to put the property on the market first before accepting any offers. Shortly after the property showings began, Roland wanted to speak up when a home inspector refused to wear a mask due to COVID. His real estate agent warned it could jeopardize their chances of their offer being accepted: **“He was like, if it gets back to your landlord that you’re impeding on any of the showings or anything, he's not going to want to consider your offer.”**

Eviction for Profit: Banjo's Story

Shortly after he moved in, Banjo's new apartment was sold to an anonymous number corporation. Banjo and other tenants received an email from the corporation's lawyer asking to discuss their tenancy. Months later Banjo received an **N13 eviction notice** in the mail. The new owners wanted to renovate his unit and said he could not return when they were done.

“Those of us that had not indicated we were planning to move out, we were the ones that got that email...we were also the ones paying the lowest rent for the units!” – Banjo

N13 – EVICTION FOR DEMOLISHING, RENOVATING OR CONVERTING A UNIT

Landlords can evict tenants if they want to do extensive renovations, demolish the unit, or convert it to non-residential use. If for renovations, tenants have the “right of first refusal” meaning they have the right to refuse permanent eviction and may return to their units after work has been completed.

“The other thing they put in there was like, “Due to the current pandemic and the stress on the supply chain, we don't know when the renovations will be finished. Therefore, it's impossible to make arrangements for tenants to move out during the renovations and come back to the unit after” ...So they were crafty. They thought of all the angles.” – Banjo

Banjo saw other vacant units were being renovated and new tenants, paying a steep increase in rent, were immediately moved in. Banjo recalled, **“They'd go in and do renovations on some of the empty apartments, and then pretty much move people in immediately.”**

Banjo considered fighting the eviction, but past experiences with his landlord made him hesitant, saying, **“If I stay and fight it, what if I lose and lose the place anyways? And then the rents have gone up even further and I can't find a place at all.”** When he informed the landlord about moving, he discovered his apartment was listed for nearly \$1000 more than his current rent.

“I was hunting for a new place too... and then I saw my place. And I was still living there.” - Banjo

Banjo finds his current place "barely affordable" despite having a full-time salaried job. To cope with the rising living costs, he is applying for part-time jobs too. Banjo shared his frustrations with us, saying: **“It's starting to feel like I'm not able to live a comfortable existence on a good salary position. What gives? ...I've worked pretty hard to try to get myself into a better place in life and it feels like this just being ripped out of my hands.”**

“My lifestyle has deteriorated from when I was on the welfare rolls. And that's really sad especially because then you start thinking, well, what do people do when they are actually on welfare nowadays?” - Banjo

B. Unlivable Homes

Tenants were displaced due to poor living conditions and harassment from landlords, leading to discomfort and safety concerns. Some faced disrepair or neglect in their homes, while disabled tenants were forced to leave when landlords refused to provide accommodations.

Harassment

Many tenants shared experiences of harassment by their landlord. Tenants faced invasions of privacy when their landlord would enter their units or take photos without prior notice. Tenants report feeling unfairly targeted after their landlord took away amenities provided in their leases such as parking spots, storage space, and clothing lines. One tenant even endured threats of utilities cut off and eviction.

“He even had the gall to say, “when you were finding a house maybe you should have thought about the fact that you need more space.” And we were like, well, we did, but you took it away.” – Halo

In some instances, such as Eowyn's, harassment came from other tenants. Two roommates verbally abused Eowyn, one time even in front of the landlord. When Eowyn expressed concerns about her safety and fear of escalation, the landlord dismissed her concerns, calling the roommates "nice." Eowyn recalled thinking, **"I have to get out of here because this is awful and I'm so not safe living here if you will just watch someone verbally abuse me and think that's nice."**

Disrepair

Tenants were forced to leave because their units needed repairs or maintenance that the landlord was not willing to provide.

Shortly after Daphne moved in with her partner the bathroom ceiling caved in. Daphne shared, **"A two-by-two square of drywall insulation and straight up mould fell from the bathroom ceiling into the bathtub. It was very obvious that the problem was much bigger than the leak."** Daphne realized they were on their own when they asked the landlord for help, and she did not take prompt action. Daphne and her partner were forced to move into a friend's basement for the next six weeks while they looked for a new place.

"Every one of his frickin places you hear about either mice and cockroaches or bedbugs or f— rats, black mould, or like trap houses. Just bad people, crooked environment." – Newt

"[The landlord] said, 'I'm really sick and I can't deal with this. I'm selling the house.' So, we were like 'Hmm, that doesn't really solve our 'have no bathroom situation.' It was the only bathroom in the house.'" - Daphne

Accommodations

Disabled tenants face unique challenges that undermine their ability to continue living in their homes. Landlords have **a legal obligation to accommodate** disabled tenants within reason. However, two tenants we spoke to requested accommodation but were forced to leave instead.

Alberta requested accommodations for her disability when she moved into her new apartment. The building and other tenants were making her sick. In the middle of her case at the Ontario Human Rights Tribunal, her landlord sold the building. The new landlord did not want to accommodate her either. Alberta recalled a conversation with her landlord: **"He kind of drifted around about how annoying tenants were, tenants picking on little things, you know, wanting paint so finally you just have to give them paint. I listened to him, and I said 'yes, but what you're saying has nothing to do with what's going on here, right? This is about accommodation of a disability.'"**

Rather than follow through with the accommodations the landlord offered her money to leave. Alberta now lives in her truck, unable to find a place that is both accessible and affordable to her.

WHAT IS THE DUTY TO ACCOMMODATE?

Landlords have an obligation under the Ontario Human Rights Code to accommodate the needs of disabled tenants such as changing the physical space of the dwelling or the landlord's conduct with the tenant. A landlord does not need to provide an accommodation if it causes "undue hardship" such as costing more than the landlord could possibly recuperate or jeopardizing the health and safety of other tenants. However, a landlord must prove undue hardship with concrete evidence at the Ontario Human Rights Tribunal or LTB.

Geraldine sent a letter to their landlord to request accommodation so they could use their wheelchair in their unit. However, their landlord was not receptive. Geraldine researched affordable, easy, and temporary ways to do the accommodations, but the landlord prioritized other tenants' convenience. The landlord agreed only to buy grab bars for their washroom but never installed them.

“As a landlord, you have to be ready for any of your tenants to be disabled and need accommodation and respectfully accept that. That's the opposite of what she did.” - Geraldine

Geraldine shared, **“Every time I would ask them for updates about other things, they wouldn't even reply to my question, they would just talk about the grab bars...You don't have to do one thing at a time. That's purposely going really slow. The last thing that I know that they did was pay for the grab bars and then they went completely silent... and then the landlord texted me at some point, like, “I'm assuming the grab bars have been installed.” I'm like, no. They have not, actually.”**

After six months of requests, Geraldine sent an email expressing frustration about the landlord's failure to meet their legal responsibilities. In response, the landlord reacted angrily and lashed out at Geraldine: **“She'd called me an inconvenience and unbearable.”** Geraldine gave up trying and began looking for a new place to live.

C. No Alternatives to Eviction

Tenants shared experiences where leaving their homes was the only solution offered to them. Eviction is one of the tools landlords use when tenants have jeopardized their tenancy by not adhering to obligations in their lease. Some individuals may not be recognized as tenants or have the same rights, leaving them in a precarious situation.

Fault Evictions

Tenants who fall behind on rent or cause unit damage are considered "at fault" and at risk of eviction. Landlords have the discretion to decide whether to evict a tenant. If a tenant corrects the issue that led to the eviction notice, the eviction is cancelled. However, in the cases of Mary, Josie, and Rose, they were not given the chance to correct the issue and cancel the eviction.

Josie was evicted for writing on the walls of her unit. When the building staff saw it, they initially dismissed it as no big deal and advised her to buy paint to fix it. However, shortly after, she received a notice eviction for causing serious problems (N7), claiming she owed over \$1,000 for repairs. Josie was confused about the excessive cost and didn't reach out to her landlord due to personal struggles after her mother's death, hoping the problem would resolve on its own. Josie said, **“It seemed to overtake me a little bit that I just didn't worry about the letter. I just thought it would go away. But it didn't.”**

N7 – EVICTION FOR CAUSING SERIOUS PROBLEMS IN THE RENTAL UNIT

A landlord can give a tenant this notice for reasons such as: 1) endangering others' safety; 2) willful damage to the rental unit; 3) using the unit for potentially damaging non-residential purposes; 4) infringing on the landlord's rights or enjoyment in shared buildings. Often, if tenants fix the problem, they can stop the eviction.

Three months later Josie got a notice at her door that she had been evicted and had two days to pack up her stuff. A friend helped Josie carry her stuff to a park across the street where she spent the night.

Rose lived with her grandma. After her grandma was hospitalized, the landlord slid a notice of eviction for non-payment of rent (N4), under the door. Rose knew the landlord was aware her grandma was in the hospital and would never see the notice. Rose was not on the lease and had no way to pay the rent owed. She tried to get on the lease but could not get power of attorney. Rose left, forced to leave behind her belongings.

“They knew what was happening. And they didn't see her [grandma] come home. So, they were doing it very underhandedly by putting it under the door after they let in the ambulance. She wasn't in the right state of mind so she couldn't even defend herself. That, to me, that's not fair. Like, an 80 some-year-old lady had been there that long. Just because you wanted to raise the rent.” – Rose

“I thought, how could she lie to me? Like, why would you tell me one thing and go back on it and surprise me with an eviction notice?... Like, why would you even laugh and joke about it and make me feel like I was safe?” – Josie

N4 – EVICTION FOR NON-PAYMENT OF RENT

The most common type of "legal" eviction is for non-payment of rent. After rent is due, tenants can be evicted 24 hours later. Negotiating a payment plan is possible, but landlords have the discretion to evict immediately if the tenant fails to pay on time.

No Tenant Rights

Many tenants are forced to leave due to circumstances beyond their control because they are not considered tenants under the Residential Tenancies Act (RTA). Other tenants may face issues with no recourse under the RTA. Tenants find themselves in a legal grey area as they are made to leave without due process.

John, Lela, and Willow were asked by their parents to pay rent after turning 18. None of them could afford it so they had to leave. Similarly, Cody was kicked out by his guardians at 18 and had to live in a transitional home with strict rules. When Cody broke one of the rules by letting a friend stay over, he was also kicked out of the transitional home.

Vera is facing eviction from his room in a boarding house. After complaining about the lack of heat, property standards inspectors found his rental unit was illegal. Though property standards asked the landlord to evict tenants, Vera has not received an eviction notice, leading him to believe the landlord wants to keep collecting rent. This has left Vera in a difficult situation, unsure of who to complain to about the heat issue without risking eviction. Vera lives in a grey area of eviction enforcement responsibility—if Vera complains to the city or the LTB, they may actually evict him this time.

WHO IS PROTECTED BY THE RESIDENTIAL TENANCIES ACT?

The RTA defines rights for landlords and tenants in Ontario, but it excludes certain individuals. Those sharing a kitchen or bathroom with the landlord, living in emergency shelters, prisons, or long-term care facilities are not protected by the RTA. Additionally, roommates, subletters or individuals not on the lease may have fewer rights under the RTA.

5.2

Fighting Displacement

Some tenants shared their experiences fighting displacement. Some tried to use the authority of the law to protect their tenancy. Other tenants tried to negotiate with their landlords. In many stories, tenants wanted to fight back but could not. Some of the reasons for this included not having enough knowledge of the process, not enough support, being provided with a financial offer to leave, no longer wanting to stay in the rental or being afraid to stay.

A. Tenants Fighting Back: Cadence's Story

Cadence had lived in her apartment for close to a decade when it was sold to a new landlord. Cadence suspected he wanted her out from the first time she met him, and she asked about rent.

"One of the first things he said to me when I mentioned was "you don't pay enough rent." ...He said that several times over the years that I don't pay enough rent." - Cadence

Issues arose after the new landlord took over: Cadence lost her parking spot, didn't receive a rent freeze during the pandemic, and faced resistance from the landlord to enforce mask-wearing among other tenants. She filed a **tenant application** but a mistake by the LTB prevented her complaint from moving forward. By the time it was properly filed, she had received the eviction notice. Cadence feared her complaint would seem retaliatory and undermine her attempt to stop the eviction.

WHAT IS A TENANT APPLICATION?

Like landlords, tenants can bring their complaints to the LTB by filing a tenant application. Tenant applications can be for unreasonable rent increases, violations of tenants' rights, and failure to fulfil a landlord's responsibilities among many other issues.

The landlord served Cadence a N12, an eviction notice for landlord's personal use, claiming her unit for his wife to address her health issues. Cadence doubted this was true. Other vacant units in the building were available identical to Cadence's unit, and she couldn't comprehend why her top-floor unit would be more suitable for the wife with mobility issues. A lawyer informed her that the landlord's sincerity mattered more than the logic of the situation.

Cadence sought help from legal aid clinics to fight the eviction, but she was turned away. Her pension slightly exceeded the eligibility threshold, and her case would be difficult to win. Cadence was forced to represent herself at the LTB. Her case was scheduled last and ultimately adjourned due to time constraints. Worried about homelessness, she rented a new place just in case, hoping for a quick resolution from the LTB.

However, the uncertainty of her case's rescheduling and the burden of dual rent payments forced her to seek pro-bono advice from a legal clinic lawyer, who suggested she stop paying and move.

"I said, "well how can you judge sincerity?" ...It's not reasonable that she's going to try to move into my apartment... It's not reasonable that she didn't take the two bedroom on the other side... And they say "that doesn't matter. All that matters is that she's sincere about wanting your apartment." – Cadence

Cadence said, “I thought it would be resolved in October one way or the other, either be staying where I am or moving out to the new place. Now I don’t have a date...the adjudicators told us in October, you will know within a month what the date is of your next hearing.”

Four months later Cadence stopped paying rent and moved into the other apartment, forfeiting her case. Cadence wishes she could have taken her case to the end, but felt it was impossible without legal representation and the financial means to keep fighting.

DELAYS AT THE LTB

In recent years, landlords and tenants have faced lengthy delays for hearings at the LTB. As of February 2023, landlord applications (e.g., evictions) could wait up to nine months for a hearing, and up to two years for tenant applications (Dubé 2023). This has impacted both landlords and tenants’ ability to resolve disputes and has put additional strain on support services such as legal aid.

“I still feel shell shocked, though. I still feel, you know, my life was turned upside down. It was very stressful. And I got turfed out when I didn’t want to be.” – Cadence

B. When Tenants Stop Fighting

Most tenants want to resist displacement but never end up challenging their landlord. For those who do, it’s challenging, risky, and often not worth it if it means living in conflict with their landlord. Some tenants lack the knowledge or support to fight, while others make deals with their landlord when living in their home does not feel worth the fight.

No Support

Tenants like Cadence and Daphne may struggle to find help when fighting for their rights. Daphne, for example, couldn’t qualify for legal assistance, so she relied on friends to help her seek compensation for her forced move.

“We were told by so many different people we had conversations with that we have rights. And it was such an obvious example to us that knowing you have rights and actually asserting those rights; two very different privileges.” – Daphne

Unfamiliar With Their Rights

Many tenants do not know their rights and how they apply to their lives. Many tenants learn about their rights after they have been violated.

When Poker and his wife arrived in Kingston, they paid first and last month’s rent to their new landlord and moved in. The next day, the landlord evicted them and kept their money. Poker contacted the police, who advised him to take the landlord to small claims court, but they couldn’t offer immediate help. This happened to Poker two more times since, saying “**It was a common practice for a while because the law supported it and there was nothing we could do about it.**”

After Eowyn’s roommates moved out, the landlord informed her that she would have to leave when the year lease ended in May if she didn’t find three new roommates by November. Eowyn dedicated all her time to searching for roommates, which was made even more difficult because it was long before the lease would begin. When Eowyn found roommates, the landlord rejected two applications without a reason. By December, the landlord signed a lease with four new tenants. Eowyn didn’t realize she had the right to stay regardless of the landlord’s preferences. She didn’t need to sign a new year-long lease or find roommates in order to stay.

“I definitely would’ve been able to find people, but I thought that I had to find it by my landlord’s deadline... I didn’t know my rights and they didn’t tell me them... I lost my place because I didn’t know that I could’ve just stayed, and I would have stayed.” – Eowyn

Deal to Leave

Landlords may offer deals to tenants to persuade them to leave, such as "cash for keys" arrangements, where it's more profitable for the landlord to pay the tenant to vacate. Other offers may include a different unit or a refund on rent. For example, Banjo's landlord offered him a refund for a month's rent if he left early after the home was sold.

When Alberta's building was sold, the new landlord offered her \$8,000 to leave instead of accommodating her disability. Alberta declined the offer as it could not make up for rising rental costs if she moved. The landlord returned with a \$13,000 offer, and this time she accepted it. Alberta realized the landlord wouldn't provide the accommodations, and she wouldn't receive such a large amount at a hearing, making it the best outcome for her. Now, she feels like she has lost more than she has gained.

“For some people that looks like, ooh you know, somebody’s going to give me \$8,000! Like, no, you just lost your f— housing is what that is.” - Alberta

Afraid to Fight

Many tenants fear fighting their landlords due to potential consequences, worried about living in conflict with their landlord or potential retaliation.

When Halo attempted to file a complaint with Queen’s against his student housing landlord, part of the landlord contract program (LCP; see pg. 27), he was warned about possible retaliation. Though they sounded supportive, it felt like they were still discouraging him. Halo recalled, **“She’s like, you’re getting involved with somebody who already plays these dangerous games. Who knows what other dangerous games he’s gonna play?”**

They asked Halo and his six roommates to sign off on the complaint, but some were afraid of the landlord's history of litigation. The prospect of a lawsuit led Halo to drop the complaint.

“Everybody’s just scared. No one’s ever been in any sort of legal battle ever, you know, whole idea of it is just so daunting that they were like, we’re gonna play by the rules. And if that means the rules are bad and unfair, I don’t care, I’m going to play by them anyways, because I want to protect myself.” – Halo

Willow rents a room in her landlord’s house leaving her unprotected by the RTA. The landlord has made her feel uncomfortable by asking her invasive questions about her personal life and relationships, but Willow has been afraid to speak up. Even though this is her first-time renting, she knows how he treats her is wrong.

“I didn’t want to say anything because first of all, he’s letting me stay in his house. And I can’t afford anything else...It’s not okay and I know that, but he has authority over me.” - Willow

C. Too Late to Stay and Fight: Mary's Story

Mary obtained her rent-geared-to-income (RGI) unit after a six-month wait, bringing her stability as a single mom with young children. During the pandemic she quit her job while pregnant with her third child to avoid the risk of getting sick.

When a new landlord took over and required in-person rent payments, Mary faced challenges as the new office was three bus transfers across town, potentially putting her at risk of getting sick. Unable to go, Mary started falling behind on rent. Mary was not the only tenant unable to pay. Aware of tenants' struggles, the new landlord said they would come to the building every month with a debit machine so tenants could catch up on rent. However, they only came twice.

Mary was worried but staff would reassure her all she needed to do was pay it off bit by bit.

However, after the eviction freeze ended, Mary received an unexpected notice of hearing. The notice was the first time she found out she was in trouble and by the time she received it, the hearing had already passed. Mary said, **"I didn't get any phone calls or emails, just a letter in the mail telling me to go on a video call on this date, right once that turn hit [eviction freeze ended]. And I missed that"**

"I remember a month before my son was born just waddling out on the ice and they came once through December and I tried to pay off at least three or four months' worth of rent...to show them, I know I'm behind and I'm doing my best to pay it off. And then they came again once in the summer. And that was it." – Mary

"I got the notice on the door, police are gonna come on Friday. And, seven years of stuff, three children's worth of stuff I had to leave behind." - Mary

Mary left her unit with her three kids and less than \$50 in her bank account. She sought help from social services and a legal clinic, but they were unable to help. Kingston shelters were full, so she left town, eventually ending up in a shelter in Ottawa.

Mary is still in shock. Everything happened so fast and without warning. Mary wants to come back to Kingston but can't find an affordable place to live. She reapplied to the social housing waitlist in Kingston but since she was last on the list, the wait time for a unit has ballooned from six months to eight years.

"It didn't feel real. I couldn't even register the pain because I couldn't believe it. And to my kids, I didn't want them to see that...They don't have to know how serious things are... But they do ask, mom how long are we here for and when are we going to go home?" - Mary

5.3

Impact of Displacement

Tenants face various consequences when forced to leave their homes, including challenges in finding new housing, dealing with the application process, and coping with increased living costs due to market rent. Some end up in precarious housing or become homeless. Displacement is a traumatic process that negatively impacts tenants' health and erodes their trust in support systems.

A. Finding a New Home

The rental market is increasingly competitive, especially for affordable units. Many tenants are forced to look longer and further away than they previously could to find a new home.

Application Process

Tenants report that the application process has become increasingly difficult and dehumanizing than what they had previously experienced. Applying for a rental often required tenants to do a credit check, background check, provide proof of employment, references, and other personal information. Despite the low quality of housing many were applying for the burden of proof was disproportionately on tenants.

Surviving displacement while looking for a new home put tenants under a lot of pressure. Star

and her baby moved into a trailer after she could no longer afford her apartment. The stress of surviving day to day made finding stable housing even more challenging as Star struggled to present herself as a good tenant. Star told us, **"I got this skin condition that is apparently psychosomatic and it's all in my head... that's induced from when I was living in my trailer...It made it even harder to get opportunities because now my stress was showing on the outside. It was on my face. I just couldn't hide it."**

Increased Cost of Living

Every tenant we spoke to who are currently housed are paying more than the previously paid for rent. Some tenants report spending 60% to 80% of their net income on rent. One tenant, Poker, said, **"The prices are outrageous right now. I can't afford it. It's tripled since I've moved here. In nine years, it's tripled."**

A large portion of tenants we spoke to utilize the Ontario Disability Support Program (ODSP), Ontario Works (OW), or another form of income support. These tenants expressed they would not be able to pay a higher rent on a fixed income.

"[The application process] feels like I'm getting approved to work with sensitive information... As a tenant, you don't have that opportunity to say to a landlord, what's your credit? What's your financial situation? How do I know you're not going to have to sell this house in a year? Because that has happened to me twice already." - Roland

"I go to look at apartments and some of these red marks I'd also have them on my face. And then people wouldn't look at my references. They'd wrongly assumed that I did drugs" - Star

"In order for us, for anybody on ODSP or welfare, to afford rent or food, it's either one or the other. It's not both." - Rose

Many tenants have been forced to find new jobs. Cadence was retired but now finds she must get a job to support herself. She said, **“I could afford the apartment and that’s what I banked on when I decided to retire. I retired late, thinking okay, I’ll have a little bit set aside so that if something comes up, I won’t have to freak out and I’m going to be able to pay my rent. But then I got evicted so then I am freaking.”**

Housing Downgrade

When tenants find new places to live, they often have to settle for lower-quality homes than their previous ones. Some report living in smaller spaces with fewer amenities after being forced to move, and they may need to get rid of belongings to accommodate the limited space.

Some tenants are forced to leave their old neighborhoods, leading to increased reliance on public transit for commuting to work or school. Daphne and Roland, for instance, previously relied on walkability but now find themselves in neighbourhoods where they must drive or use public transit.

“I’m not gonna lie it was the worst place I’ve ever lived but it was a place with a roof, so I can take what I can get...It’s not like I could leave. I had nowhere to go.” – John

Some tenants share living space to afford housing. Rose, for example, moved into a two-bedroom apartment with another woman and her baby to split costs, but still found it challenging to afford on ODSP. When Rose’s father, Chris, was forced to leave his home, she had him move in with her, making the already small apartment even more crowded with three adults, a cat, a dog, and a baby.

B. Risk of Homelessness

Almost half of the tenants we spoke to were not living in stable housing. Some were temporarily stable but precarious as they were at imminent risk of losing their housing. Other tenants were living in a car, shelter, transitional home, or outside.

Precarious Housing

Tenants can be considered living in “precarious housing” when there is realistic risk of losing their home despite their intention to find a stable place. Precarity is the outcome of displacement for many tenants. Once they are displaced it is difficult to find another stable place to live.

Josie was forced to move multiple times after her initial eviction. She moved from the street into a home with 10 other tenants, saying, **“It was a house where everybody seemed to go.”** Only one tenant was on the lease, and he decided who could stay and for how long, making Josie leave and come back when he said so. When the tenant on the lease was evicted, all the other tenants were forced to leave too.

“When we lost it, I didn’t know where the h— we were going. It was the same thing over like, where am I gonna go? Because I had nowhere to go before and so back to the streets I went.” – Josie

Star was living in her trailer, she put in a lot of effort to not inconvenience the people letting her stay on their property and use their utilities. Star said, **“You have to make yourself as small as possible. Don't be smelly. Don't be loud. Don't be obnoxious. You have to keep your things clean all the time.”**

“There's gonna be an end date to your stay no matter how hard you work, but you don't want to burn the bridge and you don't want the end date to come sooner than what was originally stated” - Star

Homelessness

Several tenants we spoke to, experienced homelessness after being forced to leave their homes. Miles has a place to sleep at night but must leave during the day. Icarus currently resides in a sleeping cabin and plans to move soon. Many other displaced tenants lived in shelters, vehicles, or encampments.

Homelessness makes finding housing harder and takes a toll on people's health. It becomes a priority to survive day-to-day, leaving little time, energy, or resources to escape the situation.

“It's crazy making...How do people get out of this? I can't work my way out of it. This isn't possible at this point.” – Alberta

Eowyn was forced to move five times in five months after losing her housing, unable to find an affordable place she could rent long term. She made a strategic decision to be homeless temporarily if it meant applying for long-term places that were not available immediately rather than jumping from one short-term rental to another. Eowyn said, **“If get a lease in three months, that's okay. Then I'll only be homeless for three months, but I'll have a real place.”**

Becoming homeless hindered Flora's efforts to find stable housing. Fleeing domestic abuse, she sought shelters in Kingston but was denied access, so she returned to her boyfriend. Later, she became homeless and found refuge in a women's shelter in Ottawa. Unknown to Flora, she received a social housing unit months earlier, but without a phone or access to service hubs, she was not notified. By chance a worker at the Ottawa shelter learned about the unit and told Flora about her opportunity to move back to Kingston.

Increased Vulnerability

Without a stable home, people are more vulnerable to exploitation and violence. Tenants we spoke to shared experiences where they were in danger because of their housing situation.

John and their boyfriend applied for a place they found on Kijiji while living in a shelter. The landlord asked for \$1,000 as a rental deposit and fees, but after giving the money, he stopped responding. They visited the house, but nobody was there. The police couldn't help, advising them to be more cautious next time.

“We were knocking on the door, looking in the windows, all that s—, and we saw a dude who's been just looking out his window...we're like, hey, does anybody live here? And he was like, “I've been here almost my entire life and I've never seen anybody go into this house.” So, we just gave up and we were like, okay, we're just \$1,000 down the hole.” – John

Josie rented a room for two weeks but was later kicked out. She stayed in the lobby of the neighboring building. When a man offered her a place to stay, she accepted, unaware of the situation. She soon realized it was a troubling environment where other women were staying in exchange for sex. Josie said, **“He kept us in the back room a lot and wouldn’t let us leave the room. And it was kind of sick in a way because eventually you get used to that person. So, you grow into, not a loving relationship, but like a friendship with that person, because they’re the only person there, they’re the one taking care of you.”**

C. Trauma

Being displaced is a traumatizing experience with serious implications for tenants' mental and physical health. Some engaged in more substance use or riskier behavior. Others still felt precarious, fearing future displacement despite stable housing. Tenants lacked trust in the system's ability to support them, feeling let down when they needed help most.

Health Decline

Many tenants expressed how being displaced negatively impacted their health. For some tenants, their current living conditions, following their displacement, have harmed their health.

Rose and Chris’ health declined when they were forced to live in their car, saying, **“We didn't get a lot of sleep. We weren't eating properly. I've lost 10 pounds from not eating properly. God knows what he's [Chris] lost. The cat's lost a lot of weight. The dog has lost some weight too cause I'm starting to feel his hip bones.”**

“My stress level was so bad, I thought it was well within reason that I might die of a heart attack in middle of nowhere with a small child. So, I would plan for that.” - Star

For Star, the stress of being homeless made her believe she might have a heart attack. She said, **“I would leave extra water bottles out where they could reach them. And I would be like, ah they need like 24 hours before someone would find them... I was really scared that I was just gonna go to bed and not wake up because I had heart attack in the middle of the night, because it was just constant.”**

Tenants report feeling like their mental health had declined because of their displacement and for some to the point that they felt suicidal. Others knew fellow tenants who had after being displaced. Kai said, **“By March, I contemplated suicide for the very first time in my life.”**

“I just feel really trapped. I do not do well when I feel trapped. I mean, I'm pretty strong mentally, but it's getting to me... There are days I don't want to get out of bed now because I feel hopeless.” - Cadence

For some tenants their displacement was so traumatizing they went into shock. After Josie became homeless, she kept coming back to her old apartment. She said, **“I just was lost. I didn't know where to go. I'd be tired out, so I'd go back and sit on the stairs, and I slept up on up by the patio doors some nights. I just kept coming back for multiple years. They ended up putting a no trespassing order on me, but I still kept going. Finally, the police caught me in there one day, and they let me go without charging me, so I just stayed away. But I always felt compelled to go back there. Like I still do.”**

Substance Use

For some tenants, their displacement negatively impacted their substance use. Josie said, **“When I was at the shelter, I was doing like 50 needles a day, and that's a lot of needles, and I lost my brain.”** Josie used substances prior to being homeless but she expressed that she did not think it would be as intense as it was if she had not been homeless.

“All the homelessness has led me to a life of drugs. And if I wouldn't have been homeless, I probably wouldn't have been as bad into the drugs.” - Josie

Fear of Displacement

The tenants we spoke to feel a fear of future displacement. Tenants believed that even if they were housed now, there was a lasting chance they might be displaced again.

Even if they wanted to move, some tenants felt their current home was their last chance at stable and affordable housing. Deacon noted, **“It used to be possible, like, you can have this kind of mobility and this kind of freedom... It's almost impossible to continue moving around. And it's literally just cling on to what little piece of the world you have and stay there.”**

“Part of me wants to think like, one day at a time and you're secure at the moment. But there's another part of me that's kind of like, how long does this last? Unless I get another part time job, how long can I maintain this?...How long before this place sells, and I'm displaced again? And at what point does this stop? Or is the plan that maybe they want us all to be homeless unless we are the top 1%?” – Banjo

Distrust in the System

Many tenants expressed that their experiences of displacement made them less trusting of the systems around them. Flora acknowledged that she would not be where she is today without the support she received but felt the lack of empathy from staff at shelters and hospitals needs to be acknowledged. She said, **“That's one thing I don't think that the staff understands. We don't choose to be there, right...I think it's because they just don't talk to us, so they don't have time to actually empathize with us.”**

After trying to get people to hear his story, Simon feels disillusioned that anything can be done to hold his former landlord accountable. Few tenants contested the mass eviction in his building. The ones that did have waited years pursuing a resolution at the LTB. Public silence is a grave injustice that wears tenants down, making it harder to hope for change. Simon said:

“People just don't care about poor people. Look at what happen to us, and I cannot get any government agency or non-profit, lawyer, or any media attention for 80 people who got thrown into the street for nothing.”

5.4

Root Causes of Displacement

Tenants shared stories that reveal a larger narrative of systemic inequality. Their experiences mirror root causes of displacement, such as unaffordable housing, insufficient investment in social housing, and the creation of a class of “undesirable” tenants.

A. Unaffordable Housing

Housing costs have increased rapidly, impacting tenants in Kingston with growing unaffordability in existing rentals and new developments. Additionally, the high concentration of short-term rental needs in Kingston have made it challenging for tenants committed to staying long-term.

Growing Unaffordability

More properties are being sold to investors. Tenants whose homes were sold found often their new landlords were not interested in maintaining the status quo. Some tenants even found their old units being advertised for double what they paid.

Tenants in Kingston have witnessed how the growth of their city has been accompanied by new development similar to larger cities. Tenants expressed they have seen Kingston properties becoming an increasingly lucrative investment.

Student Housing

Some of Kingston’s largest institutions are post-secondary educational institutions. Queen’s University, St. Lawrence College and the Royal Military College (RMC) attract many students each year, altering the rental market. Since 2016, Queen’s has gradually increased enrollment per year but has only marginally expanded university-operated residences. Enrollment is expected to increase annually for the foreseeable future (Queen’s Strategic Enrolment Management Group 2022).

Demand for rental units close to campus has resulted in the expansion of private market student rentals and property management companies. However, the student housing market has remained very competitive.

Queen’s now-defunct Landlord Contract Program (LCP) influenced how landlords operate student and general rentals. The program

“I have watched Kingston only develop unaffordable units. All of the development that has gone on just north of campus is very much targeted for profiteering, in my opinion. Low quality, small dwellings that were being sold for 400K or 500K list in pre-construction. The deal that was being offered on them to the people that bought them was that the first 12 months would be free property management. They weren’t trying to sell them to people to live in they were trying to sell to people to rent.” – Kai

“If you don't sign in the house at the moment you get there you're probably not going to get it... We've seen people sprinting down the street, trying to race back because they're racing another group of kids.” - Halo

incentivized landlords to rent to students by exempting them from some RTA provisions. This results in rental turnover as landlords can end a tenancy after the year lease ends rather than respecting its automatic conversion into a month-to-month lease, as provided by in the RTA. The LCP ended in May 2023, but landlords have been informally enforcing this exemption outside of the program. The impacts of this program can be seen in Eowyn (pg. 19) and Halo's experiences (pg. 20).

B. Insufficient Investment in Social Housing

The federal government funded social housing until the early 1990s, after which provinces and municipalities took over, significantly slowing the expansion of social housing construction (Tranjan 2023). Despite limited new units, the demand for affordable housing has significantly risen in the last 20 years. Insufficient investment in social housing has resulted in long waitlists for tenants and a lack of resources to maintain units and support tenants.

Long Waitlists

While new stock has been added to the social housing supply, tenants on the social housing waitlist still expect long wait times. Some tenants like Flora and Josie are prioritized as they are survivors of domestic abuse, but others can expect to wait up to nearly a decade.

The City of Kingston administers the Portable Housing Benefit (PHB) which offers tenants money in exchange for their spot on the waitlist. Eowyn, who had waited for six years on the waitlist, gave up her spot to receive PHB to avoid imminent homelessness and move to a private market rental. While she was glad to have access to PHB, the implications of losing her spot on the waitlist concerned her.

"It felt a bit like a deal with the devil because they said I can have this now and it would be guaranteed forever that I get this supplement, or I can wait for social housing...Social housing is financially much better. So, it's like do you want the immediate solution, or do you want the better thing in the long term? But I was like, I don't think I could survive two more years. I'm about to be homeless anyway." – Eowyn

Lack of Support to Stay Housed

The need for investment in social housing extends to critical services and supports for tenants. All tenants may need support, but often tenants in social housing need additional supports to remain in their units. Timely support from social housing corporations and external organizations can prevent unnecessary evictions that happen when communication breaks down or tenants cannot keep up with rent payments, seen in Mary and Josie's stories.

Support is also critical for tenants leaving homelessness or precarious housing. While in an Ottawa shelter, Flora was supported by staff, but when she returned to Kingston, she was alone, on her own in her newly acquired RGI unit. Without connection to building staff, support workers, or the community around her, Flora felt isolated and anxious rather than stable in her new home. Flora said, **"I have no communication with anybody, and I have no Wi Fi. And I feel like I'm going insane."**

Still Seeking Refuge: Tahsin's Story

Tahsin fled from Sudan to Niger with her family, acquiring refugee status through the United Nations High Commissioner for Refugees (UNHCR). While waiting in Niger, she was informed that it would take a long time to resettle her family in Canada due to the need for a large enough house.

Upon arrival, they were placed in a hotel room for self-isolation, the stay extending into a month as the government hadn't found permanent housing. They later moved into a small three-bedroom unit for a year until the landlord decided to sell. The landlord said the prospective buyer did not want Tahsin's family as tenants due to having more than five children.

Tahsin started looking for a new home but kept getting rejected. Landlords did not want to rent to a large family and Tahsin had not been in the country long enough to have a good credit score. One landlord explicitly told Tahsin the size of her family is the problem.

Tahsin's family couldn't afford a larger home due to their limited income with Tahsin at home caring for her children. All the affordable options were too small or had issues like cockroaches.

“When I came to Canada, I want to live as a permanent resident. I don't like to move from house to house, as I became before, from refugees, to displaced, to many things. I want to live as permanent. I want to live my rest of life in one place. I don't like to move...Canada has a lot of space, a lot of resources, we have to build or rent or get place for the people before they bring them.” – Tahsin

Eventually, her caseworker found a larger home with a family-friendly landlord but farther from their old neighborhood and the school Tahsin's kids attend. Tahsin is satisfied with her housing for now. However, her family is on the waitlist for social housing in hopes of finding a permanent and affordable home.

“The first time when [the landlord] saw us, they asked question, how many children do you have? I said many. They told me, how many? I said I have six. They said, no, no. I don't rent my house for person who have more kids. He even refused to give us chance to look the house from the outside. He refused.”- Tahsin

C. Class of “Undesirable” Tenants

With a highly competitive rental market, unfortunately some tenants face deliberate discrimination. Tenants with marginalized identities often do not meet the criteria of the “ideal” tenant, putting their security of tenure and ease of mobility at risk. The current rental landscape intensifies inequality making it easier for landlords to exclude marginalized tenants and harder for these tenants to find and maintain adequate and affordable housing.

Normalizing Discrimination

Tenants face discrimination for various reasons, such as income, ability, age, and parenthood. Implicit biases and systemic oppression also contribute to tenants' experiences of discrimination. While anti-discrimination laws are in place, acts of discrimination can still be denied or disguised. Further, the process of "proving" discrimination places the burden of proof on tenants, with many lacking the time and money to seek justice.

Tenants face veiled discrimination as landlords use other criteria such as looking for "students" or "professionals" to weed out low-income tenants or tenants on ODSP/OW. When Eowyn was applying for apartments, landlords would be interested until she told them she was on ODSP.

Tenants experience discrimination on several other fronts. For Star and Tahsin, they faced discrimination because they had children. Star said, **"the second I told people I was a parent I just magically never heard from them again."**

Ageism impacts tenants like Vera, an older man on ODSP, sharing that he faced discrimination most often from corporate landlords.

"I mentioned I was on ODSP and they're like, 'Oh, never mind.' And I was like 'What? Because I'm on ODSP?' So, they're like, 'Oh no, the ODSP is fine. It's just that it's a student house so they, you know, would feel more comfortable everyone was a student' or something like that. Which sounded like a landlord that knew they couldn't technically say no." - Eowyn

Geraldine witnessed similar age-based discrimination when a landlord expressed favoritism toward them due to their younger age during an apartment tour. Geraldine recalled, **"[The landlord] was saying, well, you know, there's you and another guy who applied...Yeah, he's an older man, he uses like a walker. But you know, we prefer youth, so you probably have a better chance... I was thinking, you can't do that. You know, that's discriminating based on age."**

Some tenants feel the preference for certain types of tenants is profit-driven. Alberta felt that students were more desirable tenants than those intending to stay long-term, stating:

"I really had the feeling they rented to students because it was fast turnover and they could push them around...Anybody who's older, who maybe asked for things to be kept up...We are not desired tenants in Kingston. People with any kind of longevity are not desired tenants, for many reasons, and I understand that now, which is quite the opposite of my experience my whole life of renting." - Alberta

Intensification of Existing Inequality

A profit-driven rental market can exacerbate existing inequalities, disproportionately affecting marginalized tenants based on race, gender, sexuality, ability, income, religion, language, and age. These tenants face greater challenges in finding and maintaining housing.

For many people with supportive family and friends, displacement does not have to be life-shattering. However, tenants without these connections rely on themselves and the services offered to the community if available. Lack of family support sets many tenants up for ongoing precarity.

Domestic abuse survivors like Orchid, Josie, and Flora are at risk of homelessness due to abusive partners. Although there are supports available, limited capacity may force some survivors to return to their abusive homes.

*“90% of the people in the shelter right now have been kicked out by their parents.”
– John*

Star attributes her life of precarious housing to her experiences in foster care. After moving through multiple foster homes, she was left without a permanent placement and forced to live independently at 16, residing in subpar private market rental housing. Star has been intentional about building community but even then, community has limits.

“If you have a good family, you can rely on them...I've got a great community, I love them and they're wonderful... It's just a bit random when they have the bandwidth to help me because they're helping their own families and they're busy. So yeah, it's a little hit and miss, but that's where my vulnerability comes from.” – Star

Next Steps and Conclusion

The recommendations compiled below were based on the most frequent suggestions from the tenants who spoke to us. While some are aspirational and may take substantial time, all are relevant for municipal government and community organizations as well as provincial and federal governments. A companion Action Plan is being developed to support progress in meeting these recommendations.

1 More affordable rental unit availability

Tenants we heard from said they need truly affordable rentals. Paying 80% market rent, the new standard for “affordable” housing, is too expensive for many. Repealing rent and vacancy decontrol could give tenants more affordable rental options. Regulating corporate landlord ownership or introducing a “right of first offer” for tenants to buy the home they live in could support this further.

2 Improve capacity of property standards

Tenants reported they wanted more options to hold their landlords accountable. Many tenants were not aware of property standards but those that were expressed the need for more proactive interventions like landlord licensing. More protections are needed for tenants at risk of displacement due to repairs or violations of property standards beyond their control.

3 Improve compliance with landlord responsibilities

Tenants shared they wanted better education for landlords on tenant rights and responsibilities, specifically on property standards, the eviction process, and discrimination. Municipal government and landlord associations can encourage compliance with the Ontario Human Rights Code and the RTA through education and outreach.

4 Protect disabled tenants

The disabled tenants said there need to be stronger protections under existing legislation such as the RTA and the Accessibility for Ontarians with Disabilities Act (AODA). While both provide some protection, this has not been effective to address the issues disabled tenants face.

5 Strengthen timely access to LTB, legal aid, and eviction prevention workers

Tenants said that the legal process must change to support timely access to the LTB. Many were aware of online resources but needed help from real people to navigate the legal system. Changes to the legal process could also help tenants follow through on their concerns and complaints.

6 Better options for unhoused people in emergency shelters and encampments

Displaced tenants may enter the shelter system or move to an encampment. Tenants with experience in the shelter system asked for more emergency shelter options. Both tenants who had and had not experienced homelessness opposed forced displacement in encampments unless other adequate alternatives were provided. Otherwise, encampment evictions make surviving day to day even harder.

Conclusion

The stories tenants shared with us illustrate the challenges of renting in Kingston. While some challenges, such as the pressures of the student rental market, were unique to Kingston, many issues are universal to tenants across Canada. Acting in Kingston to address displacement is part of a nation-wide movement to make renting more equitable.

This study alone cannot provide us with a complete understanding of displacement in our community. Additional work is needed to document the experiences of tenants who have not been displaced or have avoided displacement. Additional work by the SPCK&D on small landlord experiences in Kingston could also provide greater insight into displacement and other rental market challenges.



References

Canada Mortgage and Housing Corporation. 2023. *Rental Market Report: January 2023 Edition*. CMHC.

Canada Mortgage and Housing Corporation. 2018. "About Affordable Housing in Canada." CMHC. Retrieved August 15, 2023.

Crawford, Holly and Michaela Hynes. 2021. *Profile of Kingston's Third Sector Housing*. Social Planning Council of Kingston and District.

Dubé, Paul. 2023. *Administrative Justice Delayed, Fairness Denied: Investigation into whether the Ministry of the Attorney General, Tribunals Ontario and the Landlord and Tenant Board are taking adequate steps to address delays and case backlogs at the Landlord and Tenant Board*. Office of the Ombudsman of Ontario. Ombudsman Report.

Golozub, Olga. 2023. "Kingston Rental Market Report Overview 2022." CMHC. SPCK&D/DSO Webinar. Rental Market Trends and Challenges for Affordable Places to Call Home.

Morris, Stuart, Gail Fawcett, Laurent Brisebois and Jeffrey Hughes. 2018. "Canadian Survey on Disability: A demographic, employment and income profile of Canadians with disabilities aged 15 years and over, 2017" *Statistics Canada*.

Ontario. Human Rights Code, R.S. 1990, c. H.19. s. 17(2).

Ontario Human Rights Commission. 2012. *In the Zone: Housing, human rights and municipal planning*. OHRC.

Statistics Canada. 2021. (table). *Census Profile*. 2021 Census of Population. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released March 29, 2023.

Strategic Enrolment Management Group. 2022. *Short-term Enrolment Projections 2022-2025*. Queen's University.

Tranjan, Ricardo. 2023. *The Tenant Class*. Toronto, Canada: Between the Lines Books.

Appendix – Tenant Community Meeting Summary

The SPCK&D held a meeting for tenants and community members on May 10, 2023, at Extend-A-Family Kingston. We had 35 registrations and 30 people attend, not including the volunteers from the SPCK&D board and Extend-A-Family Kingston. Attendees took part in:

- Discussing experiences as tenants in Kingston
- Brainstorming ways to prevent or intervene in issues that cause displacement
- Connecting with other tenants
- Learning about eviction prevention resources

Activity: Taking steps to stop displacement

Each table discussed different scenarios of tenants being forced to leave their homes. The aim of the activity was to brainstorm ways to intervene and prevent displacement. Below are the scenarios discussed, real life examples of these scenarios, and some notes from the discussion.

Key takeaways:

- You do not need to leave until the Landlord Tenant Board issues you an order to evict. There is a legal process for evictions in Ontario that must be followed. Depending on the situation, you will need to follow different steps to assert your rights and stay in your home.
- If you do not know your rights, educate yourself! You can learn more about your rights as a tenant or find out what to do in a specific situation with Steps to Justice <https://stepstojustice.ca/legal-topic/housing-law/>
- Keep records. If you are worried you may be evicted or displaced, document your interactions with your landlord, issues with your unit, and keep track of paperwork you may receive.
- Talk to your neighbours. Working together is more effective than working alone. If you are facing displacement, your neighbours might be too. If you live in a single unit, find other tenants with the same landlord.
- Get legal help. Contact your local legal clinics or other free legal help resources. The Kingston Community Legal Clinic (KCLC) handles evictions, 613-541-0777, EXT. 0 <https://kclc.ca/>. Queen's Legal Aid Clinic can help with multiple tenant issues including repairs, harassment, and tenant applications <https://queenslawclinics.ca/queens-legal-aid/services/tenant-rights>. Pro Bono Ontario can give 30 mins of free legal advice, call 1-855-255-7256
- Get help from the Rental Housing Enforcement Unit. Contact them if you have a concern about your tenancy. They can contact your landlord and inform them about the law or investigate them and take further action <https://www.ontario.ca/page/solve-disagreement-your-landlord-or-tenant>
- Get help from your community. Other tenants can help you navigate these situations. Get in contact with local tenant associations such as the Katarokwi Union of Tenants.