



# Housing Law and Health

*Dr. Andrew Bond & Benjamin Ries*



# Dr. Andrew Bond

- From Winnipeg, Manitoba (Treaty 1)
- Training completed in Kingston, Ottawa and Toronto
- Provided comprehensive care for 10 years in Indigenous Nations of Moose Cree, Attawapiskat, Fort Albany, Kashechewan, Weenusk, Iqaluit, NU, Sioux Lookout, Haida Gwaii, BC.
- Medical Director at Inner City Health Associates (ICHA), Canada's largest homeless health care organization with 100 physicians working at > 50 locations serving people experiencing homeless
- No one is commercially interested in the work I do



# Benjamin Ries

- grew up in Thornbury on Georgian Bay (Ojibwe land – Treaty 18)
- 10-year legal aid clinic lawyer previously of South Etobicoke CLS, Tenant Duty Counsel Program, Hamilton CLC, Kensington-Bellwoods CLS, Neighbourhood Legal Services
- staff lawyer / review counsel for Housing Law Division, Downtown Legal Services (UofT)
- no conflicts (other than the ones that I instigate)

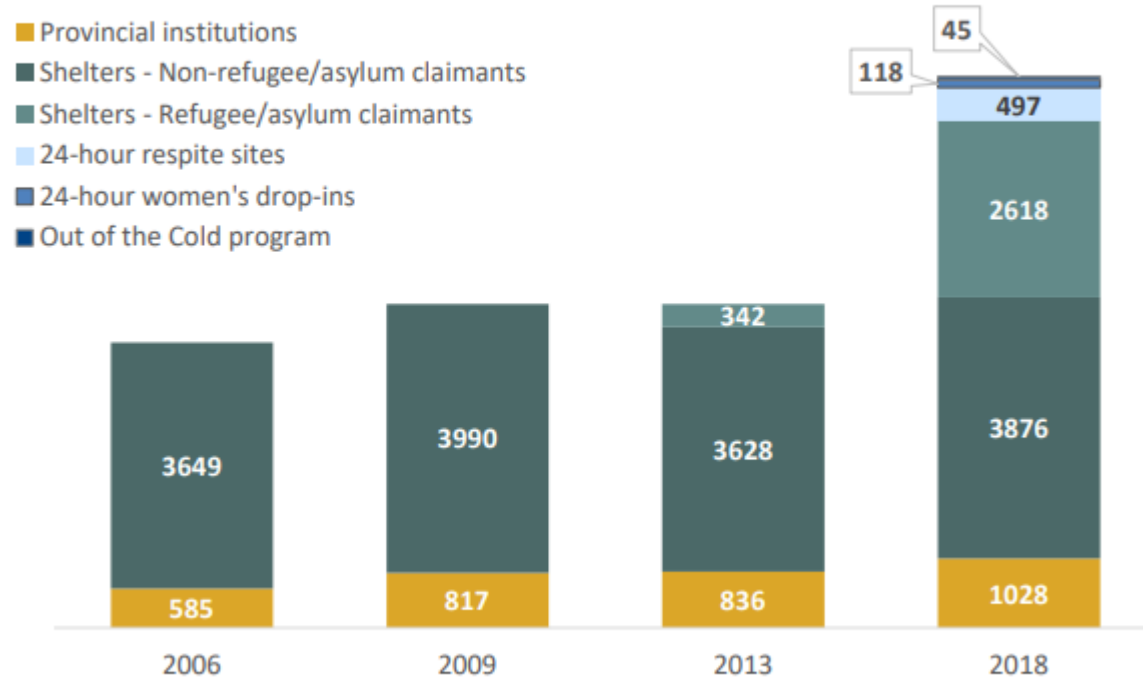


# Overview

1. Practical economic and legal dimensions of low income housing in Toronto
2. Ways in which housing significantly impacts health and health impacts housing
3. Typology for identifying health harming legal needs
4. How to make high-quality and effective legal referrals for health harming legal needs

# Homelessness in Toronto is increasing

Figure 2: Count of Indoor Homelessness in Toronto, 2006, 2009, 2013 and 2018 Street Needs Assessments



Note: Data are not available on refugee/asylum claimants for 2006 and 2009 as this was prior to the implementation of the City's Shelter Management Information System (SMIS).

Table 18: Respondent Reasons for Homelessness

Reasons	Percentage
Migration	16%
Unable to pay rent or mortgage	14%
Evicted (non-financial reason e.g., sale or redevelopment of property)	8%
Conflict with spouse/partner	8%
Unsafe housing conditions	7%
Conflict with landlord	6%
Job loss	6%
Addiction or substance use	5%
Illness or medical condition	5%
Conflict with parent/guardian	4%
Conflict with roommates/neighbours	4%
Experienced abuse by spouse/partner	4%
Incarcerated (jail or prison)	3%
Conflict with other	2%
Loss of cohabitation (e.g., death, divorce, arrests of others)	2%
Hospitalization or treatment program	1%
Experienced abuse by parent/guardian	1%
Legal issues	1%
Evicted (landlord interests)	1%
Experienced abuse by other	1%
End of housing program	Less than .5%

Source: City of Toronto Street Needs Assessment 2018, Results Report, pp. 8, 32

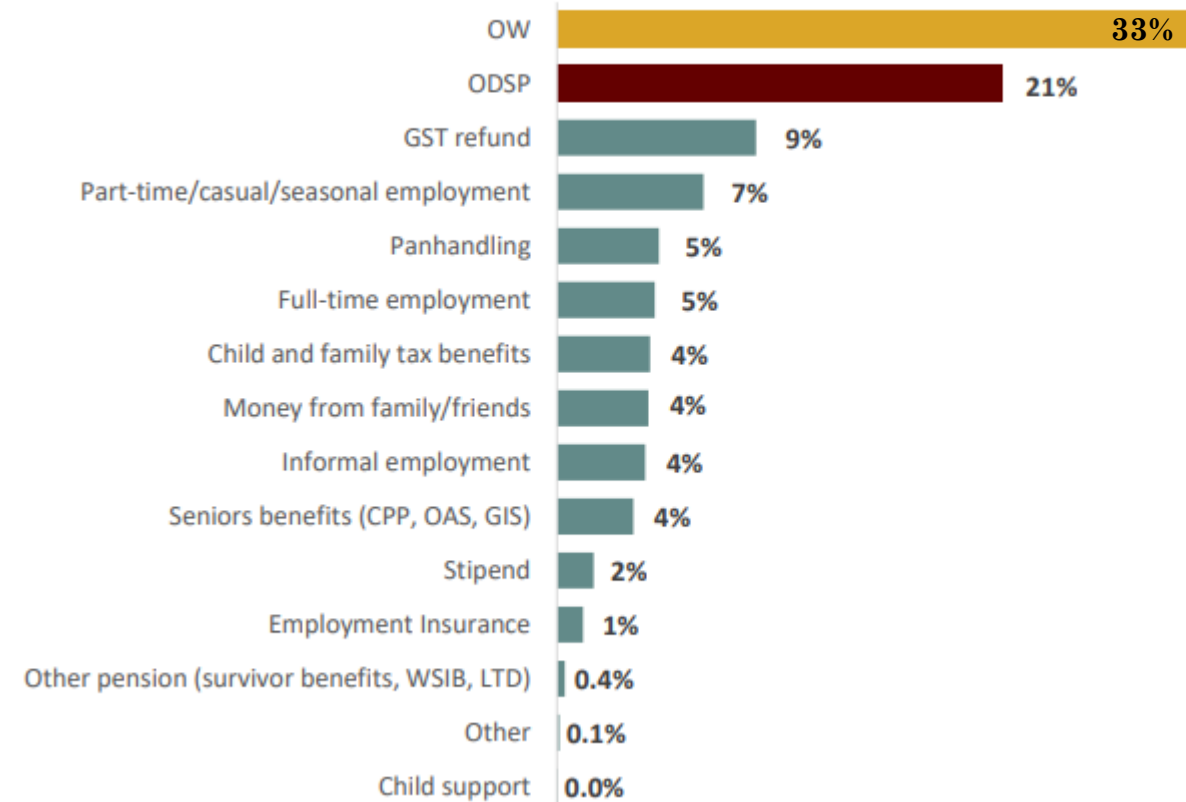
# ...lack of affordable supply a primary cause

Table 20: Service and Support Needs of Respondents to Help Find Housing

Service/Support (ranked by most important)	Percentage Who Indicated the Support was <u>Most Important</u>	Percentage Who Indicated the Support <u>Would Help</u>
Increased social assistance rates	22%	64%
More affordable housing available	21%	80%
Subsidized housing or a housing allowance	16%	75%
Help finding an affordable place	10%	75%
Help finding employment or job training	7%	52%
Help with settlement and immigration issues	5%	26%
Something else*	3%	9%
Help to keep housing once you have it	3%	55%
Help with housing applications	2%	61%
Help getting identification	1%	39%
Mental health supports	1%	25%
Help getting alcohol or drug treatment	1%	15%
Transportation to see apartments	1%	61%
Help addressing your health needs	1%	41%
Cultural supports	Less than .5%	22%
Help getting detox services	Less than .5%	15%
Harm reduction supports	Less than .5%	11%
Services in a language other than English	Less than .5%	17%

\* Includes responses such as: more housing workers and housing programs; landlord support/mediation services; less discrimination; guaranteed income support; and legal services.

Figure 15: Respondent Sources of Income



Source: City of Toronto Street Needs Assessment 2018, Results Report, pp. 27, 38

# With shelters full, eviction can be direct path to outdoor homelessness, exposure, death

## Woman dies after getting trapped in Toronto clothing donation bin: police

BY THE CANADIAN PRESS  
POSTED JAN 8, 2019 9:35 AM EST



Sources: City of Toronto, Daily Shelter & Overnight Service Usage; CityNews Toronto headline Jan. 8, 2019; Toronto Star photo Jan. 10, 2019

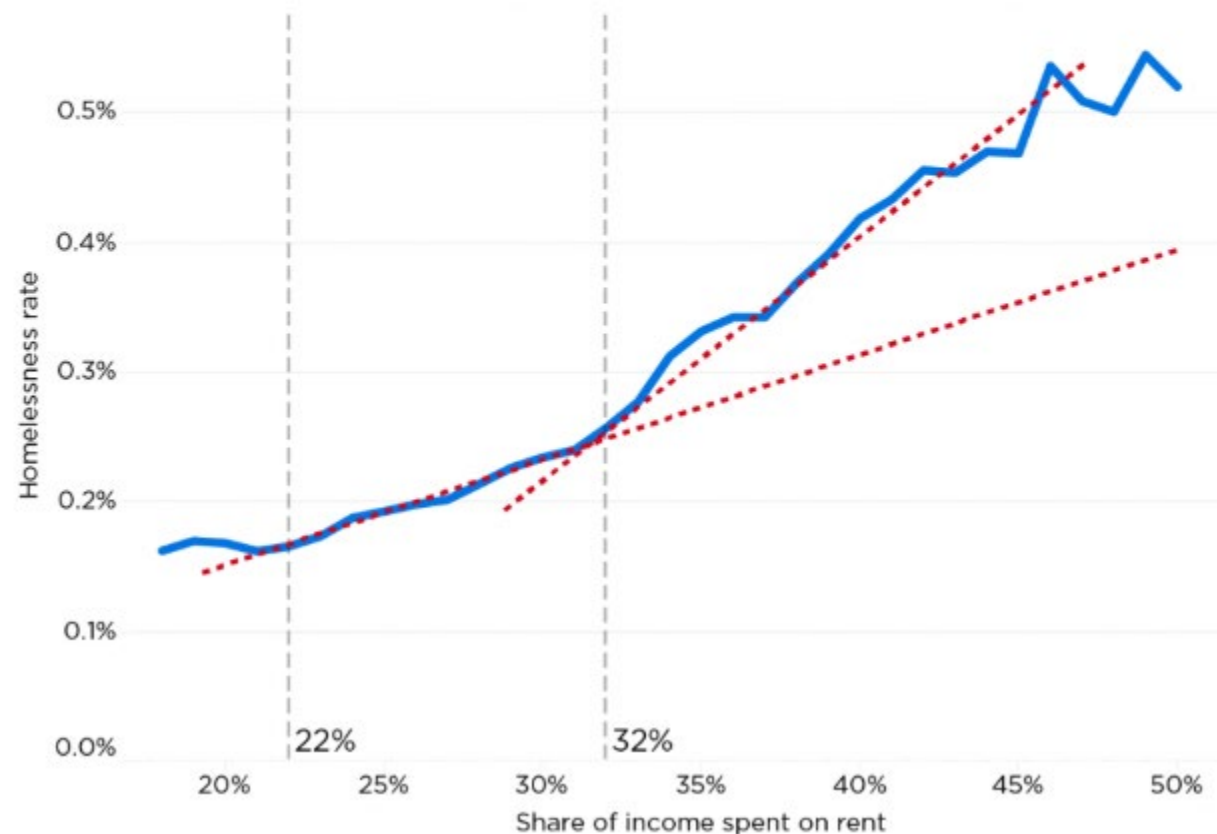
January 7, 2019

Shelter Sector	Occupancy	Capacity	Occupancy Rate
Co-ed	550	566	97%
Men	1,784	1,828	98%
Women	755	766	99%
Youth	507	528	96%
Family (shelters)	731	731	100%
Family (motels)	2,406	2,852	84%
Total	6,733	7,271	93%

# Subsidized rent is 30% of income for a reason

## Homelessness climbs faster when rent affordability reaches 22% and 32% thresholds

An uptick in rent affordability beyond 22 percent translates into more people experiencing homelessness. Beyond 32 percent means a faster-rising rate of homelessness — which could mean a homelessness crisis, unless there are mitigating factors within a community.



## City of Toronto Social Housing Waiting List, Average Wait Time in Years

Seniors	Families	Childless Couples and Non-Senior Singles
8.2	9.3	7.7

Sources: “Homelessness Rises Faster Where Rent Exceeds a Third of Income,” Zillow Research, December 11, 2018; 2016 Waiting List Survey, Ontario Non-Profit Housing Association



# Half of Toronto households rent, and at least half of them cannot afford what they pay

PROPORTION OF RENTER HOUSEHOLD INCOME SPENT ON RENT PLUS UTILITIES

	Name	Household Income Range	Quartile	Average Income	Studio	1-Bed	2-Bed	3-Bed	4-Bed	All Units
Ontario	Toronto	\$0 to \$22,881	Q1	\$12,935	58%	81%	110%	120%	135%	88%
		\$22,881 to \$45,498	Q2	\$33,928	33%	38%	41%	41%	45%	40%
		\$45,498 to \$76,896	Q3	\$59,806	22%	24%	26%	28%	29%	26%
		\$76,896 +	Q4	\$132,975	13%	14%	15%	15%	15%	15%
			All		31%	27%	24%	22%	21%	25%

Source: 2018 Canadian Rental Housing Index, BC Non-Profit Housing Association

# ...already renting? Hold on for dear life!

Asking rents were nearly 1.5 times above  
CMHC average

...now nearly 2 times the  
CMHC average!

**Toronto average asking rents compared to average prevailing rents**  
(September 2017 sample, n=4,895)

	A	B	C
Unit Type	CMHC Average Monthly Rent	Average Asking Monthly Rent (\$)	Difference CMHC and Asking Rent
Shared	NA	\$735	NA
Bachelor	\$962	\$1,342	40
1 Bedroom	\$1,137	\$1,614	42%
2 Bedroom	\$1,341	\$2,252	68%
3 Bedroom +	\$1,595	\$2,403	50%
All Units	\$1,308	\$1,829	40%

November 2018  
Current asking rents:  
1 bed \$2,144 (+89%)  
2 bed \$2,576 (+92%)

Sources: City of Toronto Tenant Issues Committee, 2018 Rental Housing Market Conditions in Toronto, February 9, 2018; National Rent Report, Bullpen Research & Consulting Inc. and Rentals.ca



# Housing and Health: Reciprocal Relationships

- *WHO Housing and Health Guidelines 2018*
  - Crowding (Canadian National Occupancy Standard)
    - URI, GI Infections, Mental Health, Sleep Disturbance
    - 'Strategies should be developed and implemented to prevent and reduce household crowding' (Strong Recommendation)
  - Low Indoor Temperatures and Insulation
    - Respiratory and CV morbidity/mortality, all-cause neonatal mortality, depression, hospitalization
    - 'Indoor temperatures should be high enough to protect residents from harmful effects of cold. For countries in temperate or colder climates, 18C has been proposed as a safe and well-balanced indoor temperature to protect the health of general populations during cold seasons' (Strong Recommendation)
    - 'In climate zones with a cold season, efficient and safe thermal insulation should be installed in new housing and retrofitted in older housing' (Conditional Recommendation)



# Housing and Health: Reciprocal Relationships

- *WHO Housing and Health Guidelines 2018*
  - High Indoor Temperatures (>24C)
    - All Cause Mortality, Heat Stroke, Hyperthermia, Dehydration, Hospitalization
    - 'In populations exposed to high ambient temperatures, strategies to protect populations from excess indoor heat should be developed and implemented' (Conditional Recommendation)
  - Injury Hazards
    - Electrocution, falls (fractures, mortality), burns/scalds, hospitalization,
    - 'Housing should be equipped with safety devices (such as smoke and carbon monoxide alarms, stair gates and window guards) and measures should be taken to reduce hazards that lead to unintentional injuries' (Strong Recommendation)
  - Housing Accessibility
    - Based on current and projected national prevalence of populations with functional impairments and taking into account trends of ageing, an adequate proportion of the housing stock should be accessible to people with functional impairments (Strong Recommendation)



# Housing and Health: Reciprocal Relationships

- *WHO Housing and Health Guidelines 2018*
  - Water Quality
    - *WHO Guidelines for drinking-water quality* (fourth edition published in 2011 and complemented by the first addendum in 2017)
    - Chemical contaminants (Arsenic, fluoride, nitrate, lead, antimony, copper, vinyl, nickel)
    - Biological contaminants ((E Coli, Legionella etc)
    - Quantity and Continuity of Supply Guidelines; Water Collection and Transport Guidelines; Plumbing guidelines; Water Storage and Handling Guidelines; Water Treatment Guidelines
  - Air Quality
    - WHO Guidelines for indoor air quality: selected pollutants (2010)
    - WHO Guidelines for indoor air quality: dampness and mould (2009)
    - WHO Guidelines for indoor air quality: household fuel combustion (2014)
    - WHO Air quality guidelines – global update 2005 (2006)



# Health and Housing: Reciprocal Relationships

- *Mental Illness:*

- Rent/Timing, Finances/Bills, Occupancy, Unit Takeovers, Unit Conditions, Safety Risks, Peaceful enjoyment

- *Substance Use Disorders*

- Rent/Timing, Finances, Occupancy, Unit Takeovers, Unit Conditions, Safety Risks, Peaceful enjoyment

- *TBI and Major Neurocognitive Disorders*

- Rent/Timing, Finances, Occupancy, Unit Takeovers, Unit Conditions, Safety Risks, Peaceful enjoyment

- *Physical Disability*

- Housing availability may lead to ability/unit mismatch with safety risk



# Health and Housing: Reciprocal Relationships

- *Hospitalization*

- Occupancy concern if prolonged, bills and rent payment, burglary/invasion

- *Medical Costs*

- Uncovered drug, psychology and rehabilitation costs may lead to financial distress

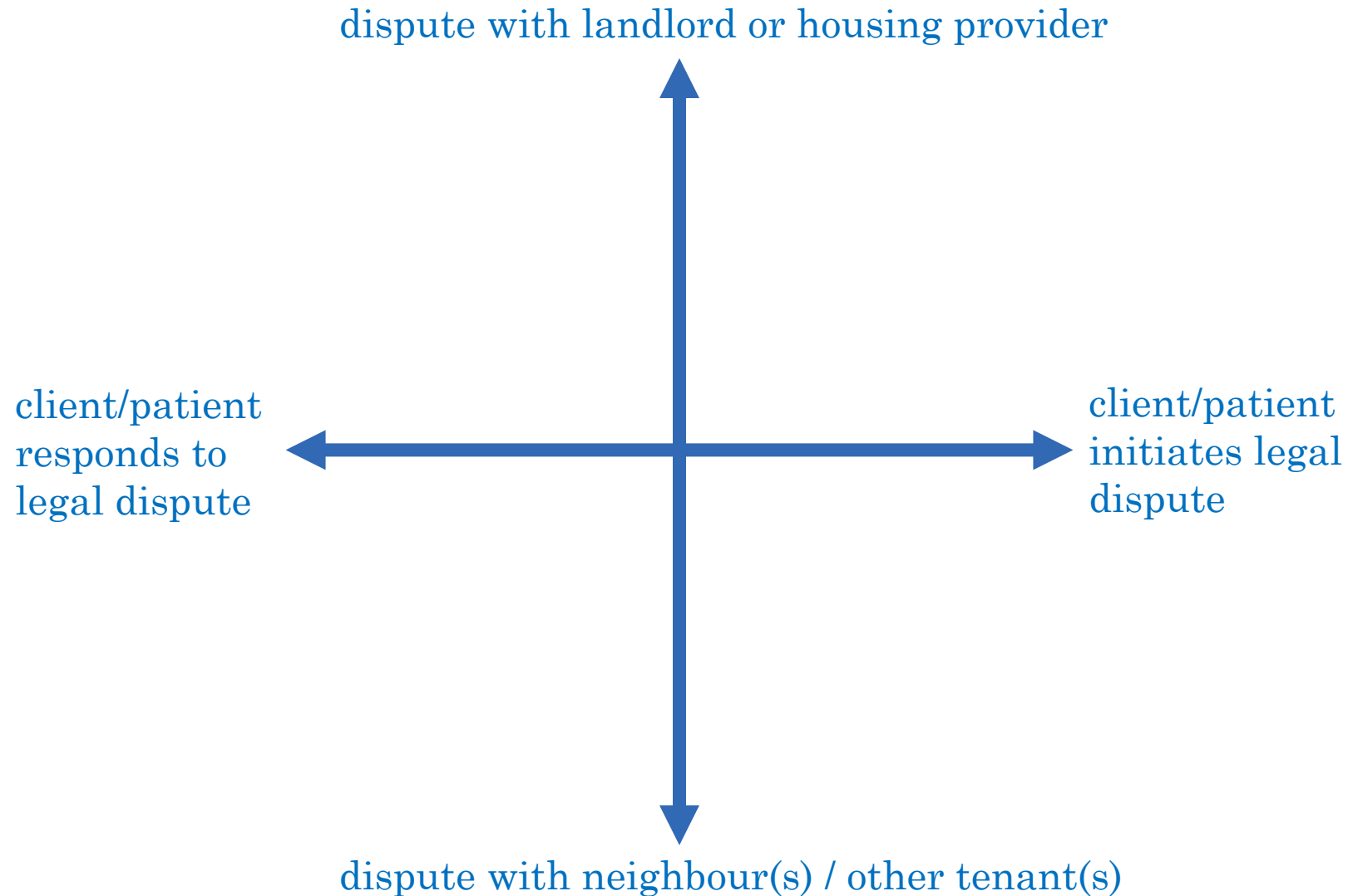
- *Family Illness*

- May require co-housing leading to overcrowding

- *Children and Dependent Adults*

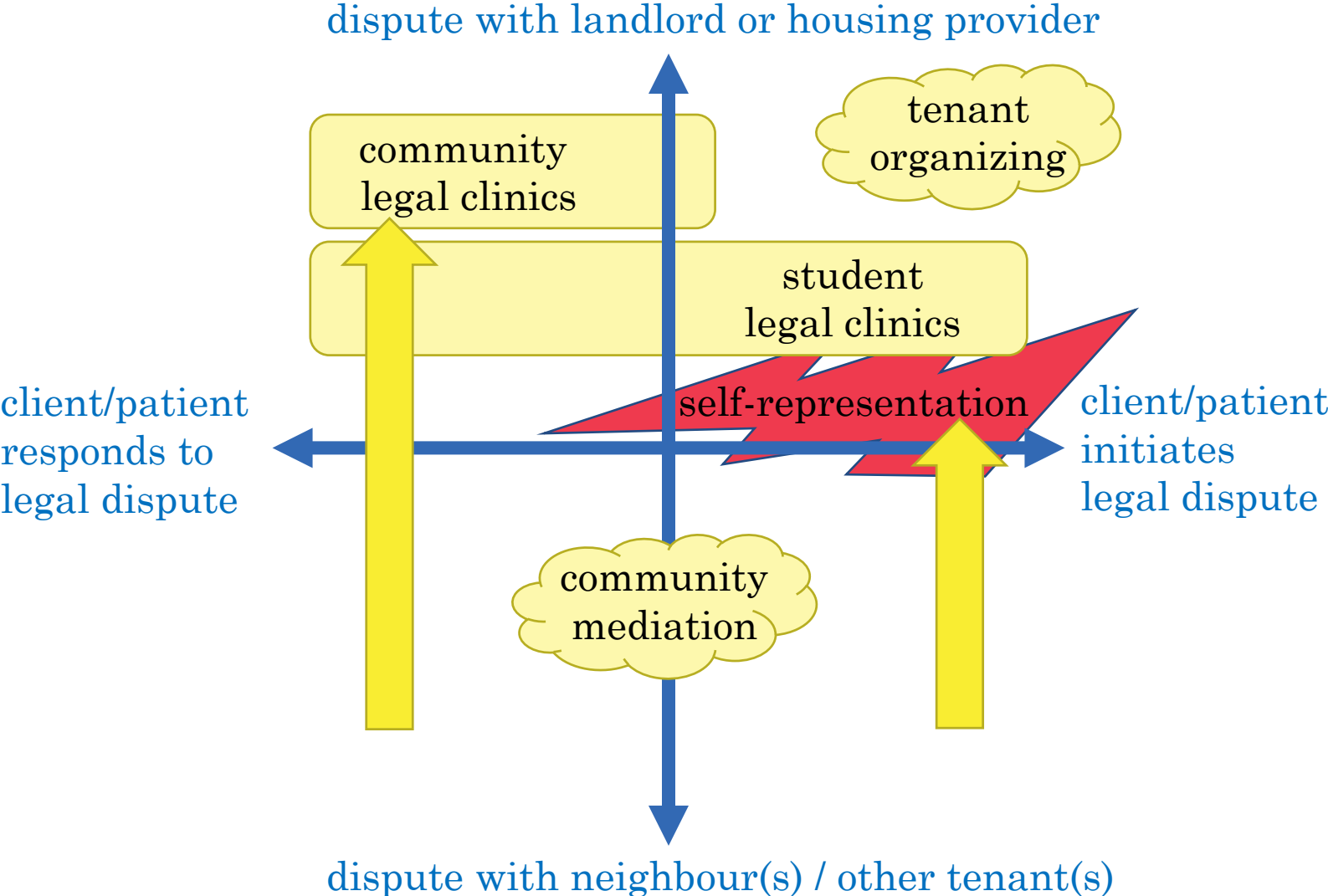
- Financial cost, impact on employment stability, unit maintenance, safety risks

# Typology of housing law problems





# Who does what?



# Legal processes

