



Social Development Centre Waterloo Region
Eviction Prevention Waterloo Region

Eviction Prevention Tenant Support Overview: April 2022 to October 2022

Eviction Prevention Waterloo Region is an ongoing, living, and evolving service that is a response to Kitchener-Waterloo-Cambridge's housing crisis. It was created to complement and support existing overburdened services in the community and offer peer support to marginalized tenants struggling or in crisis.

Our Responsibilities

We empower tenants to learn about their rights and responsibilities and document and address their conflict experiences with their landlords or neighbours. We also provide peer assistance and advocacy for tenants navigating landlord-tenant conflict. Our ongoing responsibilities include:

- Sharing accurate information about landlord and tenant rights and responsibilities.
- Identifying relevant legal, social, economic, or health problems experienced by the tenant in consultation with the tenant.
- Providing warm community referrals to partner community organizations and ensuring tenants have access to appropriate support services.
- Facilitating healthy, productive relationships between landlords and tenants and legal intervention and enforcement agencies.
- Offering in-person and in-home support to tenants and conflict mediation during in-person landlord-tenant interactions, such as during scheduled property maintenance.
- Assisting with Landlord Tenant Board (LTB) issues and landlord-tenant conflict, including: (1) explaining complex legislation and LTB forms, procedures, and hearings to tenants; (2) helping draft written and documented tenant responses to landlords; (3) providing safe spaces and technology for tenants to attend online LTB hearings; and (4) referring tenants to legal services for legal advice as required.
- Providing tenants with physical, mental, emotional, and spiritual support as they navigate the LTB and landlord-tenant conflict.
- Sharing information with an online following of community members through social media.

Initiated Activities and Successes

- We supported 47 households, including 90 individuals. We also had 5 pending intakes and 6 intakes in progress at the end of the reporting period. Many of the 47 households we supported included members of marginalized groups, such as BIPOC, LGBTQ2IA+, persons with disabilities, low-income persons, English as a Second Language (ESL) individuals, immigrants, and seniors.
- We helped connect 12 households with local social services and enforcement agencies through referrals.
- We received 23 referrals from other community organizations.
- We built and maintained notable community partnerships.
- We are part of a community outreach team that includes Waterloo Community Legal Services, Waterloo Regional Police Community Engagement Unit, and Adventure 4 Change. The purpose of the outreach team is to educate community members about landlord and tenant rights and responsibilities and the relevant systems of intervention and enforcement.
- In September 2022, we received a copy of a decision from the LTB. In this decision, the adjudicator ruled in favour of and provided a remedy for a tenant we supported during a very long-standing maintenance complaint. The matter took over one year to be heard at the LTB and an additional 120 days for the decision to be rendered. The adjudicator ordered the landlord to complete the maintenance immediately and gave the tenant the power to pursue enforcement measures, maintenance contractor services, and financial abatement.
- The impacts of the justice system are complex and routinely observed in our work. Many tenants, such as those involved in criminal or family court, are distrustful of systems of legal intervention and enforcement. This distrust affects their ability to advocate for their rights and understand their responsibilities as tenants. We are always working towards developing healthy relationships between tenants and legal intervention and enforcement, such as Waterloo Regional Police Service, Property Standards, the LTB, and Family and Children's Services Waterloo Region.
- A placement student joined Eviction Prevention in January 2022 and remained until April 2022, and another student joined in September 2022. These students contributed to our in-house intake system, which sped up processing requests for services and shortened the intake backlog. The placement students expanded their knowledge and learned new skills relevant to their education, and Eviction Prevention had more time to dedicate to various cases.
- We increased the visibility of LGBTQ2IA+ and senior/elder tenants and the challenges and barriers they face to safe, affordable, and accessible housing in the community. Eviction Prevention has seen an influx of queer and senior community members at risk of eviction or experiencing eviction and hidden



homelessness who do not have access to safe emergency shelters or adequate housing.

- We facilitated a community event for Sunnydale Place tenants so they could meet several community organizations who could assist with some of the issues identified in the neighbourhood. Sunnydale Place in Waterloo is an at-risk neighbourhood due to documented poor living conditions, such as cockroach infestations, flooring issues, mold, broken plumbing, and unresponsive property management (Jackson, 2018). The event we hosted was hugely successful as it broke down language, technology, and travel barriers. It included translators who helped connect ESL tenants with English service providers, and it was in-person and accessible to Sunnydale tenants. It also allowed community organizations to see the faces behind the referrals and emails they receive and bear witness to the language barriers and struggles the tenants face. Most importantly, it fostered a sense of community and solidarity.
- We received continuous support from community members who regard our program as invaluable and necessary due to the current housing crisis.

Protocols, Service Agreements, and Relationships with Community Partners

- Protocols and Service Agreements with Community Partners
 - City of Waterloo Property Standards—ongoing.
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 - Waterloo Regional Police Service Community Engagement Unit—ongoing.
 - Family and Children’s Services of Waterloo Region—ongoing with the Two Row Wampum Team and the Hammurabi Black and Racialized Peoples Team.
 - Sex Workers Action Network Waterloo Region—ongoing.
- Relationships with Community Partners
 - Waterloo Community Legal Services, including the Ahwenahaode Indigenous Justice Program.
 - Adventure 4 Change.
 - Spectrum Rainbow Community Centre.
 - John Howard Society.
 - Lutherwood.
 - The Working Centre.
 - The Unsheltered Network.
 - House of Friendship.
 - Reception House.
 - Langs.

Ongoing Challenges, Issues, and Trends

Eviction Prevention Waterloo Region has identified several challenges and issues faced by our Peer Workers and the tenants we work with.

- There is a lack of queer-friendly, safe, affordable, and accessible housing. This gap creates housing precariousness and homelessness and forces low-income tenants to choose between paying rent or buying medication and food (McDougall et al., 2022; Diwan et al., 2021).
- Eviction Prevention has supported several young people formerly in the care of Family and Children's Services. They are often in substandard housing arrangements and/or not protected by the Residential Tenancies Act after being discharged from care.
- Landlord harassment, abuse, and neglect of responsibilities continue to occur (McDougall et al., 2022; Diwan et al., 2021), especially towards single women, low-income, BIPOC, immigrant, ESL, and LGBTQ2IA+ tenants. Some examples of local landlord harassment, abuse, and neglect include, but are not limited to:
 - Creating confusing and inaccessible protocols for tenant maintenance requests and ignoring repeated requests for maintenance, even in cases where Property Standards has issued bylaw orders;
 - Refusing to provide rent receipts;
 - Sending tenants multiple (unfounded) eviction notices to instill fear;
 - Making false but believable claims about tenants needing to vacate their units immediately;
 - Entering tenants' units without proper notice;
 - Calling in baseless complaints to the police, bylaw, and fire inspectors;
 - Involving other tenants and property management to scrutinize the actions of the tenants they are targeting; and
 - Making threats to raise rent hundreds of dollars overnight.
- Landlords' neglected responsibilities have led to the following:
 - Prolonged infestations of mice, cockroaches, and bedbugs in tenants' homes;
 - A lack of heating and air conditioning;
 - Persistent mold;
 - Broken appliances;
 - Plumbing and cleanliness issues; and
 - A lack of security, including broken locks, limited lighting, and no surveillance cameras, which creates increased crime opportunities (McDougall et al., 2022).
- Immigrant and newcomer tenants often face language barriers that prevent them from self-advocating (McDougall et al., 2022).

- Many tenants facing landlord-tenant conflict and eviction are low-income and experience financial instability. Several tenants we support depend on government assistance to pay their rent, and poverty struggles have been exacerbated by the COVID-19 pandemic and inflation, which makes paying rent harder than ever. However, low-income tenants cannot afford to lose their units and move to new units where they will likely have to pay exorbitant rent prices due to the recent substantial rise in these prices.
- There is a suspicious increase in the number of evictions for renovations and “landlord’s personal use.”
- Adults in households who do not have their names on tenancy agreements face additional challenges accessing certain legal protections for tenants.
- Families are separated when parents or caregivers lose their housing following evictions or landlord-tenant conflict, and parents and caregivers may subsequently lose custody of their children.
- Many tenants do not understand their rights and responsibilities, preventing them from self-advocating. Yet there is a limited capacity for tenants to access affordable legal information, advice, and representation during landlord-tenant conflict and LTB hearings (McDougall et al., 2022). As a result, tenants often leave unsafe situations without landlords facing accountability because many tenants do not feel like they have the capacity to fight back without intensive support. Alternatively, other tenants remain in unsafe situations and do not advocate for themselves due to financial insecurity, a lack of alternative affordable housing options, fear of retaliation, and a lack of access to relevant information and support.
- Landlord discrimination, harassment, abuse, and neglect of responsibilities often go unpunished or unaddressed due to the power imbalance of the landlord-tenant relationship (McDougall et al., 2022).
- Many tenants are reluctant to self-advocate because they are afraid of facing repercussions from their landlords.
- An enormous backlog at the LTB means it currently takes over a year for the Board to hear a case and share their decision. This delay leaves many tenants without remedy when they experience landlord harassment, abuse, and neglect of maintenance, especially when the police and Property Standards fail to intervene adequately.
- The current online approach to LTB hearings is very inaccessible for seniors and elders and low-income folks who do not have access to technology or do not understand how to use technology.
- Therefore, a lack of access to justice exists due to ineffective intervention and enforcement by the police and Property Standards (McDougall et al., 2022; Diwan et al., 2021) and the LTB backlog. These challenges intensify landlord-tenant conflict and negatively affect tenants’ physical and mental health and their safety (McDougall et al., 2022).



- The LTB backlog and a lack of mandated housing mediation outside of the LTB means it is challenging to arrange formal mediations between landlords and tenants in conflict. While Community Justice Initiatives' "Housing Mediation" is a useful service that can help resolve conflict, it is voluntary, and landlords are often unwilling to attend a voluntary mediation.
- Drug trafficking and violent crime in local neighbourhoods create additional barriers for landlords and tenants to seek support regarding their right to the reasonable enjoyment of the property due to a fear of repercussions. As a result, we have strengthened our relationship with the Waterloo Regional Community Engagement Unit and Community Justice Initiatives.
- There is a lack of funding for rental arrears and emergency utility support.
- There is a lack of funding for Eviction Prevention Waterloo Region, which prevents us from meeting the increasing demand for assistance with landlord-tenant conflict and eviction prevention.
- Eviction Prevention also no longer has access to Hidden Homelessness support within the Social Development Centre due to a lack of funding.

Legal evictions happen via the LTB, but most evictions happen by force. Forced evictions result from landlord coercion, harassment, and abuse; landlord neglect of responsibilities; tenants not understanding their rights and lacking the capacity or ability to advocate for themselves; and tenants experiencing unsafe living conditions that put their mental and physical health—and potentially the health of their families—in danger. These issues regularly cause tenants to flee their units without fighting back, and their inability to fight back is usually related to their marginalized identities, their lack of power, and their lack of access to appropriate longer-term services and eviction prevention support. Tenants who flee often do not understand the eviction process, the Residential Tenancies Act, who in the community they can get help from, and how to advocate for themselves and hold their landlords accountable.

Many tenants we support live in poverty and regularly experience racism, ableism, sexism, homo/biphobia, and transphobia. They are also often living with mental and physical illnesses and past and current trauma. Additionally, it is common for our tenants to speak English as a Second language or to struggle with verbal and written communication. These are not just barriers to effective self-advocacy during landlord-tenant conflict and the eviction process. Rather, they act as complete roadblocks for tenants to secure and maintain safe, accessible, and affordable housing. Therefore, our work is extremely important because we help tenants push through these barriers and roadblocks and remain housed.



Case Examples

Case #1: Pam

As an Eviction Prevention Peer Worker, I was introduced to a tenant named Pam (her name is changed to protect her confidentiality) following a referral from a community organization that did not deal with housing. The community organization shared Eviction Prevention's information with Pam's nephew, and he asked us to help.

Pam was a 91-year-old single woman with no family nearby who lived in a rural area. She could not communicate over the phone due to her hearing difficulties, and she was experiencing a sheriff-enforced eviction. She needed to speak with a Peer Worker in person, so I drove to the property to ensure she had some support. I spoke with Pam, the landlord's legal representative, and the landlord's daughter, and I better understood the gravity of the situation. I learned that Pam had few options as we connected on that Friday afternoon. At 91, a shelter was not a safe or viable option for Pam, but she could not stay at the property she was being evicted from.

I helped Pam check into a motel, ensured she had food to eat, and reassured her that Eviction Prevention would help her connect with services the following week. Unfortunately, Lutherwood could not support Pam because they could not meet her at the property she was being evicted from. Additionally, Lutherwood could not promptly assist Pam as she could not communicate over the phone and needed to speak to someone in person. Instead, I found help for Pam after many phone calls to various organizations to determine which organization's mandate could provide the support she needed. I then helped her gather and organize important information she would need when transferring to the support of the Interprofessional Primary Care (IPC) Team. I continued to assist Pam in collaboration with the IPC Team for a couple more weeks.

Pam would have been left vulnerable and homeless as a low-income senior with a disability if she did not have access to Eviction Prevention's support. Instead, thanks to our support and the support of the community partners we worked with, Pam was eventually housed in a safe and supportive building for seniors.

Case #2: Tom

As an Eviction Prevention Peer Worker, I was introduced to a tenant named Tom (his name is changed to protect his confidentiality) through Tom's friend who reached out on his behalf. Tom was a middle-aged man who depended on the Ontario Disability Support Program for financial assistance and found himself being evicted from



supportive housing. Initially, he was unable to contact Eviction Prevention himself due to mental health issues that meant he needed his friend's support to connect with and trust others. My first contact with Tom was over the phone with his friend encouraging him to talk to me. Tom eventually began speaking to me after about fifteen minutes of me talking to his friend on speaker phone. I had a brief conversation with Tom and scheduled an in-person meeting with him to make him feel more comfortable.

Tom had already been given an eviction order by the LTB, so when we met, he was understandably stressed. Tom disclosed that he was struggling with his mental health, and it was preventing him from accessing and following through with appropriate support services. His phone was also not always reliable, and he had difficulty speaking with support service employees on his own, which meant that Tom needed more intense support from me. Together, Tom, his friend, and I made several phone calls to connect Tom with some services.

I supported Tom for over three months. I listened to him and created a safe space for him to voice his opinions and concerns. I also helped him communicate his situation clearly to others; organized multiple meetings with Legal Services; contacted the Supportive Housing Network on his behalf; had phone calls with the landlord and the tenant's family members; and connected Tom with mental health support. Due to Tom's mental health struggles, warm, in-person referrals and conversations were the best way to develop a trusting relationship with him and connect him to the appropriate services.

Tom's case was similar to Pam's because we needed to collaborate with many community organizations before he could get connected with the relevant services. Also, similar to Pam's case, Lutherwood could not do much to support Tom based on their mandate as he was living in supportive housing and the provider was following through with the eviction. Other organizations could not meet Tom in-person, nor could they communicate effectively with him as his behaviour was sometimes erratic and he often failed to show up to appointments and return calls. However, Eviction Prevention's longer-term and in-person support meant Tom could get connected with the right services and advocate for himself during the eviction process. Without Eviction Prevention, similar to Pam, Tom would have remained under-supported as a disabled, stressed, and vulnerable man facing a housing crisis.



Conclusion

Eviction Prevention is a response to Kitchener-Waterloo-Cambridge's housing crisis. It fills gaps in housing services by offering longer-term, in-person peer support for marginalized and underserved tenants in crisis. As evidenced by Pam's and Tom's case studies, Eviction Prevention provides invaluable support to marginalized tenants in crisis. Low-income, ESL, LGBTQ2IA+, BIPOC, immigrant, disabled, and senior tenants and single women with or without children are particularly targeted by both legal and forced evictions. It is vital that tenants—especially marginalized tenants who are routinely discriminated against and targeted—understand their rights and responsibilities and have access to the support they need to self-advocate and connect with the right services. Eviction Prevention offers this exact kind of support, and it helps keep people safe and housed. It needs funding to continue addressing the high need for tenant peer support and assistance preventing, navigating, and resolving landlord-tenant conflict and evictions.



References

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