
IMPLEMENTATION OF THE RIGHT TO HOUSING FOR

Women, Girls, and Gender Diverse People
in Canada

Prepared for the Office of the Federal Housing Advocate by

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TABLE OF CONTENTS

TABLE OF CONTENTS	2
LAND ACKNOWLEDGEMENT	6
ACKNOWLEDGEMENTS	6
EXECUTIVE SUMMARY	7
Implementation of the Right to Housing for Women, Girls, and Gender Diverse People in Canada	7
A. Literature Review	8
B. Women’s National Housing & Homelessness Survey	10
C. Federal Policy Analysis	11
Recommendations.....	13
1. INTRODUCTION	15
The Right to Housing for Women, Girls, and Gender Diverse People in Accordance with Domestic and International Human Rights Law.....	15
2. METHODOLOGY	17
A. Literature Review	17
B. Federal Policy Analysis	18
C. Pan-Canadian, Mixed-Method Survey on Homelessness and Housing Need.....	18
<i>Survey Development</i>	18
<i>Recruitment</i>	19
a) <i>Community Partner Recruitment</i>	20
b) <i>Lived Expert Recruitment</i>	20
c) <i>WNHHN List-Serv Recruitment</i>	20
<i>Data Collection</i>	20
<i>Data Analysis</i>	21
<i>Survey Limitations</i>	21
3. LITERATURE REVIEW	22
A. A Statistical Portrait – Housing need & homelessness amongst women, girls, and gender diverse people in Canada	22
GBA+ Critiques of Definitions of Homelessness	22
.....	24
Core Housing Need	25
Poverty	25

B. Unique causes and conditions of homelessness and housing need for women, girls, and gender diverse people	26
Gender-based violence and intimate partner violence	27
Hidden Homelessness	29
Gender-based inequity and discrimination	30
C. Access to Emergency Shelters and Supports for Women, Girls, and Gender Diverse People in Canada	31
D. Distinct housing challenges faced by those most in need	34
Indigenous Women, Girls, and Two-Spirit People	34
Women, Young Women, and Children Experiencing or Fleeing Violence.....	36
Newcomer Women, Girls, and Gender Diverse People.....	37
LGBTQ2S+ Communities and Gender Diverse People.....	39
Women, Girls, and Gender Diverse People Living with Disabilities	41
Racialized Women, Girls, and Gender Diverse People	42
Women and gender diverse people impacted by mental health and substance use	43
Older Women and Gender Diverse People	43
Young Women and Gender Diverse People	45
Women and Gender Diverse People in Conflict with the Law.....	46
Women, Girls, and Gender Diverse People with Child Welfare Involvement	48
E. Gaps in knowledge and data with respect to on housing need and homelessness amongst women, girls, and gender diverse people in Canada	49
National Data.....	49
Demographic Groups' Distinct Experiences.....	49
Housing & Support Services	50

4. HOUSING CHALLENGES & INEQUITIES EXPERIENCED BY WOMEN & GENDER DIVERSE PEOPLE **51**

Study Sample	51
10 Key Findings	54
1. Women and gender diverse people reported experiencing widespread, chronic housing affordability issues linked to low incomes. Despite this, many participants were not accessing the government benefits they would likely qualify for.	54
2. Women and gender diverse people experience a wide ranges of housing adequacy and suitability issues, with safety issues being a common concern that undermines housing stability and leads to housing loss.	56
3. The chronicity and depth of poverty amongst women and gender diverse people was linked to the insufficiency of social assistance and poorly-paid jobs. In order to survive, most participants had to engage in additional strategies to generate income each month. In many cases this contributed to increased vulnerability or debt, with over a third using credit cards, borrowing money, skipping bills, or using money marts.....	58
4. While eviction was a common experience amongst women and gender diverse participants, many struggled to access legal advice and supports that could have helped. The consequences of eviction were severe for many, including housing loss, homelessness, and continued exposure to abuse.....	59
5. Experiencing a breakup was the primary reason that women and gender diverse people lost their most recent housing. This suggests that housing for this group is deeply dependent upon maintaining a personal relationship with a man, partner, or other person.....	61

6. Homelessness begins early in life for a majority of women and gender diverse people, and is often followed by a chronic, chaotic churn of precarious housing and homelessness situations.....	62
7. Women and gender diverse people reported significant barriers to accessing emergency services, with almost a third being unable to access a bed when they needed one.....	63
<i>Discrimination</i>	64
<i>Eligibility</i>	64
<i>Suitability</i>	64
8. Women and gender diverse people experiencing housing need and homelessness reported high exposure to trauma and violence, with 75% identifying as a survivor of trauma or abuse.....	65
9. Women and gender diverse people, particularly those from equity-seeking groups, reported significant levels of discrimination from landlords and property managers, in many cases leading to housing loss or barriers to accessing housing.....	66
10. 79% of women and gender diverse people experiencing housing need or homelessness report having a disability. This group reports significant inequities and discrimination on the basis of ability, with severe consequences for many.....	67
Increased Risk of Evictions	69
5. FEDERAL POLICY ANALYSIS	70
A. The National Housing Strategy – A Gendered Lens	70
Progressive Realization – What does it mean?	71
Canada Housing Benefit (CHB).....	72
<i>Key Concerns:</i>	72
The Rental Construction Financing Initiative (RCFI)	73
<i>Key Concerns:</i>	74
Reaching Home.....	75
<i>Key Concerns:</i>	75
The National Housing Co-Investment Fund (NHCF)	77
<i>Key Concerns:</i>	77
B. The National Housing Strategy Act – Implications for identified barriers to realizing the right to housing for women, girls, and gender diverse peoples through the NHS	78
6. RECOMMENDATIONS	81
A. Establishing human rights-based targets, timelines, outcomes, and indicators	81
1. End all forms of homelessness for women, girls, and gender diverse peoples in the shortest possible time through the allocation of maximum available resources.	81
2. Develop a national definition of homelessness that reflects the unique causes, conditions, and experiences of homelessness for diverse women, girls, and gender diverse people.	82
3. Identify and mobilize rights-based indicators capable of tracking progress on the progressive realization of the right to housing for women, girls, and gender diverse people.	82
B. Key components of the right to housing as applied to women, girls, and gender diverse people	84
Opportunities for the expansion to the National Housing Strategy	84
4. Ensure gender-based equity in funding for NHS housing investments, prioritizing substantial investment in deeply affordable housing that genuinely meets the needs of diverse women, girls, and gender diverse people.	84
5. Ensure equitable investments in emergency homelessness supports and services funded by Reaching Home.	85

6. Implement a Federal Residential Tenant Support Benefit that meaningfully prevents eviction, rental arrears, and pathways into homelessness for women and gender diverse people.	85
7. Redesign and further invest in the Canada Housing Benefit to maximize benefit for those in greatest need, ensuring swift access for women, girls, and gender diverse peoples experiencing deep core housing need, hidden homelessness, and violence of all kinds.	85
8. Ensure the affordability metrics employed in all NHS programs actually reflect the depth of poverty and core housing need that many women, girls, and gender diverse people experience in Canada.	86
Ensuring meaningful realization of the NHTS for women, girls, and gender diverse people	86
9. Support provincial and territorial governments to adopt the right to housing in legislation and policy. Such legislation and policy should seek to ensure that the right to housing is mainstreamed within public systems that contribute to housing insecurity and homelessness for women, girls, and gender diverse peoples.	86
10. Improve access to justice for marginalized women, girls, and gender diverse people experiencing systemic violations of their right to housing.	87
11. Ensure the right to housing guides policies, practices, operations, and decision-making within both the homelessness and Violence Against Women sectors.	87
C. Improving housing outcomes for those most in need	88
12. Urgently prioritize all available means to realize the right to housing for Indigenous women, girls, and Two-Spirit people.	88
13. Develop distinctive rights-based standards and approaches to ensuring equality and non-discrimination in housing for disadvantaged groups of women, girls, and gender diverse people.	89
D. Articulating a long-term vision for adequate housing for women, girls, and gender diverse people	90
14. Increase home ownership and primary lease holding among low-income and marginalized women and gender diverse people.	90
15. Expand and substantially increase investments in eviction prevention for women, girls, and gender diverse people.	90
16. Raise social assistance, disability benefits, and minimum wage to livable rates, ensuring equitable access to social benefits for diverse women and gender diverse people.	91
17. Ensure the Violence Against Women (VAW) sector and the homelessness sector work collaboratively to effectively meet the needs of diverse women, girls, and gender diverse people.	91
18. Actively prevent the financialization of housing, including through the regulation of financial actors and Real Estate Investment Trusts.	92
E. Providing for participatory processes to ensure ongoing inclusion and engagement	92
19. Implement mechanisms for the meaningful participation of women, girls, and gender diverse people in the design, implementation, and monitoring of housing policies and decisions.	92
APPENDICES	93
APPENDIX A: SUMMARY OF RECOMMENDATIONS	93
APPENDIX B – GLOSSARY OF TERMS	99

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This report was published through the Canadian Observatory on Homelessness, which is situated in Toronto, the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and now home to many diverse First Nations, Inuit, and Métis peoples. We also acknowledge that Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit, and the Williams Treaties signed with multiple Mississaugas and Chippewa bands.

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EXECUTIVE SUMMARY

Implementation of the Right to Housing for Women, Girls, and Gender Diverse People in Canada

In Canada and around the world, many women, girls, and gender diverse people continue to live in insecure or unsafe housing due to inequity and discrimination.¹ In the Canadian context, these groups experience disproportionate levels of core housing need and poverty.² There is a severe lack of affordable and appropriate housing that meets the needs of diverse women and women-led families, exacerbated by systemic issues that keep this group trapped in poverty and struggling to obtain housing assistance. In the midst of few housing options and overwhelmed emergency shelters, many women and gender diverse people rely on informal networks for housing or engage in dangerous survival strategies to access shelter and meet their basic needs. The need to remain in situations of hidden homelessness not only places this group at risk of exploitation and abuse, but also renders their needs invisible to mainstream supports, systems, and policy development.³

The ratification of the National Housing Strategy Act in 2019 has the potential to transform our response to gender-based inequities within the Canadian housing system. The NHSA establishes housing as a human right in domestic legislation, recognizing “housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities.”⁴ This legislation, with its explicit commitment to improving housing outcomes for persons in greatest need, represents a tremendous step towards addressing the disproportionate levels of housing need and unique housing rights violations experienced by women, girls, and gender diverse people.

In light of this historic legislation, the purpose of this report is to inform the Federal Housing Advocate on key housing challenges and housing rights violations experienced by women, girls, and gender diverse people in Canada. Led by the Women’s National Housing and Homelessness Network (WNHHN), this research employed three primary methods: (a) a scoping literature review, (b) a policy analysis of the National Housing Strategy, and (c) a mixed-methods pan-Canadian survey of women and gender diverse people experiencing homelessness. Findings from all methods were triangulated during analysis to inform the recommendations offered to the Federal Housing Advocate. This work seeks to identify key avenues for advancing the right to housing for women, girls, and gender diverse people in Canada.

1 A/HRC/43/43, No. 9, para 4.

2 Canada Mortgage and Housing Corporation. (2019). *Core Housing Need Data — By the Numbers*. CMHC – SCHL. <https://www.cmhc-schl.gc.ca/en/data-and-research/core-housing-need/core-housingneed-data-by-the-numbers>.

3 Schwan, K., Versteegh, A., Perri, M., Caplan, R., Baig, K., Dej, E., Jenkinson, J., Brais, H., Eiboff, F., & Pahlevan Chaleshtari, T. (2020). *The State of Women’s Housing Need & Homelessness in Canada: A Literature Review*. Hache, A., Nelson, A., Kratochvil, E., & Malenfant, J. (Eds). Toronto, ON: Canadian Observatory on Homelessness Press.

4 Government of Canada. (2019, June 21). *National Housing Strategy Act*. <https://laws-lois.justice.gc.ca/eng/acts/N-11.2/FullText.html>

A. Literature Review

Unique Causes & Conditions of Housing Need & Homelessness for Women, Girls, & Gender Diverse People

Gender shapes the causes, conditions, and trajectories of homelessness and housing need.⁵ Research shows that women and girls,⁶ as well as gender diverse people,⁷ have unique pathways into homelessness, distinct experiences on the streets, struggle in unique ways as they navigate public systems and seek emergency shelter, and face unique consequences and hardships because of homeless experiences.⁸ Gender intersects with other social locations (e.g., Indigeneity, race, (dis)ability, immigration status, gender identity) and experiences (e.g., trauma, exposure to violence and conflict) to shape these experiences.⁹ Despite the uniqueness of each person's experience, both global and domestic studies have identified the following commonalities:

- Violence from intimate partners or within families is a key pathway into homelessness for women and girls.¹⁰ Oftentimes this violence begins in childhood.¹¹ For example, research shows that young women experiencing homelessness report higher levels of physical, sexual, and emotional abuse as children compared to young men.¹² Research on young women experiencing homelessness commonly indicates physical abuse (45%) and sexual abuse (35%) as causes of their homelessness.¹³ Once on the streets, exposure to violence and harassment is a part of everyday life for women, girls, and gender diverse people.¹⁴ Such experiences contribute to hidden forms of homelessness and may push women and girls to remain in unhealthy or violent relationships for housing.
- 'Hidden homelessness' is the most common form of homelessness experienced by women and girls.¹⁵ It is well recognized that women are more likely to rely on relational, precarious, and dangerous supports to survive housing instability,¹⁶ and are less likely to appear in mainstream shelters, drop in spaces, public

5 Fingfeld-Connett, D. (2010). Becoming homeless, being homeless, and resolving homelessness among women. *Issues in Mental Health Nursing*, 31(7), 461–469.

6 Bretherton, 2017.

7 Sakamoto, I., Chin, M., Chapra, A., & Ricciardi, J. (2009). A 'normative' homeless woman?: Marginalization, emotional injury and social support for transwomen experiencing homelessness. *Gay and Lesbian Issues & Psychology Review*, 5(1), 2-19.

8 Van Berkum & Oudshoorn, 2015.

9 Crenshaw, K. (1990). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stan. L. Rev.*, 43, 1241-1254.

10. Van Berkum, A., & Oudshoorn, A. (2015). Best practice guidelines for ending women's and girls' homelessness. Ottawa: Homelessness Partnering Strategy. <http://londonhomeless.ca/wp-content/uploads/2012/12/Best-Practice-Guideline-for-Ending-Womens-and-Girls-Homelessness.pdf>

11 Berman, H., Mulcahy, G. A., Forchuk, C., Edmunds, K. A., Haldenby, A., & Lopez, R. (2009). Uprooted and displaced: a critical narrative study of homeless, Aboriginal, and newcomer girls in Canada. *Issues in mental health nursing*, 30(7), 418–430.

<https://doi.org/10.1080/01612840802624475>. See also Reid, S., Berman, H., & Forchuk, C. (2005). Living on the streets in Canada: a feminist narrative study of girls and young women. *Issues in comprehensive pediatric nursing*, 28(4), 237–256. See also Wesely, J.K. (2009). "Mom said we had a money maker": Sexualization and Survival Contexts among Homeless Women. *Symbolic Interaction*, 32, 91-105.

12 Gaetz, S., Dej, E., Richter, T. & Redman, M. (2016). *The State of Homelessness in Canada 2016*. Toronto: The Canadian Observatory on Homelessness Press. <https://www.homelesshub.ca/SOHC2016>

13 O'Grady, B. & Gaetz, S. (2004). Homelessness, gender and subsistence: The case of Toronto street youth. *Journal of Youth Studies*, 7(4), 397-416.

14 Gaetz et al., 2016.

15 Baptista, 2010. See also Mayock & Sheridan, 2012.

16 Bretherton, J. (2017). Reconsidering Gender in Homelessness. *European Journal of Homelessness*, 11(1), 1-21.

spaces, or other homeless-specific services.¹⁷ The invisibility of women and gender diverse people's homelessness should thus be understood as structurally created and maintained.

- Across Canada, women, girls, and gender diverse people face unique inequities and forms of discrimination on the basis of gender. This contributes to housing need and shapes experiences of homelessness. For example, women are more likely to be in non-permanent employment, receive lower wages and pay higher rates for rental housing on average than their male counterparts.¹⁸ Indigenous and racialized women face deeper systemic inequities, with research noting that racialized women in Canada earn only 55.6% of the income earned by non-racialized men.¹⁹ Pregnancy and child rearing also has a significant impact on employment and income for women, and research also documents that single mothers face discrimination when attempting to access rental housing.²⁰
- Whether or not women have dependent children has a profound impact on their use of services and supports, and dramatically shapes whether they experience housing precarity and how they navigate homelessness.²¹ For example, “most social assistance systems cut entitlements for a mother as soon as her child is apprehended by child welfare, putting her in a position of losing her housing (which is not easily re-established).”²²

Inequitable Access to Emergency Shelters, Supports, & Housing for Women, Girls, & Gender Diverse People

- Across Canada there are very few women-specific emergency shelter beds, with 68% of all shelter beds being designated as co-ed, or for male-identified people, compared to 13% dedicated specifically to women.²³ While 38% of all shelter beds are co-ed or open to all genders,²⁴ research consistently demonstrates that many women will choose to avoid co-ed shelters due to experiences of violence within those spaces.²⁵ There are more than double the amount of emergency shelter beds available to men compared to women (4,820 beds for men, compared to 2,092 beds for women across all of Canada).
- Research reveals disparities in access to emergency shelter beds for women, girls, and gender diverse people, with studies indicating that rural, remote, and Northern communities consistently face a lack of shelter beds for women (within both the VAW and homelessness sectors).²⁶ Data similarly indicates that 70% of northern reserves have no emergency shelters for women escaping violence, despite evidence of

17 Baptista, I. (2010) “Women and Homelessness.” In E. O’Sullivan, V. Busch-Geerstema, D. Quilgars & N. Pleace (Eds.), *Homelessness Research in Europe* (pp. 163-186). Brussels: FEANTSA. See also Maki, K. (2017). *Housing, homelessness, and violence against women: A discussion paper*. Women’s Shelters Canada. <http://endvaw.ca/wp-content/uploads/2017/09/Housing-Homelessness-and-VAW-Discussion-Paper-Aug-2017.pdf>

18 Callaghan, M., Farha, L., & Porter, B. (2002). *Women and Housing in Canada: Barriers to Equality*. Toronto: Centre for Equality Rights in Accommodation. See also: Canadian Women’s Foundation, 2018; Moyser & Burlock, 2018.

19 Block, S., & Galabuzi, G. (2011). *Canada’s Colour Coded Labour Market: The gap for racialized workers*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/reports/canadascolour-coded-labour-market>

20 Vecchio, 2019.

21 Fotheringham et al., 2014, p. 834-853. See also Van Berkum & Oudshoorn, 2015.

22 Schwan et al., 2020, p. 34.

23 Employment and Social Development Canada, 2019.

24 Employment and Social Development Canada, 2019.

25 Bretherton, 2017. See also National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), 2019.

26 Vecchio, 2019, p. 14.

high rates of gender-based violence in many of these communities.²⁷ Some provinces and territories also report having no women-specific emergency homeless shelters, including Prince Edward Island and the Yukon.²⁸

- Violence against women shelters across Canada are chronically underfunded, with 46% of VAW shelters in Canada reporting that the top challenge facing service delivery was a lack of sustainable funding.²⁹ A 2019 Statistics Canada report found that on a national snapshot day across Canada, “669 women, 236 accompanying children, and 6 men were turned away from residential facilities for victims of abuse. The most common reason reported for a woman being turned away was that the facility was full (82%).”³⁰
- There is a significant lack of gender-specific housing options across Canada, including supportive housing,³¹ with waiting lists for social and supportive housing often stretching years in many communities. Existing transitional housing often does not offer residents security of tenure and protection under landlord/tenant legislation, and few low-barrier or harm reduction models of housing or care are accessible to women and gender diverse people.³²

B. Women’s National Housing & Homelessness Survey

Between 2020 and 2021, the WNHHN conducted a pan-Canadian survey with women and gender diverse peoples experiencing homelessness or housing need. The survey collected both quantitative and qualitative data, and sought to provide greater insight into the unique causes, consequences, and experiences of housing precarity and homelessness for women, girls and gender diverse people across the country. Analysis identified 10 key themes:

1. Women and gender diverse people reported experiencing widespread, chronic housing affordability issues linked to low incomes. Despite this, many participants were not accessing the government benefits they would likely qualify for.
2. Women and gender diverse people experience a wide ranges of housing adequacy and suitability issues, with safety issues being a common concern that undermines housing stability and leads to housing loss.
3. The chronicity and depth of poverty amongst women and gender diverse people was linked to the insufficiency of social assistance and poorly-paid jobs. In order to survive, most participants had to engage in additional strategies to generate income each month. In many cases this contributed to increased vulnerability or debt, with over a third using credit cards, borrowing money, skipping bills, or using money marts.
4. While eviction was a common experience amongst women and gender diverse participants, many struggled to access legal advice and supports that could have helped. The consequences of eviction were severe for many, including housing loss, homelessness, and continued exposure to abuse.

27 Martin & Walia, 2019.

28 Employment and Social Development Canada, 2019.

29 Statistics Canada, 2019a

30 Statistics Canada, 2019, p. 3.

31 See McAleese & Schick, 2018.

32 Schwan et al., 2020.

5. Experiencing a breakup was the primary reason that women and gender diverse people lost their most recent housing. This suggests that housing for this group is deeply dependent upon maintaining a personal relationship with a man, partner, or other person.
6. Homelessness begins early in life for a majority of women and gender diverse people, and is often followed by a chronic, chaotic churn of precarious housing and homelessness situations.
7. Women and gender diverse people reported significant barriers to accessing emergency services, with almost a third being unable to access a bed when they needed one.
8. Women and gender diverse people experiencing housing need and homelessness reported high exposure to trauma and violence, with 75% identifying as a survivor of trauma or abuse.
9. Women and gender diverse people, particularly those from equity-seeking groups, reported significant levels of discrimination from landlords and property managers, in many cases leading to housing loss or barriers to accessing housing.
10. 79% of women and gender diverse people experiencing housing need or homelessness report having a disability. This group reports significant inequities and discrimination on the basis of ability, with severe consequences for many.

C. Federal Policy Analysis

A rights-based, intersectional gendered analysis of the *National Housing Strategy* was conducted. The objective of the scan was to identify gaps between NHS programs, human rights standards, and the findings of the literature review and the pan-Canadian survey with regards to housing need and homelessness amongst women, girls, and gender diverse people. Select insights include:

- **Canada Housing Benefit** - The level of support offered through the Canada Housing Benefit (\$2,500 per year, per household) is severely inadequate to meet the deep core housing need many women and women-led families find themselves in. Women disproportionately carry the burden and cost of caring for children,³³ while also working on-average lower-paying jobs³⁴ and receiving less money for the same job.³⁵ The findings outlined in this report paint a dire picture of women and gender diverse people having to make ends meet through three or four additional subsistence methods on average each month, including through sex work and the accumulation of debt. Such findings suggest that the CHB does not align with human rights standards regarding the allocation of sufficient resources to meet the level of need experienced by those women and gender diverse people experiencing extreme socio-economic marginalization.
- **Rental Construction Financing Initiative** - The relaxed affordability criteria of the Rental Construction Financing Initiative, combined with the requirement that developers only maintain the 'affordability' of 20% of units for ten years, belies a prioritization for the construction of rental housing

33 Houle, P., Turcotte, M., & Wendt, M. 2017. "Changes in parents' participation in domestic tasks and care for children from 1986 to 2015" in *Spotlight on Canadians: Results from the General Social Survey*, Statistics Canada Catalogue no. 89-652-X2017001. Online: <https://www150.statcan.gc.ca/n1/pub/89-652-x/89-652-x2017001-eng.htm>.

34 Moyser, M., & Burlock, A. (2018). *Women in Canada: A gender-based statistical report*. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/54931-eng.pdf>

35 See, e.g., Block, S., & Galabuzi, G. (2011). *Canada's Colour Coded Labour Market: The gap for racialized workers*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/reports/canadascolour-coded-labour-market>

that can turn a profit for housing developers and their investors. That 80% of the rental units constructed in this program have no affordability requirements, and only 20% have such a criteria for 10 years, reveals a structural bias towards the interests of housing developers and their investors rather than the housing needs of disadvantaged groups experiencing homelessness or housing need, including NHS priority groups such as women and children fleeing violence. This is inconsistent with the human rights obligation that governments ensure the right to housing as a priority in the allocation of resources.

- **Reaching Home** - Reaching Home has sought to prioritize addressing chronic homelessness in its programs, and the 2020 Speech from the Throne committed the federal government to ending chronic homelessness in Canada. However, the definition of chronic homelessness employed by Reaching Home³⁶ has been critiqued for failing to account for the ways in which women experience homelessness.³⁷ This failure to capture the experiences of women within federal definitions of chronic homelessness results in inequitable investments for women who are homeless and contributes to severe gaps in supports, services, and emergency housing. As such, the effect of the current definition of chronic homelessness contravenes the obligation that governments guarantee substantive equality and non-discrimination in the area of housing.³⁸
- **National Housing Co-Investment Fund** - Like many other NHS programs, the National Housing Co-Investment Fund does not articulate clear targets, timelines, or indicators for its impact on women and gender diverse peoples, including groups that are experiencing intersectional discrimination and the most severe forms of housing instability in Canada (e.g., refugee women-led families fleeing violence). This prevents ongoing monitoring of progress on the realization of the right to housing for these groups, and makes it difficult to assess whether NHS is reaching its overall goal of ensuring 25% of NHS resources are dedicated to women and girls.

36 Chronic homelessness refers to individuals who are currently experiencing homelessness and who meet at least 1 of the following criteria: they have experienced a total of at least 6 months (180 days) of homelessness over the past year; or they have had recurrent experiences of homelessness over the past 3 years, with a cumulative duration of at least 18 months (546 days) (Reaching Home, 2020).

37 For example, the Ontario Federation of Indigenous Friendship Centre states "...established targets may not adequately address the needs of youth, LGBTQ2S persons, and women fleeing violence who are more likely to experience other intersectional barriers that prevent or preclude them from accessing mainstream shelters when trying to break out of cycles of poverty and homelessness. If the government is seeking to apply a Gender Based Analysis to the National Housing Strategy, rates of shelter use alone is not a suitable metric to measure progress." See *Response to the National Housing Strategy*, 2018, p.17. <https://ofifc.org/wp-content/uploads/2020/03/2018-policy-housing-strategyPRINT.pdf>

38 A/HRC/43/43, No. 8, para 48.

Recommendations

Establishing human rights-based targets, timelines, outcomes, and indicators

- End all forms of homelessness for women, girls, and gender diverse peoples in the shortest possible time through the allocation of maximum available resources.
- Develop a national definition of homelessness that reflects the unique causes, conditions, and experiences of homelessness for diverse women, girls, and gender diverse people.
- Identify and mobilize rights-based indicators capable of tracking progress on the progressive realization of the right to housing for women, girls, and gender diverse people.

Key components of the right to housing as applied to women, girls, and gender diverse people

- Ensure gender-based equity in funding for NHS housing investments, prioritizing substantial investment in deeply affordable housing that genuinely meets the needs of diverse women, girls, and gender diverse people.
- Ensure equitable investments in emergency homelessness supports and services funded by Reaching Home.
- Implement a Federal Residential Tenant Support Benefit that meaningfully prevents eviction, rental arrears, and pathways into homelessness for women and gender diverse people.
- Redesign and further invest in the Canada Housing Benefit to maximize benefit for those in greatest need, ensuring swift access for women, girls, and gender diverse peoples experiencing deep core housing need, hidden homelessness, and violence of all kinds.
- Ensure the affordability metrics employed in all NHS programs actually reflect the depth of poverty and core housing need that many women, girls, and gender diverse people experience in Canada.
- Support provincial and territorial governments to adopt the right to housing in legislation and policy. Such legislation and policy should seek to ensure that the right to housing is mainstreamed within public systems that contribute to housing insecurity and homelessness for women, girls, and gender diverse peoples.
- Improve access to justice for marginalized women, girls, and gender diverse people experiencing systemic violations of their right to housing.
- Ensure the right to housing guides policies, practices, operations, and decision-making within both the homelessness and Violence Against Women sectors.

Improving housing outcomes for those most in need

- Urgently prioritize all available means to realize the right to housing for Indigenous women, girls, and Two-Spirit people.
- Develop distinctive rights-based standards and approaches to ensuring equality and non-discrimination in housing for disadvantaged groups of women, girls, and gender diverse people.

Articulating a long-term vision for adequate housing for women, girls, and gender diverse people

- Increase home ownership and primary lease holding among low-income and marginalized women and gender diverse people.
- Expand and substantially increase investments in eviction prevention for women, girls, and gender diverse people.
- Raise social assistance, disability benefits, and minimum wage to livable rates, ensuring equitable access to social benefits for diverse women and gender diverse people.
- Ensure the Violence Against Women (VAW) sector and the homelessness sector work collaboratively to effectively meet the needs of diverse women, girls, and gender diverse people.
- Actively prevent the financialization of housing, including through the regulation of financial actors and Real Estate Investment Trusts.

Providing for participatory processes to ensure ongoing inclusion and engagement

- Implement mechanisms for the meaningful participation of women, girls, and gender diverse people in the design, implementation, and monitoring of housing policies and decisions.

1. INTRODUCTION

The Right to Housing for Women, Girls, and Gender Diverse People in Accordance with Domestic and International Human Rights Law

In 2019 Canada ratified the *National Housing Strategy Act*, establishing housing as a human right in domestic legislation and recognizing that “housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities.”³⁹ This legislation, with its explicit commitment to improving housing outcomes for persons in greatest need, represents a tremendous step towards confronting the housing inequities experienced by marginalized groups across the country.

In Canada and around the world, many women, girls, and gender diverse people continue to live in insecure or unsafe housing due to inequity and discrimination.⁴⁰ In the Canadian context, women and girls experience disproportionate levels of core housing need.⁴¹ There is a severe lack of affordable and appropriate housing that meets the needs of diverse women and women-led families, exacerbated by systemic issues that keep this group trapped in poverty and struggling to obtain housing assistance. In the midst of few housing options and overwhelmed emergency shelters, many women rely on informal networks for housing or engage in dangerous survival strategies to access shelter and meet their basic needs. The need to remain in situations of hidden homelessness not only places this group at risk of exploitation and abuse, but also renders their needs invisible to mainstream supports, systems, and policy development.⁴²

When women, girls, and gender diverse people are forced into situations of absolute homelessness, they face severe and repeated forms of violence. This violence is often accompanied by experiences in public systems (e.g., child welfare) that deepen marginalization and trauma, including parent/child separation and dislocation from home, family, community, land, and familiar ways of being in the world. These burdens are disproportionately borne by those living at the cross sections of oppression and discrimination, including Indigenous women, girls, and Two-Spirit people; Black women; trans and gender diverse peoples; persons with disabilities; poor women; 2SLGBTQ+ persons; newcomer women; and older and younger women and gender diverse people. As the COVID-19 pandemic worsens across Canada, many of these groups are experiencing some of the worst socio-economic effects and facing unprecedented levels of eviction.⁴³ While the *National Housing Strategy Act*

39 Government of Canada. (2019, June 21). *National Housing Strategy Act*. <https://laws-lois.justice.gc.ca/eng/acts/N-11.2/FullText.html>
40 A/HRC/43/43, No. 9, para 4.

41 Canada Mortgage and Housing Corporation. (2019). *Core Housing Need Data — By the Numbers*. CMHC – SCHL. <https://www.cmhc-schl.gc.ca/en/data-and-research/core-housing-need/core-housingneed-data-by-the-numbers>.

42 Schwan, K., Versteegh, A., Perri, M., Caplan, R., Baig, K., Dej, E., Jenkinson, J., Brais, H., Eiboff, F., & Pahlevan Chaleshtari, T. (2020). *The State of Women's Housing Need & Homelessness in Canada: A Literature Review*. Hache, A., Nelson, A., Kratochvil, E., & Malenfant, J. (Eds). Toronto, ON: Canadian Observatory on Homelessness Press.

43 Centre for Equality Rights in Accommodation & National Right to Housing Network. (2021, Feb 18). *Addressing the Evictions and Arrears Crisis: Proposal for a Federal Government Residential Tenant Support benefit*. <http://housingrights.ca/wp-content/uploads/CERA-NRHN-2021-Addressing-the-Evictions-and-Arrears-Crisis.pdf>

establishes the right to housing for all people in Canada, it is clear that women, girls, and gender diverse peoples face significant barriers to the enjoyment of this right.

The Federal Housing Advocate has a historic opportunity to advance the realization of the right to housing for women, girls, and gender diverse people across Canada. To support the Advocate's mandate in this regard, this report undertook a scoping literature review, a pan-Canadian mixed-methods survey, and a rights-based, GBA+ policy analysis of the *National Housing Strategy*. This report begins with a synthesis of research literatures on the unique causes, conditions, and pathways into homelessness and housing need for women, girls, and gender diverse people. The literature review briefly discusses the distinct housing challenges faced by groups most in need in Canada, and identifies key gaps in knowledge and data. It next provides findings from a pan-Canadian national survey conducted with 500 women and gender diverse people with lived experience of housing need and homelessness. This chapter provides analysis of key themes related to housing affordability, housing adequacy and suitability, intersectional forms of housing discrimination, connections between public system interactions and housing insecurity, economic marginalization, and the unique housing experiences of diverse groups experiencing marginalization. Next the report provides a rights-based, GBA+ analysis of the *National Housing Strategy*, drawing on international human rights standards. Finally, the report offers recommendations for progressively realizing the right to housing for women, girls, and gender diverse people in Canada.

2. METHODOLOGY

The purpose of this report is to inform the Federal Housing Advocate on key housing challenges and housing rights violations experienced by women, girls, and gender diverse people in Canada. This research was led by the Women's National Housing and Homelessness Network (WNHHN), in partnership with the Canadian Alliance to End Homelessness, the Canadian Observatory on Homelessness, the Canadian Research Institute for the Advancement of Women, and Keepers of the Circle.

The following research questions shaped this report:

- What unique challenges do women, girls, and gender diverse peoples in Canada face with respect to the enjoyment of the right to housing?
- To what extent, and how, does the *National Housing Strategy* address the barriers to adequate housing faced by women, girls, and gender diverse peoples in Canada?
- How can the Federal Housing Advocate best support the progressive realization of the right to housing for women, girls, and gender diverse people?

Our methods included: (a) a scoping literature review, (b) a policy analysis of the National Housing Strategy, and (c) a mixed-methods pan-Canadian survey of women and gender diverse people experiencing homelessness. Findings from all methods were triangulated during analysis to inform the recommendations offered to the Federal Housing Advocate. This research received ethical approval through York University prior to its commencement.

A. Literature Review

A literature review was conducted on the state of homelessness and housing need amongst women, girls, and gender diverse peoples in Canada. The literature review builds upon the recent comprehensive literature review conducted by Schwan and colleagues (2020).⁴⁴ The literature review sought to:

- Draw together evidence on housing need amongst this population relative to the 7 components of the right to adequate housing, as defined in international human rights law.
- Outline key statistics on housing need and homelessness amongst women, girls, and gender diverse peoples.
- Identify gaps in data and evidence with respect to housing need and homelessness amongst women, girls, and gender diverse peoples.
- Identify the unique and compounding barriers to the enjoyment of the right to housing for groups who are disadvantaged and multiply-marginalized (e.g., Indigenous women, 2SLGBTQ+ women experiencing homelessness).

⁴⁴ The literature review presented in this report are grounded in the methodology employed by Schwan and colleagues (2020), including a participatory process developed by the Women's National Housing and Homelessness Network to enable lived experts to shape the direction, structure, analysis, and outputs of literature reviews. See Schwan et al., 2020.

A scoping literature review methodology was utilized, drawing on Arksey and O'Malley's (2003) five scoping review stages.⁴⁵ The review draws on scholarly literature, government reports, policy briefs, fact sheets, parliamentary committee proceedings, and deputations made to all levels of government.

B. Federal Policy Analysis

A rights-based, intersectional gendered analysis of the *National Housing Strategy* was conducted. The objective of the scan was to identify gaps between NHS programs, human rights standards, and the findings of the literature review and the pan-Canadian survey with regards to housing need and homelessness amongst women, girls, and gender diverse people. This policy analysis specifically drew on standards in international human rights law with respect to the progressive realization of the right to housing, including those articulated by UN Special Rapporteur on the Right to Adequate Housing. As part of our analysis, we focused on analyzing program expenditures, targets, timelines, indicators, implementation, and participatory inclusion through a gendered lens.

C. Pan-Canadian, Mixed-Method Survey on Homelessness and Housing Need

In late 2020 and early 2021, the WNHHN conducted a pan-Canadian survey with women and gender diverse peoples experiencing homelessness or housing need. The survey collected both quantitative and qualitative data, and sought to provide greater insight into the unique causes, consequences, and experiences of housing precarity and homelessness for women, girls and gender diverse people across the country.

SURVEY DEVELOPMENT

The pan-Canadian survey was developed in a partnership between the WNHHN and the This Is Not Home (TINH) research teams.⁴⁶ The WNHHN research team was led by Dr. Kaitlin Schwan (Co-Chair of WNHHN) and Dr. Emily Paradis (Principal Investigator of TINH). The shared political and epistemological commitments across both research teams allowed for us to prioritize developing a data collection tool that was reflective of the lived expertise of women and gender-diverse people impacted by homelessness, as well as responsive to the research priorities of a range of community partners and sector leaders.

The survey tool was developed through the use of a community-based and participatory research framework that allowed for the engagement of multiple stakeholders at all stages of the research process. Members of the WNHHN and TINH teams worked together in a collaborative and iterative process over several months to develop and revise the survey tool and refine data collection approaches.

45 This includes: (a) determining the research question; (b) identifying the relevant studies; selecting the relevant studies; (d) charting the data; and (e) collating, summarizing, and reporting the results. See Arksey, H. & O'Malley, L. (2005). Scoping studies: Towards a methodological framework. *International Journal of Social Research Methodology*, 8 (1), 19-32.

46 The *This is Not Home* study is based in 6 low-barrier drop-ins serving multiply marginalized women and trans, Two-Spirit, and non-binary persons across Canada. In order to improve service models and develop appropriate, accessible shelter, support, and housing solutions for multiply marginalized members, this project documents the ways in which low-barrier drop-ins support members' access to safe, stable housing. The project then applies these learnings to the development of models to support members' access to appropriate and adequate shelter, services, and housing. Funded through CMHC, the TINH Project is led by Sistering (Toronto, ON) and Dr. Emily Paradis.

Survey development included participation from:

- The TINH Lived Expert Advisors and research site partners, who played an invaluable role in developing the survey questions and were consulted throughout the life course of this project on data collection and analysis.
- The Steering Committee and several working groups of the WNHHN, who identified key areas to investigate through the survey. Preliminary survey questions involved working closely with the Research Working Group, the Indigenous Relations Working Group, and lived experts of the WNHHN.

The preliminary draft of the survey was then pilot tested by lived experts at several of the TINH study sites (6 low-barrier drop-ins serving multiply marginalized women and trans, Two-Spirit, and non-binary persons), and by members and lived experts within the WNHHN. Written feedback was gathered and triangulated, and revisions to the survey were made based on the invaluable feedback we received from these various stakeholders. Consensus was developed to explore the following key topics through the survey:

- Experiences relevant to the 7 components of the right to adequate housing
- Gender-based discrimination with respect to housing
- The unique experiences of multi-marginalized groups, including Indigenous, newcomer, and 2SLGBTQ+ women and gender diverse peoples, and those with disabilities
- Experiences in public systems and pathways into homelessness
- Recommendations to governments from women, girls, and, gender diverse people with lived expertise

Once we had revised our preliminary draft based on feedback from lived experts and WNHHN members, another round of review was conducted with housing issue experts, women's rights experts, researchers, and policymakers. Based on their feedback, a final draft was created and circulated to members of the WNHHN and TINH for minor final revisions.

RECRUITMENT

Our recruitment strategy sought to gather a representative sample of women and gender diverse people experiencing homelessness and housing precarity across Canada. We were particularly interested in finding ways to recruit participants who have been systematically excluded by the traditional methodologies used to measure homelessness across Canada. This includes those living in a range of precarious housing and homeless situations across the country, including women and gender diverse people whose homelessness and housing precarity was invisible, those not well connected to public systems, and those who had recently transitioned out of homelessness. Furthermore, our recruitment strategy aimed to amplify the voices of those living in Northern, Eastern and French-speaking parts of Canada given that they are often under sampled in national survey data.

Eligibility criteria for the survey included: living in Canada, over the age of 16, identifying as a woman or gender diverse person, and having experienced housing instability or homelessness at some point over the last three years. We developed three distinct recruitment strategies that included recruiting through community-partner organizations, lived-experts and peer research associates, and the WNHHN email list-serv.

a) Community Partner Recruitment

We worked in partnership with 27 community partner organizations across the country to recruit participants for the survey. Our community partner organizations included shelters in the homelessness sector and violence against women sector, transitional housing programs, supportive housing programs, services for criminalized women, peer-led harm-reduction services, and organizations in the youth-serving sector.

Community partner organizations played a vital role in recruiting participants by sharing information about the survey with service-users and helping to remove barriers to participation by providing access to technology to complete the survey, assisting with reading the survey to participants, and/or disseminating honorariums for participants without access to email. Approximately half of the participant sample was drawn from the *This is Not Home* project, which worked in partnership with six low-barrier drop-in programs serving women and gender-diverse people experiencing homelessness and housing precarity across Canada. At these sites some service-users were supported by Lived Experts/Peer Researchers to complete the survey.

b) Lived Expert Recruitment

We worked with 11 lived experts (women and gender diverse people who have experienced homelessness and housing precarity) to recruit participants for the survey. We worked with Lived Experts through Keepers of the Circle to recruit Indigenous women and Two-Spirit people, particularly in Northern regions of Canada. We also worked with youth lived experts to recruit young women and gender diverse people who were living in precarious housing across the country.

Lived experts played a vital role in sharing information about the survey with participants and enabling the participation of women and gender-diverse people living in a range of precarious housing situations, including those who were not well-connected to public systems and supports. Furthermore, this approach also allowed for us to recruit participants who had recently transitioned out of homelessness.

c) WNHHN List-Serv Recruitment

The WNHHN has developed an email list-serv of over 500 individuals who wish to stay updated or involved in the work of the Network. The membership is largely comprised of organizational leaders, front-line workers and women and gender-diverse people with lived experience of homelessness and housing precarity.

We sent out an email to all members of the list-serv inviting anyone who was interested in learning more about the survey to contact the research team. This enabled us to connect women and gender-diverse people experiencing homelessness and housing precarity directly with the survey, as well as reach front-line workers who then shared information about the survey directly with their clients.

DATA COLLECTION

We began data collection on December 19th 2020 and finalized our data collection on February 7th, 2021. The survey was made available through an online platform survey platform, Qualtrics, which was accessible via computers, tablets, and cellphones. Many participants used technology available through community partner organizations to complete the survey, although some participants completed the survey on their own devices.

In some cases, staff, or lived experts assisted participants with survey completion by reading questions to enable access to participants for whom literacy and/or technology was a barrier. All community partner organizations were offered support by the WNHHN to administer the survey virtually (via Zoom or telephone) to alleviate barriers to literacy and technology. Participants received a \$20.00 honorarium for participating in the survey.

DATA ANALYSIS

Following data cleaning, data analysis was conducted by the authors of this report using SPSS software. Data analysis techniques included frequencies, cross tabulations, chi square tests, and T tests. Analysis was iterative, with emerging themes in the data identified and further explored through additional analyses. The size and depth of the data collected will enable significant elaboration on the preliminary findings presented in this report.

SURVEY LIMITATIONS

Conducting a large-scale survey on women's homelessness and housing precarity during the COVID-19 pandemic presented unique challenges and limitations. Many community partner organizations were operating at a limited capacity due to COVID-19 restrictions, and were faced with unique and increasing demands for service. This presented challenges for on-site recruitment within community partner organizations and limited the amount of time front-line staff could spend supporting participants with accessing the survey.

All of our data was collected virtually because of the restrictions put in place limiting in-person research during COVID-19 by York University's Research Ethics Board. We used an online survey platform to administer the survey and due to the branching logic embedded in our survey tool, we were unable to make hard copies of the survey available. The sole use of an online survey platform presented barriers to recruiting participants who did not have access to a computer, tablet, or smart phone. Although community partner organizations worked to make technology accessible for participants, women and gender diverse people who were not well-connected to public systems and support services likely faced limitations to engaging with our data collection process. This includes women and gender-diverse people living in jail, hospitals, and other institutional settings.

Women and gender-diverse people with limited literacy skills may have faced barriers to participating in our survey. In an effort to alleviate this barrier, we offered each community partner organization support by virtually administering the survey to participants via telephone or Zoom.

While our survey tool was made available in English and French, it was not translated into other languages. Limited translation of our survey likely presented barriers to fully engaging refugee and newcomer women.

3. LITERATURE REVIEW

A. A Statistical Portrait – Housing need & homelessness amongst women, girls, and gender diverse people in Canada

Homelessness amongst women, girls, and gender diverse peoples in Canada remains both understudied and underestimated, despite indications that these groups disproportionately experience both poverty and core housing need.⁴⁷ This is linked to the ways in which commonly used definitions, typologies, and ways of measuring homelessness have failed to account for the hidden ways that women, girls and gender diverse people often experience housing instability and homelessness.⁴⁸ It is well recognized that women are more likely to rely on relational, precarious, and dangerous supports to survive housing instability,⁴⁹ and are less likely to appear in mainstream shelters, drop in spaces, public spaces, or other homeless-specific services.⁵⁰ They are also more likely to negotiate a number of high-risk survival strategies to obtain shelter and avoid the dangers of the streets and co-ed shelter spaces, including by staying in unsafe and exploitative relationships, and exchanging sex for shelter.⁵¹

GBA+ Critiques of Definitions of Homelessness

There are direct links between how a problem is defined, measured, and responded to. Studies suggest current definitions of homelessness fail women, girls, and gender diverse people in four key ways:

- “The ways we define homelessness tends to focus on chronic and visible forms of homelessness – which fails to account for the realities and experiences of many women and girls.
- Homelessness is primarily framed as a housing issue, in ways that negate the complex and multifaceted factors that shape housing need for women, girls and gender diverse peoples
- Definitions are rooted in a Eurocentric understanding and fail to account for Indigenous contexts and ways of understanding and experiencing homelessness
- Current definitions fail to consider how abuse, violence and oppression within the home constitute instances of homelessness”

(Schwan et al., 2020, p. 53-54)

47 Canada Mortgage and Housing Corporation, 2019. See also McInnes, S. (2016). *Fast Facts: 4 things to know about women and homelessness in Canada*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/commentary/fast-facts-4-things-know-about-women-and-homelessness-canada>

48 Savage, M. (2016). Gendering Women's Homelessness. *Irish Journal of Applied Social Studies*, 16(2), 43-64. See also Pleace, N. (2016). “Exclusion by Definition: The Under-representation of Women in European Homelessness Statistics.” In P. Mayock & J. Bretherton (Eds.), *Women's Homelessness in Europe* (pp. 105–126). London: Palgrave Macmillan.

49 Bretherton, J. (2017). Reconsidering Gender in Homelessness. *European Journal of Homelessness*, 11(1), 1-21.

50 Baptista, I. (2010) “Women and Homelessness.” In E. O’Sullivan, V. Busch-Geerstema, D. Quilgars & N. Pleace (Eds.), *Homelessness Research in Europe* (pp. 163-186). Brussels: FEANTSA. See also Maki, K. (2017). *Housing, homelessness, and violence against women: A discussion paper*. Women’s Shelters Canada. <http://endvaw.ca/wp-content/uploads/2017/09/Housing-Homelessness-and-VAW-Discussion-Paper-Aug-2017.pdf>

51 Bretherton, 2017, p. 1-21.

Because of the often hidden nature of their homelessness, women and gender diverse people remain systematically undercounted in common enumeration methods used in Canada (e.g., Point-in-Time Counts) which often focus on measuring absolute/street homelessness and homeless shelter usage, both of which tend to be male-dominated.⁵² This gap in enumeration contributes to the invisibility of women, girls, and gender diverse peoples' homelessness. As a result, governments are left to make funding choices and design policy solutions in the absence of key data and knowledge. Despite this, the available data we do have suggests the scale of women's housing need and homelessness is much larger than what is currently estimated.⁵³ In the absence of more comprehensive data, improving estimations requires that we piece together various types of data in attempts to capture the real scale of women's housing need and homelessness within Canada (see Figure 1).

As shown in Figure 1, *The Real Scale of Women's Housing Need & Homelessness*,⁵⁴ efforts to enumerate housing need and homelessness amongst women, girls, and gender diverse people requires triangulating a range of available data, including:

- Family shelter occupancy rates
- Women-led families living in poverty
- Indigenous women's housing need on reserves
- Rates of abuse and intimate partner violence (IPV)
- VAW shelter and service usage
- Women and children turned away from homelessness or VAW shelters due to capacity issues
- Women and gender diverse peoples experiencing human trafficking

Despite significant data gaps in these data, two data sources are foundational to illuminating the scale of housing instability and homelessness for women, girls, and gender diverse people in Canada: (1) core housing need data, and (2) data on poverty.

⁵² It should be noted that systemic undercounting of women's homelessness is not unique to the Canadian context. Global trends indicate that women, girls, and gender diverse people are consistently underrepresented in research and statistical portraits of homelessness and housing need. This is in part because many countries fail to include hidden forms of homelessness within their definition(s) of homelessness and face methodological challenges when seeking to enumerate hidden homelessness (e.g., difficulty capturing its temporary and transitory nature, barriers to enumerating situations of overcrowding) (Bretherton, 2017).

⁵³ Schwan et al., 2020.

⁵⁴ Schwan et al., 2020, p. 6.

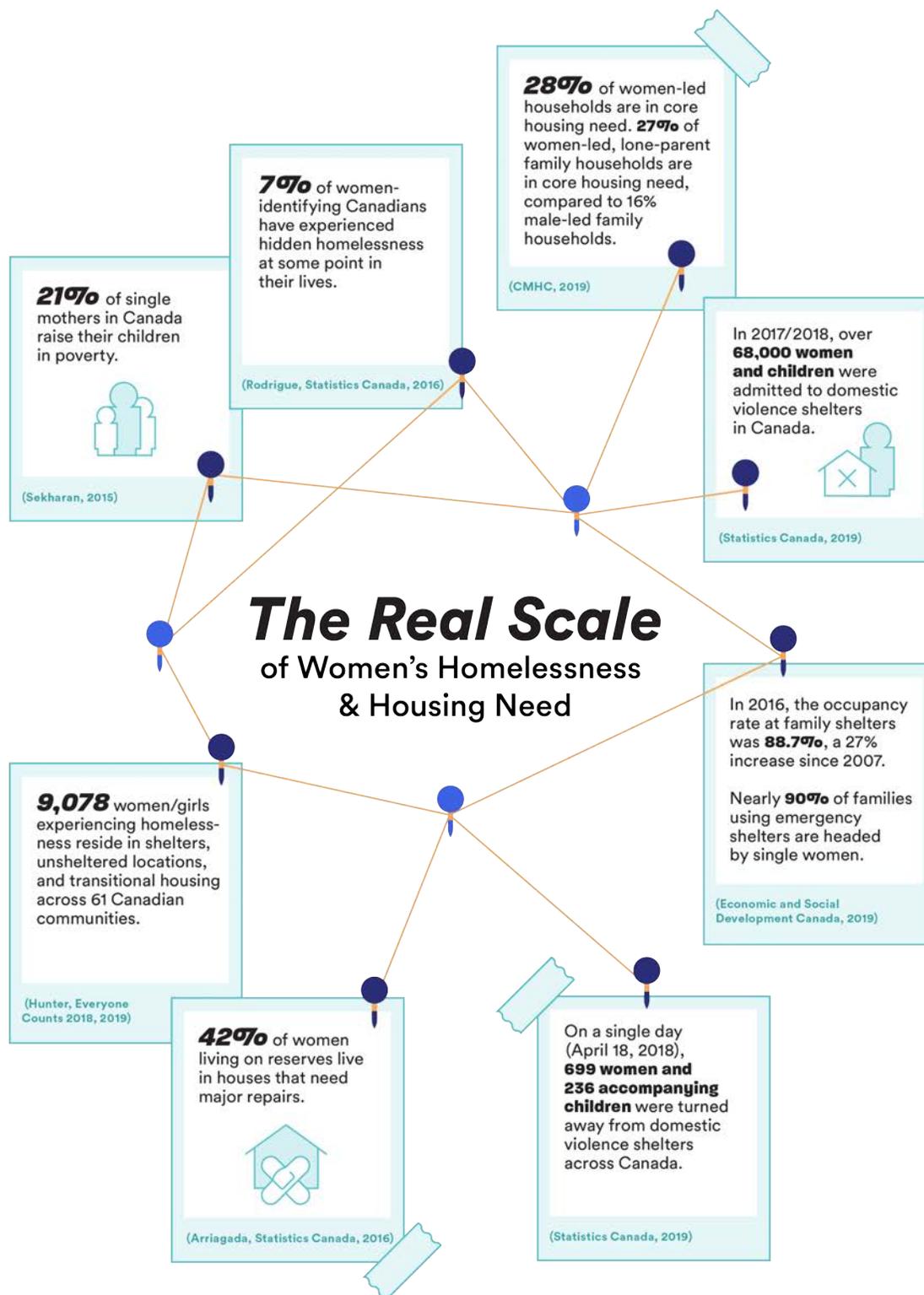


Figure 1. The Real Scale of Women's Homelessness and Housing Need.

Core Housing Need

Women and gender diverse peoples across Canada experience disproportionate levels of core housing need⁵⁵ and housing instability. For example, research indicates:

- Of the 1.7 million people experiencing core housing need in Canada in 2016, 28% of these were women-led households⁵⁶
- 27% of women-led, lone-parent family households are in core housing need, almost double the rate of male-led, lone-parent households (16%)⁵⁷
- 57% of renter households in core housing need are female-led families or singles⁵⁸
- More women-led households live in subsidized housing compared to households led by men (44.1% vs. 40.5%)⁵⁹

Given the challenges to accessing housing in increasingly tight housing markets, some women and gender diverse people seek out social housing options. Unfortunately, Statistics Canada's recent Canadian Housing Survey⁶⁰ revealed almost two-thirds of households attempting to access social housing or RGI housing options were on wait lists for two years or longer. Some cities report wait lists of 5 years or longer,⁶¹ and in Toronto more than 81,000 households are currently on social housing wait lists.⁶² Remaining stuck in core housing need, in poor quality or overcrowded housing, or on long waitlists for subsidized housing options has unique implications for women and their families. Housing need exacerbates cycles of poverty and violence and increases the likelihood of child welfare involvement, as oftentimes neglect is conflated with poverty and housing need.⁶³

Poverty

Women experience disproportionate rates of deep poverty in comparison to men,⁶⁴ and often survive on lower incomes. For example, women in Ontario live on 28% lower median income than men overall.⁶⁵ Women remain

55 According to Statistics Canada (2017), "a household is said to be in 'core housing need' if its housing falls below at least one of the adequacy, affordability, or suitability standards and it would have to spend 30% or more of its total before-tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards)" (n.p.).

56 Canada Mortgage and Housing Corporation, 2019.

57 Canada Mortgage and Housing Corporation, 2019.

58 Pomeroy, S. (2020, July). *Recovery for All: Proposals to Strengthen the National Housing Strategy and End Homelessness*. Canadian Alliance to End Homelessness. <https://caeh.ca/wp-content/uploads/Recovery-for-All-Report-July-16-2020.pdf>

59 Canada Mortgage and Housing Corporation, 2019.

60 Statistics Canada. (2019). *Results from the new Canadian Housing Survey, 2018*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/11-627-m/11-627-m2019079-eng.htm>

61 See <https://ottawa.ca/en/family-and-social-services/housing/subsidized-housing>

62 See <https://www.thestar.com/news/gta/2021/01/19/more-than-81000-households-are-waiting-for-subsidized-housing-in-toronto-the-city-hopes-a-new-waitlist-system-will-help-fill-its-units-faster.html>

63 OACAS (Ontario Association of Children's Aid Societies). (2016). One Vision One Voice: Changing the Ontario child welfare system to better serve African Canadians. <http://www.oacas.org/what-we-do/onevisiononevoice/>. See also Trocmé, N., Knoke, D., & Blackstock, C. (2004). Pathways to the overrepresentation of Aboriginal children in Canada's child welfare system. *Social Service Review*, 78, 577-600.

64 Fotheringham, S., Walsh, C. A., & Burrowes, A. (2014). 'A place to rest': the role of transitional housing in ending homelessness for women in Calgary, Canada. *Gender, Place & Culture*, 21(7), 834-853. See also McInnes, S. (2016). *Fast Facts: 4 things to know about women and homelessness in Canada*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/commentary/fast-facts-4-things-know-about-women-and-homelessness-canada>

65 See <https://www.ontario.ca/document/community-housing-renewal-ontarios-action-plan-under-national-housing-strategy/housing-needs-ontario>.

overrepresented in minimum-wage and part-time jobs,⁶⁶ and assume unequal responsibilities for housework and childcare.⁶⁷ The feminization of poverty in Canada makes it difficult for many women and women-led families to afford rent and other basic necessities.⁶⁸ Poverty often traps women and women-led families in cycles of violence, housing precarity, food insecurity, and various types of dangerous or unhealthy living situations.

B. Unique causes and conditions of homelessness and housing need for women, girls, and gender diverse people

“It may be that the major trigger for homelessness is poverty and exclusion, but it is also clear that women do not experience homelessness in the same way as men. The triggers for women’s homelessness are often different and their trajectories while homeless are often different, women’s experience of homelessness is different. Gender plays a role.”⁶⁹

Gender shapes the causes, conditions, and trajectories of homelessness and housing need.⁷⁰ Research shows that women and girls,⁷¹ as well as gender diverse people,⁷² have unique pathways into homelessness, distinct experiences on the streets, struggle in unique ways as they navigate public systems and seek emergency shelter, and face unique consequences and hardships because of homeless experiences.⁷³ Gender intersects with other social locations (e.g., Indigeneity, race, (dis)ability, immigration status, gender identity) and experiences (e.g., trauma, exposure to violence and conflict) to shape these experiences.⁷⁴ Despite the uniqueness of each person’s experience, both global and domestic studies have identified the following commonalities:

66 Canadian Women’s Foundation. (2018). *Fact Sheet: Women and Poverty in Canada*. <https://canadianwomen.org/the-facts/womens-poverty/>. See also Moyser, M. & Burlock, A. (2018). *Time use: total work burden, unpaid work, and leisure*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/54931-eng.htm>

67 Burt, M. R. (2001). Homeless families, singles, and others: Findings from the 1996 national survey of homeless assistance providers and clients. *Housing Policy Debate*, 12(4), 737-780. See Fotheringham et al., 2014, p. 834-853. See also MacDonald, D., & McInturff, K. (2015). *Family policies for the way we live now*. https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2015/09/OS120_Summer2015_Family_policies.pdf

68 Van Berkum, A., & Oudshoorn, A. (2015). *Best practice guidelines for ending women’s and girls’ homelessness*. Ottawa: Homelessness Partnering Strategy. <http://londonhomeless.ca/wp-content/uploads/2012/12/Best-Practice-Guideline-for-Ending-Womens-and-Girls-Homelessness.pdf>

69 Bretherton, 2017, p. 6.

70 Fingfeld-Connett, D. (2010). Becoming homeless, being homeless, and resolving homelessness among women. *Issues in Mental Health Nursing*, 31(7), 461-469.

71 Bretherton, 2017.

72 Sakamoto, I., Chin, M., Chapra, A., & Ricciardi, J. (2009). A ‘normative’ homeless woman?: Marginalization, emotional injury and social support for transwomen experiencing homelessness. *Gay and Lesbian Issues & Psychology Review*, 5(1), 2-19.

73 Van Berkum & Oudshoorn, 2015.

74 Crenshaw, K. (1990). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stan. L. Rev.*, 43, 1241-1254.

- Violence from intimate partners or within families is a key pathway into homelessness for women and girls⁷⁵
- ‘Hidden homelessness’ is the most common form of homelessness experienced by women and girls⁷⁶
- Women and girls’ face gender-based forms of violence once they enter into homelessness, including sexual violence and recruitment into human trafficking⁷⁷
- Whether or not women have dependent children has a profound impact on their use of services and supports, and dramatically shapes how they navigate homelessness⁷⁸

Schwan and colleagues (2020) scoping literature review on women’s homelessness and housing need identified three key themes in this research that are worth highlighting: (1) gender-based violence and intimate partner violence; (2) hidden homelessness, and (3) gender-based inequity and discrimination.

Gender-based violence and intimate partner violence

Gender-based violence, both at macro and micro levels, is a defining characteristic of homelessness for women, girls, and gender diverse peoples. Violence has been documented as both a cause and consequence of homelessness and housing precarity for many women, girls, and gender diverse peoples. As articulated by Status of Women Canada (2018), violence committed against someone on the basis of gender is “not limited to physical abuse but includes words, actions, or attempts to degrade, control, humiliate, intimidate, coerce, deprive, threaten, or harm another person.”⁷⁹ Intersecting experiences of gender-based violence, family violence, and intimate partner violence occur prior to, during, and after experiences of homelessness or housing precarity. This often leads to complex and compounding trauma for women, girls, and gender-diverse people.⁸⁰

In 2019, violence against women was declared a public health crisis in Canada by the House of Commons Standing Committee on the Status of Women.⁸¹ Statistics Canada data indicates that although police-reported violence in Canada declined between 2009 and 2017, sexual offenses against girls and young women increased, with rates 14 times higher for young women compared to their male counterparts.⁸² Notably, Indigenous women, women with disabilities, young women, LGBTQ2S+ women and gender diverse people, and women who live in remote areas are at greater risk of violence.⁸³

75 Van Berkum & Oudshoorn, 2015.

76 Baptista, 2010. See also Mayock & Sheridan, 2012.

77 Martin, C. M. & Walia, H. (2019). *Red women rising: Indigenous women survivors in Vancouver’s downtown eastside*. Downtown Eastside Women’s Centre. <https://open.library.ubc.ca/cIRcle/collections/ubccommunityandpartnerspublicati/52387/items/1.0378104>. See also Vecchio, K. (2019). *Surviving abuse and building resilience – A study of Canada’s systems of shelters and transition houses serving women and children affected by violence*. Report of the Standing Committee on the Status of Women. <https://www.ourcommons.ca/Committees/en/FEWO/StudyActivity?studyActivityId=10236420>

78 Fotheringham et al., 2014, p. 834-853. See also Van Berkum & Oudshoorn, 2015.

79 Status of Women Canada. (2018). *About Gender-Based Violence*. Status of Women Canada. <https://cfcswc.gc.ca/violence/knowledge-connaissance/about-apropos-en.html>.

80 Lewinson, T., Thomas, M. L., & White, S. (2014). Traumatic transitions: Homeless women’s narratives of abuse, loss, and fear. *Affilia: Journal of Women & Social Work*, 29(2), 192-205.

81 Vecchio, 2019.

82 Statistics Canada, 2018.

83 Cotter, A. (2018). Violent victimization of women with disabilities, 2014. *Juristat: Canadian Centre for Justice Statistics*, 85, 1–34. See Hotton Mahony, T., Jacob, J., Hobson, H. (2017). *Women and the Criminal Justice System*. Statistics Canada. <https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14785-eng.pdf?st=2zTq8-IQ>. See Hutchins, H. (2013). *Risk factors for violence against women*. Statistics Canada. https://www.mysistersplace.ca/uploads/1424267172_stats%20canada%20study.pdf. See also Perreault, S., & Simpson, L. (2015). *Criminal victimization in the territories, 2014*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2016001/article/14470-eng.htm>

According to the federal government's 2016 coordinated Point-in-Time Count, almost a quarter of the women surveyed indicated that gender-based violence was a factor contributing to their most recent housing loss.⁸⁴ Importantly, these rates were significantly higher for some groups of women, with newcomer women and girls being twice as likely (40% vs. 22%) to cite gender-based violence as a contributing factor to their most recent experience of homelessness.⁸⁵

“In 2018, 148 women and girls were killed by violence in Canada. On average, every 2.5 days one woman or girl is killed in this country – a consistent trend for four decades.”

- The Canadian Femicide Observatory for Justice and Accountability (2019)

Women, girls, and gender diverse people experiencing homelessness often have histories of childhood violence.⁸⁶ For example, research shows that young women experiencing homelessness report higher levels of physical, sexual, and emotional abuse as children compared to young men,⁸⁷ and this includes violent incidences occurring within state-run facilities (e.g., child welfare agencies, youth prisons).⁸⁸ Research on young women experiencing homelessness commonly indicates physical abuse (45%) and sexual abuse (35%) as causes of their homelessness.⁸⁹ Once on the streets, exposure to violence and harassment is a part of everyday life for women, girls, and gender diverse people.⁹⁰ Such experiences contribute to hidden forms of homelessness and may push women and girls to remain in unhealthy or violent relationships for housing.

Gender-based violence disproportionately impacts the lives of Indigenous women, girls, Two-Spirit, and gender diverse peoples.⁹¹ As documented by Martin & Walia (2019), “Indigenous women’s rate of violent victimization is double that of Indigenous men, nearly triple that of non-Indigenous women, and more than triple that of non-Indigenous men. Two-Spirit and trans people are violently victimized nearly five times as often.”⁹²

84 ESDC, 2017.

85 ESDC, 2017, p.26.

86 Berman, H., Mulcahy, G. A., Forchuk, C., Edmunds, K. A., Haldenby, A., & Lopez, R. (2009). Uprooted and displaced: a critical narrative study of homeless, Aboriginal, and newcomer girls in Canada. *Issues in mental health nursing*, 30(7), 418–430. <https://doi.org/10.1080/01612840802624475>. See also Reid, S., Berman, H., & Forchuk, C. (2005). Living on the streets in Canada: a feminist narrative study of girls and young women. *Issues in comprehensive pediatric nursing*, 28(4), 237–256. See also Wesely, J.K. (2009). “Mom said we had a money maker”: Sexualization and Survival Contexts among Homeless Women. *Symbolic Interaction*, 32, 91-105.

87 Gaetz, S., Dej, E., Richter, T. & Redman, M. (2016). *The State of Homelessness in Canada 2016*. Toronto: The Canadian Observatory on Homelessness Press. <https://www.homelessnesshub.ca/SOHC2016>

88 Czapska, A., Webb A., Taefi, N. (2008). *More Than Bricks & Mortar A Rights-Based Strategy to Prevent Girl Homelessness in Canada*. Justice for Girls. <http://www.justiceforgirls.org>

89 O’Grady, B. & Gaetz, S. (2004). Homelessness, gender and subsistence: The case of Toronto street youth. *Journal of Youth Studies*, 7(4), 397-416.

90 Gaetz et al., 2016.

91 Martin & Walia, 2019. See also National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG). (2019a). *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*. Vol. 1a. www.mmiwg-ffada.ca/final-report/

92 MMIWG, 2019, p. 15.

Hidden Homelessness

Research indicates that women are overrepresented amongst hidden homeless populations.⁹³ The Canadian Definition of Homelessness characterizes hidden homelessness as a form of provisional accommodation that includes “living temporarily with others, but without guarantee of continued residency or immediate prospects for accessing permanent housing”.⁹⁴ ‘Hidden homelessness’ refers to people who are experiencing homelessness, but are typically not accessing services or supports or residing in public spaces.⁹⁵

Hidden homelessness (see Figure 2)⁹⁶ includes many diverse circumstances, such as:

- Engaging in survival sex or developing relationships in order to access housing
- Remaining in an abusive relationship in order to maintain housing or custody over one’s children
- Couchsurfing with friends or family
- Living in overcrowded and inadequate housing in order to avoid shelters⁹⁷

Many studies have shown that women “avoid services and use informal or relational supports to maintain themselves in situations of hidden homelessness.”⁹⁸



Figure 2. Hidden homelessness amongst women, girls, and gender diverse people.

93 Baptista, 2010, p. 163-186. See also: Bretherton, 2017; Rodrigue, S. (2016). Hidden homelessness in Canada. *Insights on Canadian Society*. Statistics Canada. 75-006-X, p.11. <http://www.statcan.gc.ca/pub/75-006-x/2016001/article/14678-eng.htm>

94 Canadian Observatory on Homelessness, 2017, p. 3.

95 Van Berkum & Oudshoorn, 2015.

96 Schwan et al., 2020, p. 68.

97 Baptista, 2010. See also Batty, E., Casey, R., & Reeve, K. (2010). “On the streets: Sex workers and homelessness.” In Young, S. (Ed.), *Gender perspectives on homelessness*. Homelessness in Europe - The Magazine of FEANTSA (pp. 24-28). FEANTSA.

98 Bretherton, 2017, p. 6.

Due to intersecting forms of oppression, particular groups – including newcomer, Indigenous, and LGBTQ2S+ women – are more likely to experience hidden homelessness. Statistics Canada data indicates that people identifying as Indigenous – either First Nations, Métis, and/or Inuit —were more than twice as likely (18%) to have experienced hidden homelessness compared to their non-Indigenous counterparts.⁹⁹

Remaining visible while homeless presents unique risks for women, girls, and gender diverse people, and therefore there are incentives to remaining hidden and invisible.¹⁰⁰ The risk of violence when living on the streets or being perceived as homeless, coupled with child welfare policies including mandatory reporting legislation and risk of child apprehension, may increase choices to remain hidden.¹⁰¹ The invisibility of women and gender diverse people's homelessness should thus be understood as *structurally* created and maintained. Housing instability is perpetuated when women and gender diverse people have to hide their homelessness and therefore experience barriers to accessing access supports, services, or housing options.

Gender-based inequity and discrimination

Across Canada, women, girls, and gender diverse people face unique inequities and forms of discrimination on the basis of gender. This contributes to housing need and shapes experiences of homelessness. Experiences of inequity and discrimination disproportionately impact women and girls from equity-seeking groups, including Indigenous women, women with disabilities, newcomer women, racialized women, and women who identify as LGBTQ2S+.¹⁰²

Inequity and discrimination occur across all levels of society, including within public systems and services (such as health care, criminal justice system and the child welfare system), in the private sector (such as rental housing market), and within communities and interpersonal relationships. Like violence, experiences of inequity and discrimination occur both as a factor leading to homelessness, and a consequence of homelessness.

Within Canadian society, gender-based inequities are well documented and intrinsically linked to housing instability. Women are more likely to be in non-permanent employment, receive lower wages and pay higher rates for rental housing on average than their male counterparts.¹⁰³ Indigenous and racialized women face deeper systemic inequities, with research noting that racialized women in Canada earn only 55.6% of the income earned by non-racialized men.¹⁰⁴ Pregnancy and child rearing also has a significant impact on employment and income for women, and research also documents that single mothers face discrimination when attempting to access rental housing.¹⁰⁵

Substantive inequities and forms of discrimination occur across public systems in Canada, and perhaps most profoundly impact the lives of Indigenous women, girls, and gender diverse peoples. This is particularly evident within the criminal justice system, whereby Indigenous women serve disproportionately more of their sentence

99 Rodrigue, 2016.

100 Klodawsky, F. (2006). Landscapes on the Margins: Gender and homelessness in Canada. *Gender, Place & Culture*, 13(4), 365-381. See also Van Berkum & Oudshoorn, 2015.

101 Martin & Walia, 2019. See also Maki, K. (2017). *Housing, homelessness, and violence against women: A discussion paper*. Women's Shelters Canada. <http://endvaw.ca/wp-content/uploads/2017/09/Housing-Homelessness-and-VAW-Discussion-Paper-Aug-2017.pdf>

102 Van Berkum & Oudshoorn, 2015.

103 Callaghan, M., Farha, L., & Porter, B. (2002). *Women and Housing in Canada: Barriers to Equality*. Toronto: Centre for Equality Rights in Accommodation. See also: Canadian Women's Foundation, 2018; Moyser & Burlock, 2018.

104 Block, S., & Galabuzi, G. (2011). *Canada's Colour Coded Labour Market: The gap for racialized workers*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/reports/canadascolour-coded-labour-market>

105 Vecchio, 2019.

behind bars and are far more likely to remain incarcerated until their statutory release date or warrant expiry date.¹⁰⁶ Within the child welfare system in British Columbia, data shows that Indigenous girls are four times more likely to experience sexual violence than non-Indigenous girls.¹⁰⁷

Inequities and discrimination in multiple systems shape the causes, trajectories, conditions, and consequences of homelessness for women, girls, and gender diverse peoples. This means that tackling homelessness and housing need requires tackling the ways in which gender-based discrimination and inequity are hard-wired into our systems, policies, and practices.¹⁰⁸

C. Access to Emergency Shelters and Supports for Women, Girls, and Gender Diverse People in Canada

Data from Statistics Canada,¹⁰⁹ Employment and Social Development Canada,¹¹⁰ parliamentary reports,¹¹¹ municipal data and research,¹¹² and independent studies¹¹³ consistently indicate that emergency shelters across the country are operating at (or over) capacity – and have been doing so for years. This is true for shelters in both the homelessness sector and the violence against women sector. The demand for shelter beds across Canada continues to increase each year, despite additional beds being added in some communities. On any given night in 2014, 92% of Canada’s shelter beds were in use. By comparison, just over 80% of shelter beds were regularly in use across Canada in 2005.¹¹⁴

As demand for shelter beds increases, women and gender diverse peoples face some of the greatest disadvantage when attempting to access temporary shelter and support within the homeless shelter and violence against women systems. Across Canada there are very few women-specific emergency shelter beds, with 68% of all shelter beds being designated as co-ed, or for male-identified people, compared to 13% dedicated specifically to women.¹¹⁵ While 38% of all shelter beds are co-ed or open to all genders,¹¹⁶ research consistently demonstrates that many

106 Martin & Walia, 2019, p. 23.

107 Turpel-Lafond, M.E. (2016). *Too Many Victims: Sexualized Violence in the Lives of Children and Youth in Care*. Representative for Children and Youth. <https://rcybc.ca/reports-andpublications/reports/general-reports/too-many-victims-sexualized-violence-in-the-lives-of-children-and-youthin-care/>

108 Schwan et al., 2020.

109 Statistics Canada, 2019.

110 Employment and Social Development Canada. (2019). *Highlights of the National Shelter Study 2005 to 2016*. Ottawa. <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports-shelter-2016.html>

111 Vecchio, 2019.

112 City of Toronto. (2018). *Street Needs Assessment*. City of Toronto. Retrieved from <https://www.toronto.ca/wpcontent/uploads/2018/11/99be-2018-SNA-Results-Report.pdf>

113 Jadidzadeh, A., & Kneebone, R. (2018). Patterns and Intensity of Use of Homeless Shelters in Toronto. *Canadian Public Policy*, 44(4), 342–355.

114 Employment and Social Development Canada. (2019). *Everyone Counts 2018: Highlights – Preliminary Results from the Second Nationally Coordinated Point-in-Time Count of Homelessness in Canadian Communities*. ESDC. <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html>

115 Employment and Social Development Canada, 2019.

116 Employment and Social Development Canada, 2019.

women will choose to avoid co-ed shelters due to experiences of violence within those spaces.¹¹⁷ There are more than double the amount of emergency shelter beds available to men compared to women (4,820 beds for men, compared to 2,092 beds for women across all of Canada).

Emergency shelter beds by clientele served, PiT 2018

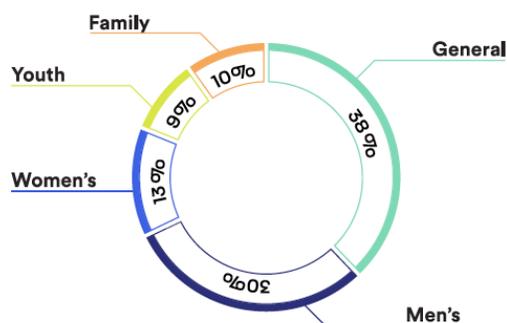


Figure 3. Emergency shelter beds by clientele served, PiT 2018.

Research also reveals disparities in access to emergency shelter beds for women, girls, and gender diverse people, with studies indicating that rural, remote, and Northern communities consistently face a lack of shelter beds for women (within both the VAW and homelessness sectors).¹¹⁸ For example, despite disproportionate levels of police-reported violent crimes committed against women in the territories,¹¹⁹ the Shelter Capacity Report¹²⁰ indicates there are only two women-specific emergency shelters across all three territories, with a total of 37 beds across them.¹²¹ Data similarly indicates that 70% of northern reserves have no emergency shelters for women escaping violence, despite evidence of high rates of gender-based violence in many of these communities.¹²² Some provinces and territories also report having no women-specific emergency homeless shelters, including Prince Edward Island and the Yukon.¹²³ This is similar in Newfoundland and Labrador, where outside of the St. John's there are no shelters designed to support women.¹²⁴

Violence against women shelters across Canada are chronically underfunded, with 46% of VAW shelters in Canada reporting that the top challenge facing service delivery was a lack of sustainable funding.¹²⁵ Ironically these funding challenges are particularly evident in communities with the highest level of housing need, and often affect groups facing the most significant forms of marginalization and violence.¹²⁶ This results in dire consequences for women and children fleeing violence. For example, a 2019 Statistics Canada report found that on a national snapshot day across Canada, “669 women, 236 accompanying children, and 6 men were turned away from residential facilities for victims of abuse. The most common reason reported for a woman being turned away was that the facility was full (82%)”¹²⁷ (see Figure 4). Capacity issues in both the VAW and homelessness sector are deeply linked to the lack of adequate, affordable housing. With no housing to transition into, women and women-led families remain stuck in emergency shelters or situations of hidden homelessness.

117 Bretherton, 2017. See also National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), 2019.

118 Vecchio, 2019, p. 14.

119 Vecchio, 2019, p. 14.

120 Employment and Social Development Canada, 2018.

121 Employment and Social Development Canada, 2019.

122 Martin & Walia, 2019.

123 Employment and Social Development Canada, 2019.

124 Davis, H. (2018). “Mitigating Harm to Women.” In Hughes, J (Ed.), *Beyond Shelter* (pp. 46-62). Toronto, ON: James Lorimer & Company Ltd., Publishers Toronto.

125 Statistics Canada, 2019a

126 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019. See also Vecchio, 2019.

127 Statistics Canada, 2019, p. 3.

The length of shelter stays amongst women and women-led families has significantly increased in recent years, and the majority of shelters only offer short-term lodging.¹²⁸ Importantly, shelter spaces are often highly monitored, provide limited physical space, and may be accompanied by stringent shelter rules, including mandatory programming.¹²⁹

Women & Children Turned Away

from VAW Shelters on Snapshot Day (April 18, 2018)

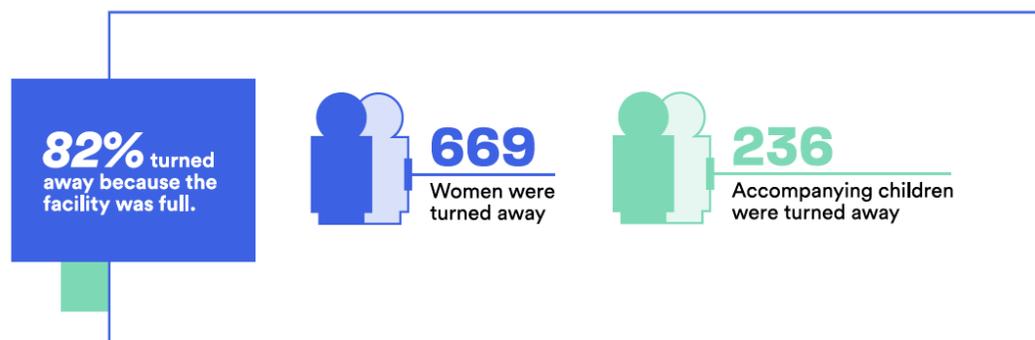


Figure 4. Women & children turned away from VAW Shelters on Snapshot Day (April 18, 2018).

There is a significant lack of gender-specific housing options across Canada, including supportive housing,¹³⁰ with waiting lists for social and supportive housing often stretching years in many communities. Statistics Canada's *Canadian Housing Survey (2018)* revealed: "One quarter of a million households, representing 1.9% or 283,800 Canadian households, had at least one member on a waiting list for social and affordable housing. Of these households, almost two-thirds (61.2%) or 173,600 households were on a waiting list for two years or longer."¹³¹ Further, existing transitional housing often does not offer residents security of tenure and protection under landlord/tenant legislation, and few low-barrier or harm reduction models of housing or care are accessible to women and gender diverse people.¹³² Without significant investment into affordable, safe, and permanent housing options, experiences of homelessness and shelter usage will remain chronic or cyclical for many women, girls, and gender diverse people. This research suggests that in the absence of access to affordable and safe housing options for women, girls and gender-diverse people across Canada, emergency shelters, transitional housing and violence against women shelters will be increasingly unable to meet the demand for services.

128 Segaert, A. 2017. *The National Shelter Study: Emergency shelter use in Canada 2005-2014*. Homelessness Partnering Secretariat. Employment and Social Development Canada. http://publications.gc.ca/collections/collection_2017/edsc-esdc/Em12-17-2017-eng.pdf

129 For an exploration of how this affects mother-child relationships, see: David, D. H., Gelberg, L., & Suchman, N. E. (2012). Implications of homelessness for parenting young children: A preliminary review from a developmental attachment perspective. *Infant Mental Health Journal*, 33(1), 1-9; Swick, K. J., & Williams, R. (2010). The voices of single parent mothers who are homeless: Implications for early childhood professionals. *Early Childhood Education Journal*, 38(1), 49-55.

130 See McAleese & Schick, 2018.

131 Statistics Canada, 2019, p. 2.

132 Schwan et al., 2020.

D. Distinct housing challenges faced by those most in need

Women, girls and gender-diverse people experiencing housing need or homelessness are not a homogenous group. Particular groups experience intersectional forms of marginalization and discrimination with respect to their housing, including Indigenous persons, racialized women, persons with disabilities, newcomer and refugee women and gender diverse peoples, and those facing discrimination on the basis of their gender or sexuality. While not exhaustive, this section will explore some of the key housing challenges and housing rights violations experienced by particular groups (including those deemed ‘priority populations’ within the *National Housing Strategy*¹³³).

Indigenous Women, Girls, and Two-Spirit People

Indigenous women, girls, and gender diverse peoples are disproportionately impacted by homelessness and face some of the most egregious violations of the right to housing across Canada.¹³⁴ Colonialism and cultural genocide, in both ongoing and historical forms, are the foundation of homelessness and housing insecurity for Indigenous women, girls, and Two-Spirit peoples.¹³⁵ Ongoing colonial practices continue to dispossess Indigenous women of their homes, lands, cultures, and ways of knowing, doing, and being.¹³⁶

Overwhelming amounts of research demonstrate the disproportionate rates of homelessness and unmet housing need amongst Indigenous women, girls, and gender diverse people in Canada.¹³⁷ Data shows Indigenous women are 15 times more likely to use a homeless shelter than non-Indigenous women over the course of a year, and they are also significantly more likely to experience hidden homelessness.¹³⁸ Within the violence against women sector, Indigenous women are overrepresented by approximately five times their representation in the Canadian population, and this statistic is similar for Indigenous children within the shelter system.¹³⁹

133 The National Housing Strategy currently identifies the following groups as priority populations: women and children fleeing domestic violence; seniors; young adults; Indigenous Peoples; people with disabilities; people dealing with mental health and addictions issues; veterans; LGBTQ2+ persons; racialized groups; recent immigrants, especially refugees; and people experiencing homelessness. See Canada Mortgage and Housing Corporation (CMHC). (2018, July 23). *National Housing Strategy: Priority areas for action*. <https://www.cmhc-schl.gc.ca/en/nhs/guidepage-strategy/priority-areas-for-action>

134 Patrick, C. (2014). *Aboriginal homelessness in Canada: A literature review*. Toronto: Canadian Homelessness Research Network.

135 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.

136 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.

137 Schiff, R. & Waegemakers Schiff, J. (2010) Housing needs and preferences of relatively homeless Aboriginal women with addiction. *Social Development Issues*, 32(3), 65-76. <https://www.ingentaconnect.com>. See also Walsh, C.A., MacDonald, P., Rutherford, G.E., Moore, K., Krieg, B. (2012). Homelessness and Incarceration among Aboriginal Women: An Integrative Literature Review. *Pimatisiwin: A Journal of Aboriginal and Indigenous Community Health*, 9(2), 363-386. <https://www.semanticscholar.org>.

138 Falvo, N. (2019, November 28). *The Use of Homeless Shelters by Indigenous Peoples in Canada*. Canadian Observatory on Homelessness Press. <https://www.homelesshub.ca/blog/use-homeless-shelters-indigenous-peoples-canada>

139 Statistics Canada, 2019.

Core Housing Need Amongst Indigenous Women and Girls in Canada

- 31% of Inuit women and girls were living in crowded homes, compared to 3% of non-Indigenous women and girls (O'Donnell & Wallace, 2011)
- 28% of First Nations and Inuit women and girls and 14% of Métis women and girls were living in dwellings that were in need of major repairs (compared to 7% of non-Indigenous women and girls) (O'Donnell & Wallace, 2011)
- 44% of women and girls living in reserve communities were living in dwellings that were in need of major repairs (O'Donnell & Wallace, 2011)
- Among Indigenous renters living off reserve, 64% of those in core housing need are female-led households (Pomeroy, 2021)

Disproportionate experiences of violence, including the ongoing national human rights crisis of missing and murdered Indigenous women, girls, and Two-Spirit people across Canada, intersect with experiences of housing need in ways that demand the most urgent of responses.¹⁴⁰ While it is well documented that violence against Indigenous women and girls is a key contributor to housing need (and vice versa), this has not substantially informed or influenced the planning of housing interventions to resolve housing need.¹⁴¹ Research consistently shows that in addition to core housing need, Indigenous women and mothers often face unique burdens to regaining housing stability, such as discriminatory and racist treatments by landlords and service providers.¹⁴² For example, a recent report on discriminatory housing practices against Indigenous women in Vancouver included: “discrimination by landlords who refuse to rent to Indigenous women on social assistance; illegal rent increases; substandard or no

maintenance; negligence from staff and management; building staff who extort sex in exchange for maintenance services; constant bedbug, mould, and rat infestations; shared bathrooms and kitchens with no privacy; poor sanitation; illegal entry into suites; illegal rules such as not being allowed to use the backyard or not being allowed to have guests; room checks and curfews; requiring guest identification; being renovicted or demovicted; refusal to return security deposits; and evictions without cause.”¹⁴³

Colonial structures that uphold public systems often means that the unique needs of Indigenous women, girls and gender diverse people are not well-supported in housing and homelessness services. Limited access to funding from government and other sources for Indigenous-led anti-violence and housing services, particularly the kind of stable, multi-year funding that is needed, is an underlying condition for the lack of access to safety and shelter for Indigenous women, girls, and Two-Spirit people in Canada.¹⁴⁴

The experiences and resiliency of Indigenous women, girls, and gender diverse people experiencing housing need, homelessness, and violence has been well documented in research by Indigenous scholars and communities. The Federal Housing Advocate must avail themselves of all available research conducted by and for Indigenous Peoples themselves in order to best understand the unique and diverse housing challenges that First Nations, Inuit, and Métis Peoples face in Canada. These texts should be read alongside *Reclaiming Power and Place: The*

140 Amnesty International. (2014). *Violence against indigenous Women and girls in Canada*. https://www.amnesty.ca/sites/amnesty/files/iwfa_submission_amnesty_international_february_2014_-_final.pdf

141 Bingham, B., Moniruzzaman, A., Patterson, M., Sareen, J., Distasio, J., O'Neil, J., Somers, J.M. (2019). Gender differences among Indigenous Canadians experiencing homelessness and mental illness. *BMC Psychology*, 7(57), 1-12. <https://doi.org/10.1186/s40359-019-0331-y>

142 Martin & Walia, 2019.

143 Martin & Walia, 2019, p. 20.

144 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019, p. 579.

*Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*¹⁴⁵ and *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*.¹⁴⁶

“We call upon all governments to support the establishment and long-term sustainable funding of Indigenous-led low-barrier shelters, safe spaces, transition homes, second stage housing, and services for Indigenous women, girls, and 2SLGBTQIA people who are homeless, near homeless, dealing with food insecurity, or in poverty, and who are fleeing violence or have been subjected to sexualized violence and exploitation.”

-National Inquiry into Missing and Murdered Indigenous Women and Girls (2019, p. 182)

Violent Victimization on the Street

In the largest pan-Canadian study on youth homelessness to date (Gaetz et al., 2018), women and gender diverse youth experienced disproportionate levels of violence in the previous 12 months:

- 37.4% of young homeless women experienced a sexual assault, compared to 8.2% of young homeless men
- 41.3% of trans and gender non-binary homeless youth experienced sexual assault
- 35.6% of LGBTQ2S+ homeless youth experienced a sexual assault, compared to 14.8% of straight homeless youth

Women, Young Women, and Children Experiencing or Fleeing Violence

Violence is both a cause and a consequence of homelessness and housing precarity for many women, girls, children, and gender diverse people. Data collected during the 2016 Point-in-Time Count by the federal government indicated that almost a quarter of the women surveyed listed domestic violence as a key contributing factor in their most recent loss of housing.¹⁴⁷ The findings presented in the next chapter suggest that this rate is likely higher (see Section 4). Nonetheless some studies show that women may feel safer remaining in an abusive or violent relationship rather than facing violence in a homeless shelter or on the streets.¹⁴⁸

Although we know that women and children leaving abusive and violent situations require affordable and appropriate long-term housing options, the most recent national data indicates that 78% of violence against women shelters in Canada are short term (428 out of 552 shelters), with most offering residential supports for a period up to 3 months.¹⁴⁹ Further, many shelters only have funding to provide minimal on-site staff support to a limited number of women and children fleeing violence.¹⁵⁰

145 National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.

146 See <http://caid.ca/TRCFinExeSum2015.pdf>.

147 ESDC, 2017.

148 Watson, J. (2016). Gender-based violence and young homeless women: Femininity, embodiment and vicarious physical capital. *The Sociological Review*, 64(2), 256–273.

149 Statistics Canada, 2019.

150 Statistics Canada, 2019.

Substantial evidence is demonstrated that experiences of intimate partner violence and gender-based violence are more pronounced in the lives of Indigenous women and girls, and often a route into homelessness and housing precarity.¹⁵¹ Despite this, over 70% of northern reserves have no safe houses or emergency shelters for women and their children escaping violence, even though data indicates rates of gender-based violence are particularly high in many of these communities (e.g., the territories).¹⁵² Indigenous-run housing, shelters, and drop-ins for women experiencing or fleeing violence in urban spaces are similarly scarce.¹⁵³ In the context of rising intimate partner violence during the pandemic,¹⁵⁴ the absence of supports and shelters for persons experiencing violence must be urgently addressed.

“Lots of nights I just walked around all night because it made me feel in control. I never drank by myself. I was straight all the time except when I interacted with others. I never panhandled for money to drink or do drugs. I panhandled to eat. And as I walked at night I could always tell when a creep spotted me, because they would start circling the block in their car trying to find out where I went, and every time I’d just find somewhere to hide until they left the area... And I always remember the one prevailing thought I always carried was, ‘Does anybody care?’”

-Michelle G., quoted in MMIWG, 2019, p. 595

Newcomer Women, Girls, and Gender Diverse People

Stable housing is crucial to facilitating the successful settlement of newcomers. National data indicates that women who are newcomers or refugees are much more likely to be in core housing need. According to data from the 2011 National Household Survey (NHS) and the 2016 Census, the rate of core housing need in 2016 among recent refugee-led households was 49.0%, more than double that of other recent immigrant-led households (24.2%), and significantly more than that of Canadian-born populations.¹⁵⁵ These rates are linked to the high levels of racial and discrimination in private rental markets.

A recent report by the Advocacy Centre for Tenants Ontario found that racialized newcomer communities are a particular target for mistreatment and exploitation by landlords. For example, shelter staff reported: “We have a lot of women at the shelter who are newcomers, they don’t speak the language [and] landlords get them to sign papers they don’t understand.”¹⁵⁶

The National Housing Strategy acknowledges the vulnerability of immigrant and refugee women, and states that the Community-Based Tenant Initiative is expected to aid them in the search for “suitable housing and provide

151 Martin & Walia, 2019. See also National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.

152 Martin & Walia, 2019.

153 Martin & Walia, 2019.

154 See <https://www.cbc.ca/news/canada/toronto/domestic-intimate-partner-violence-up-in-pandemic-1.5914344>

155 Shan, R. (2019). *Recent refugee housing conditions in Canada*. http://publications.gc.ca/collections/collection_2019/schl-cmhc/nh70-1/NH70-1-7-2019-eng.pdf.

156 Advocacy Centre for Tenants Ontario. (2016). *Access to Justice: The Case for Ontario Tenants*. Toronto, ON: ACTO. p. 62. https://www.acto.ca/production/wp-content/uploads/2017/07/TDCP_Report_2016.pdf.

them with more information to negotiate tenancy agreements.¹⁵⁷ While undoubtedly helpful, such programs are less likely to address the racist attitudes of many landlords documented by the Ontario Human Rights Commission, including assumptions that newcomers “won’t pay their rent, are sponging off the system, are terrorists, have too many children, or are violent.”¹⁵⁸

According to the 2016 census, refugee households experience four times the incidence of core housing need as compared to non-immigrant households.

Newcomer women and women-led families similarly face disproportionate rates of poverty, with studies showing that newcomer women consistently earn less than Canadian-born women.¹⁵⁹ Low incomes and low social assistance rates often do not cover living expenses for newcomer families,¹⁶⁰ and the one-year Refugee Assistance Program is often not long enough for some newcomers to gain employment and self-sufficiency.¹⁶¹ Additional barriers to accessing housing include landlords’ refusal to rent to

tenants in receipt of social assistance,¹⁶² or those who lack references or credit history.¹⁶³ Unsurprisingly then, one study found that crisis shelters are increasingly operating as “de facto transitional housing” for families without status and refugee claimants.¹⁶⁴

Family status immigrants face an increased risk of homelessness often due to abusive sponsors in the relationship.¹⁶⁵ Newcomer women, girls, and gender diverse peoples experience various forms of structural and interpersonal violence including physical abuse, economic abuse, and psychological abuse making this population (specifically refugees and refugee claimants) incredibly vulnerable to experiencing homelessness and housing precarity.¹⁶⁶ Newcomer women and girls are twice as likely to cite domestic abuse as a contributing factor to their homelessness.¹⁶⁷ When newcomer women, girls, and gender diverse peoples experience homelessness, they face barriers to earning and income and housing supports. For example, refugee claimants are not entitled to federal settlement services, including IRCC-funded language training classes until they receive a positive refugee

157 National Housing Strategy, p. 25.

158 OHRC, 2008, p. 23.

159 Hudon, 2015, p. 31.

160 Fiedler, R., Schuurman, N., & Hyndman, J. (2006). Hidden homelessness: An indicator-based approach for examining the geographies of recent immigrants at-risk of homelessness in Greater Vancouver. *Cities*, 23(3), 205-216. See also Francis, J., & Hiebert, D. (2011). *Shaky foundations: Precarious housing and hidden homelessness among refugees, asylum seekers, and immigrants in Metro Vancouver*. http://mbc.metropolis.net/assets/uploads/files/Vancouver_Study.pdf. See also Walsh et al., 2012.

161 Francis & Hiebert, 2011. See also OCASI (Ontario Council of Agencies Service Immigrants). (2017). *Refugee settlement pilot project report: For immigration, refugees and citizenship Canada*. http://wiki.settlementatwork.org/uploads/Refugee_Settlement_Pilot_Project_Report_March_2017.pdf

162 OHRC, 2008.

163 Newbold et al., 2011.

164 Paradis, E., Novac, S., Sarty, M., & Hulchanski, J.D. (2008). *Better off in a shelter? A year of homelessness & housing among status immigrant, non-status migrant, and Canadian-born families*. <https://www.homelesshub.ca/sites/default/files/attachments/4.2%20Paradis%20et%20al%20-%20Better%20off%20in%20a%20shelter.pdf>

165 Canadian Council on Social Development [CCSD] (no date). *Domestic violence in sponsor relationships among immigrant and refugee women and its links to homelessness: Implications for service delivery*. Vancouver: Housing and Homelessness Branch, Human Resources and Social Development Canada.

166 Refugees are individuals forced to flee from persecution and who are located outside of their home country, while refugee claimants are individuals who have fled their country and are asking for protection in another. See Canadian Council for Refugees. *Refugees and Immigrants: A glossary*. <https://ccrweb.ca/en/glossary>.

167 Employment and Social Development Canada, 2017.

determination.¹⁶⁸ They also face low social assistance rates that do not cover living expenses;¹⁶⁹ lack of recognition of foreign credentials which forces newcomer women to earn below their education and experience;¹⁷⁰ lack of mental health supports to address trauma associated with migration experiences,¹⁷¹ and; language barriers and lack of social support cause difficulties for refugee claimants to seek out settlement support and housing help centres.¹⁷² Uniquely among newcomer women, this population is more likely to survive by working in the shadow economy. For instance, women who migrate to Canada who work as live-in caregivers are forced to tolerate abuse from their employer due to fear of deportation.¹⁷³

LGBTQ2S+ Communities and Gender Diverse People

1 in 3 trans youth will be rejected by a homeless shelter on the basis of their gender identity or expression

(Abramovich, 2018)

Transwomen, Transmen, Two-Spirit, gender diverse, and LGBTQ people experience higher rates of homelessness, unique pathways into homelessness, and distinct challenges when attempting to access emergency shelter and find long-term affordable housing. These challenges are rooted in deeply engrained discrimination in Canadian society. Research shows that gender diverse, Two-Spirit, and LGBTQ+ people encounter

discrimination, traumatic experiences of violence, and stigmatization at significantly higher rates than those who identify as cisgender and heterosexual.¹⁷⁴ Systemic inequities, intersecting with experiences of discrimination and trauma, undermine housing stability for this group.

There are limited services and supports available to address homelessness and housing need for gender non-conforming and LGBTQ2S+ peoples.¹⁷⁵ For example, recent data gathered from a national survey has indicated that there are limited shelters (53%) within the violence against women sector that provide residential to support to gender non-conforming people.¹⁷⁶ Studies in the homelessness sector have similarly demonstrated a distinct lack of shelter or services for people who fall outside of the gender binary.¹⁷⁷

168 CCPA (Canadian Centre for Policy Alternatives). (2019). *No time to lose: Alternative federal budget 2019*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2018/09/AFB%202019.pdf>

169 Fiedler et al., 2006.

170 CCPA (Canadian Centre for Policy Alternatives), 2019.

171 OCASI (Ontario Council of Agencies Service Immigrants). (2017). *Refugee settlement pilot project report: For immigration, refugees and citizenship Canada*. http://wiki.settlementatwork.org/uploads/Refugee_Settlement_Pilot_Project_Report_March_2017.pdf

172 Hiebert, D. (2011). *Precarious housing and hidden homelessness among refugees, asylum seekers, and immigrants in Montreal, Toronto, and Vancouver: Introduction and synthetic executive summary*. http://mbc.metropolis.net/assets/uploads/files/precarious_housing_NATL%20SUMMARY.pdf

173 McCuaig, K., & McWhinney, T. (2017). *The early childhood education and care workforce*. https://www.criaw-icref.ca/images/userfiles/files/ECECWorkforce_Accessible.pdf

174 Bucik, A. (2016). *Canada: Discrimination and violence against lesbian, bisexual, and transgender women and gender diverse and two spirit people on the basis of sexual orientation, gender identity and gender expression*. Egale Canada. https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CAN/INT_CEDAW_NGO_CAN_25380_E.pdf

175 Abramovich, A. (2017). Understanding how policy and culture create oppressive conditions for LGBTQ2S youth in the shelter system. *Journal of Homosexuality*, 64(11), 1484-1501.

176 Statistics Canada, 2019.

177 Abramovich, 2017.

A growing body of research has identified some of the unique causes that lead to homelessness for gender diverse people and LGBTQ2S+ communities, including family rejection, gender-based/sexuality-based forms of violence, and systemic discrimination.¹⁷⁸ Other studies have shown that systemic exclusion in many key domains of life, including work, home and school, undermines housing stability for these groups.¹⁷⁹ Once on the streets, these groups experience disproportionate levels of violence compared to others groups, often linked to homophobia and transphobia.¹⁸⁰

Research on housing precarity and homelessness amongst transwomen remains limited. Nonetheless, available research shows:

- A significant number of transwomen face violence, transphobia, and family rejection at home, and may be forced to leave or be kicked out at a young age, increasing their chances of experiencing homelessness and poverty¹⁸¹
- Transwomen experience discrimination in social services¹⁸² and employment,¹⁸³ contributing to their risk of experiencing housing precarity
- Young transwomen in precarious housing face systemic barriers to accessing mental health and health care¹⁸⁴
- A Toronto-based study on transwomen experiencing homelessness found that “Violence was often both a cause and a consequence of homelessness for women/transwomen. Many women/transwomen on the streets have survived waves of violence and abuse since childhood, which were not only traumatizing, but also made them more susceptible to future violence.”¹⁸⁵

Further research is needed to better understand transwomen’s experiences within public systems and how these intersect with their housing status, as well as on experiences of exclusion and violence in the homelessness sector and the VAW sector.¹⁸⁶

While there is limited research that focuses specifically on transmen who experience homelessness, available data suggests that many VAW shelters are not prepared to accommodate transmen and trans-masculine persons within their services, including second-stage and transitional housing.¹⁸⁷ Findings suggest that transmen are often required to present as feminine in order to access women-serving systems, which puts this population in a

178 Schwan et al., 2020.

179 Sakamoto, I., Chin, M., Chapra, A., & Ricciardi, J. (2009). A ‘normative’ homeless woman?: Marginalization, emotional injury and social support for transwomen experiencing homelessness. *Gay and Lesbian Issues & Psychology Review*, 5(1), 2-19.

180 Abramovich, 2012.

181 Koken, J. A., Bimbi, D. S., & Parsons, J. T. (2009). Experiences of familial acceptance – rejection among transwomen of color. *Journal of Family Psychology*, 23(6), 853-860.

182 Sakamoto et al., 2009.

183 Bauer, G. R. & Scheim, A. I. (2015). *Transgender people in Ontario, Canada: Statistics from the Trans PULSE Project to inform human rights policy*. Trans Pulse. <http://transpulseproject.ca/wpcontent/uploads/2015/06/Trans-PULSE-Statistics-Relevant-for-Human-Rights-Policy-June-2015.pdf>. See also Logie, C. H., James, L., Tharao, W., & Loutfy, M. R. (2012). “We don’t exist”: A qualitative study of marginalization experienced by HIV-positive lesbian, bisexual, queer and transgender women in Toronto, Canada. *Journal of the International AIDS Society*, 15, 1-11.

184 See Johns, E. A., Jin, H., Auerswald, C. L., & Wilson, E. C. (2017). Sociodemographic factors associated with trans* female youth's access to health care in the San Francisco Bay area. *Journal of Adolescent Health*, 61(2), p. 2.

185 Sakamoto, 2009, p. 15.

186 Schwan et al., 2020.

187 The FTM Safer Shelter Project Research Team. (2008). *Invisible men: FTMs and Homelessness in Toronto*. Wellesley Institute, Toronto, ON. <https://www.wellesleyinstitute.com/wp-content/uploads/2011/11/invisible-men.pdf>

precarious situation of having to choose between realizing their gender identity or meeting their basic needs. The majority of transmen (61%) who participated in a Toronto-based research project stated they actively avoided the shelter system, noting a lack of safety as the primary reason for avoiding shelters when experiencing homelessness. In addition to safety issues, transmen report a lack of existing safety and privacy in existing all-gender shelter spaces where there are shared sleeping spaces and bathrooms (including barriers to privacy for administering hormones).¹⁸⁸ Transmen and trans-masculine people are more likely to choose to sleep outside, couch-surf, or stay in sub-standard housing, which further pushes this population into situations of hidden homelessness. Some of the key recommendations from this report center around the need to mobilize lived-expert and community expertise to break down the gender-binary of the emergency shelter system, and to ensure that both women-serving and male-serving organizations are better equipped to support transmen in need of emergency shelter and support, including through improved staff training.¹⁸⁹

Advocates and researchers have consistently articulated that ending homelessness for LGBTQ2S+ and gender diverse populations will require a move away from classifying service eligibility along the gender binary, in addition to developing housing-specific services that are gender-affirming, non-discriminatory, and initiated, organized, and led by people who are LGBTQ2S+ and gender non-conforming.¹⁹⁰

Women, Girls, and Gender Diverse People Living with Disabilities

“Having a disability is associated with hidden homelessness. Out of the 7.2 million Canadians aged 15 and over who reported having a disability, 13% also reported having experienced hidden homelessness, compared with 6% of Canadians without a disability. With regard to the different types of disabilities, those who reported having a mental or psychological illness (21%) or a learning disability (20%) had the highest likelihood of also reporting an experience of hidden homelessness.”

(Rodrigue, 2016, n.p.)

Research gathered through Statistics Canada paints a grim picture of the housing inequities experienced by women living with disabilities in Canada, noting that nearly half (46%) of all Canadian women who report having experienced homelessness are living with a disability.¹⁹¹ Further research demonstrates that women with disabilities are twice as likely to experience homelessness than women who do not identify as having a disability.¹⁹² The findings reported in the next chapter suggest these numbers may be even higher.

While these statistics are startling, they are not surprising in lieu of the unique and profound systemic barriers that perpetuate homelessness and infringe on the right to housing for women living with disabilities in Canada.

Studies across Canada have shown that the current rates of financial assistance (disability support programs) for those living with disabilities in Canada are rarely enough to afford recipients with access to adequate housing and a decent quality of life.¹⁹³

188 The FTM Safer Shelter Project Research Team, 2008.

189 The FTM Safer Shelter Project Research Team, 2008.

190 Abramovich, 2017.

191 Cotter et al., 2018.

192 Cotter et al., 2018.

193 For a review of these studies, see Schwan et al., 2020.

There are also systemic barriers that exist within housing and homelessness systems that make access to emergency shelter difficult for people with disabilities. For example, a DAWN Canada study reports that only 75% of homeless shelters have a wheelchair accessible entrance, 66% provide wheelchair accessible rooms and bathrooms, 17% provide sign language, and 5% offer braille reading materials.¹⁹⁴

Limited research has been done that specifically focuses on the intersection of homelessness and housing need for women and girls' living with a disability, and almost no research to date on gender diverse people's experiences. There is an urgent need for intersectional research approaches to better understand the systemic barriers that complicate the right to housing for women and gender-diverse people living with disabilities.¹⁹⁵

Racialized Women, Girls, and Gender Diverse People

While research consistently demonstrates greater core housing need and poverty amongst racialized people in Canada, the research on homelessness amongst racialized women, girls, and gender diverse people remains underdeveloped and sorely needed.¹⁹⁶ National census data from 2016 indicates that one-quarter of Black women in Canada live below the poverty line.¹⁹⁷ Unemployment rates among Black women were twice the rate of non-racialized women (12.2% vs. 6.4%), even though labour participation was higher.¹⁹⁸ In the General Toronto Area (GTA), working poverty amongst Black women was indicated at 10.5%, more than twice the rates for white male workers (4.8%) and white female workers (4.7%).¹⁹⁹ Such statistics demonstrate many Black women and women-led families are disproportionately impacted by the feminization of poverty and at a significant disadvantage when attempting to access housing in the current market. This is reflected in the 2018 Canada Housing Survey data, which indicates that racialized groups were twice as likely to experience housing disadvantage compared to other groups.²⁰⁰ Among homeless populations, 28.2% of those experiencing youth homelessness are part of racialized communities as compared to the average of 19.1%.²⁰¹

194 Alimi, S., Singh, S., & Brayton, B. (2018). Parliamentary Brief A Brief Prepared for the Standing Committee on the Status of Women in Canada (FEWO) for their Study of the System of Shelters and Transition Houses in Canada. <https://www.ourcommons.ca/Committees/en/FEWO/StudyActivity?studyActivityId=10236420>

195 Schwan et al., 2020.

196 Schwan et al., 2020.

197 Statistics Canada, 2017.

198 Block, S., Galabuzi, G. E., & Tranjan, R. (2019). *Canada's Colour Coded Income Inequality* (Report No. 978- 1-77125-478-6). Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/sites/default/files/uploads/publications/National%20Office/2019/12/Canada%27s%20Colour%20Coded%20Income%20Inequality.pdf>

199 Stapleton, J. (2019). *The Working Poor in the Toronto Region: A closer look at the increasing numbers*. Metcalf Foundation. <https://metcalfoundation.com/site/uploads/2019/11/Working-Poor-2019-NEW.pdf>

200 Canadian Housing Survey, 2018.

201 See <https://homelesshub.ca/blog/too-little-too-late-reimagining-our-response-youth-homelessness-canada>.

Women and gender diverse people impacted by mental health and substance use

Living with significant addiction and/or mental health concerns perpetuates experiences of homelessness and complicates prospects for housing stability for women, girls, and gender diverse people. Research indicates there is a strong link between mental health and substance use; mental illness can be a facilitator to, or consequence of, engaging in substance use.²⁰² Experiences with mental illness and substance use can co-occur for individuals experiencing homelessness.²⁰³ Living with co-occurring conditions creates barriers to exiting homelessness and adds another layer of difficulty for women and gender diverse people attempting to navigate the complex system of available housing and supports.

There is a vast amount of evidence that speaks to the relationship between histories of trauma and substance use, including for women and gender diverse people with histories of violence and abuse.²⁰⁴ However, there are limited gender-specific housing and support services that meaningfully address mental health, addiction, and trauma.²⁰⁵ Emergency shelters and housing programs are under-resourced and often ill-equipped to support women and gender diverse persons who are living with active addiction and/or with persistent mental health issues. Being barred or service restricted from emergency shelter for living with an addiction and/or mental health issue is often common practice, contributing to exposure to violence for women and gender diverse people.²⁰⁶ In the absence of a more robust systemic response to the distinct housing and support needs of this population, women, girls and gender-diverse people who experience mental health concerns and addiction will continue to suffer some of the most severe forms of housing exclusion.

Older Women and Gender Diverse People

As the Canadian population ages, the majority of the country's eldest seniors will be women.²⁰⁷ Currently older women (65+) who live alone are one of the fastest growing demographic groups facing housing insecurity and homelessness in Canada.²⁰⁸ Available data shows that over 27% of older women living alone are currently experiencing core housing need,²⁰⁹ as are 21% of senior, women-led households.²¹⁰ These rates are higher for

202 Nordentoft, M., Wandall-Holm, N. (2003). 10 Year Follow Up Study of Mortality Among Users of Hostels for Homeless People in Copenhagen. *BMJ*, 327(7406), 81-83.

203 To, M. J., Palepu, A., Matheson, F. I., Ecker, J., Farrell, S., Hwang, S. W., & Werb, D. (2016). The effect of incarceration on housing stability among homeless and vulnerably housed individuals in three Canadian cities: A prospective cohort study. *Canadian Journal of Public Health*, 107(6), 550-555.

204 Carroll, J. J., & Trull, L. A. (2001). Drug-Dependent Homeless African-American Womens Perspectives of Life on the Streets. *Journal of Ethnicity in Substance Abuse*, 1(1), 27-45.

205 Ahmed, R. A., Angel, C., Martell, R., Pyne, D., & Keenan, L. (2016). The impact of homelessness and incarceration on women's health. *Journal of Correctional Health Care*, 22(1), 62-74. See also Boyd, J., Collins, A. B., Mayer, S., Maher, L., Kerr, T., & McNeil, R. (2018).

Gendered violence and overdose prevention sites: a rapid ethnographic study during an overdose epidemic in Vancouver, Canada. *Addiction*, 113(12), 2261-2270; Nyamathi, A. M., Salem, B. E., Hall, E., Oleskowitz, T., Ekstrand, M., Yadav, K., . . . Faucette, M. (2017). Violent Crime in the Lives of Homeless Female Ex-Offenders. *Issues in Mental Health Nursing*, 38 (2), 122-131. doi:10.1080/01612840.2016.1253807

206 Schwan et al., 2020.

207 Hudon, T. & Milan, A. (2016). *Senior Women*. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/14316-eng.htm>

208 Whitzman & Desroches, 2020.

209 Canada Mortgage and Housing Corporation, 2019.

210 Prentice, J. & Simonova, E. (2019). *Housing Conditions of Female-Led Households*. CMHC – SCHL. <http://publications.gc.ca>

21% of senior, women-led house-holds in Canada are in core housing need.

(Prentice & Simonova, 2019)

Indigenous seniors, racialized seniors, and immigrant and newcomers, with some studies showing that more than 90% of Indigenous seniors in Toronto aged 65 and older live in poverty.²¹¹

Aging Canadians are in a uniquely vulnerable position when it comes to accessing affordable housing, and CMHC (2019a) data on core housing need demonstrates that low-income women living alone experience high incidences of core housing need. Many senior women face economic insecurity that stems from limited

pensions, minimal retirement savings, and/or the socio-economic consequences of widowhood. The intersection of a lack of affordable housing, lack of rent control in the housing market, the physical inaccessibility of housing for older persons, the inadequacy of social housing all contribute to a precarious state of housing for older women.²¹²

Senior women are also not well served in city shelters, drop-in programs, and existing housing programs, as they often need specialized care and services.²¹³ Senior women require both a safe place to call home, and a unique set of resources to address their health, social, and financial support needs. In 2001, the Ontario Human Rights Commission published a report focused on advancing human rights for older female Ontarians.²¹⁴ This report highlighted the principle of aging in place by providing permanent and appropriate housing options that are designed to address current needs, while also being flexible enough to accommodate future accessibility-related concerns in housing.

Importantly, COVID-19 has exposed the severe housing rights violations experienced by older women and gender diverse people living in long-term care homes – particularly those that are for-profit. Studies demonstrate that outbreaks of COVID-19 are more likely in for-profit than not-for-profit long-term care homes.²¹⁵ Higher fatalities in for-profit homes are underpinned by the growing financialization of long-term care facilities in Canada - where profits are pursued at the expense of quality operation of care facilities.²¹⁶ Specifically in Ontario in 2020, “...financial operators (REITs, private equity and institutions) had higher death rates than other for-profits, with 30% of beds and 48% of Ontario long-term care deaths.”²¹⁷ Further rights-focused research is needed on older women’s experiences in this form of housing.

The Ontario Human Rights Commission has advised that actualizing the right to housing for senior women requires developing housing along a continuum of care so that older persons are not required to continually move as their abilities change.²¹⁸ This includes making a substantial investment in supportive housing, nursing homes, and subsidized seniors-only housing in both urban and rural areas. This would improved the ability of older women facing housing challenges to be sustainably housed within their own community.

211 Social Planning Toronto, 2020.

212 Ontario Human Rights Commission. (n.d.). *Housing as a Human Right*. OHRC. <http://www.ohrc.on.ca/en/right-home-report-consultation-human-rights-and-rental-housing-ontario/housing-human-right#fn3>

213 Fred Victor, n.d.

214 Ontario Human Rights Commission, 2001.

215 Stall, N. M., Jones, A., Brown, K. A., Rochon, P. A., & Costa, A. P. (2020). For-profit long-term care homes and the risk of COVID-19 outbreaks and resident deaths. *Cmaj*, 192(33), E946-E955.

216 August, M. *The coronavirus exposes the perils of profit in seniors' housing* (2020, July 26). <https://theconversation.com/the-coronavirus-exposes-the-perils-of-profit-in-seniors-housing-141915>

217 August, 2020.

218 Ontario Human Rights Commission, 2001.

Young Women and Gender Diverse People

Research consistently demonstrates the need for a unique approach to addressing youth homelessness, including the need for a prevention-focused lens that engages family, community, and the public systems that play key roles in the lives of young people (e.g., education, child welfare).²¹⁹ Studies show that many young women and gender diverse people become homeless at the intersection of family and gender-based violence, poverty, and child welfare involvement.²²⁰ The conditions of homelessness are also distinct for these groups, and often involve high rates of violence, hidden homelessness, housing discrimination on the basis of age, and age-based exclusion from services and supports.²²¹

OUTCOMES LINKED TO CHILD WELFARE INVOLVEMENT

Compared to the general population, youth with involvement in child welfare systems are:

- “Less likely to graduate high school (Barker et al., 2014; Kovarikova, 2017; Brownell et al., 2010) or enroll in post-secondary education (Provincial Advocate for Children, 2012)
- More likely to experience unemployment or be reliant on social assistance when aging out of care (Brownell et al., 2010; Barker et al., 2014; Martin & Walia, 2019)
- More likely to become young parents (Provincial Advocate for Children and Youth, 2012; Tweddle, 2007)
- More likely to be involved in the criminal justice system (Barker et al., 2014; Kovarikova, 2017) including incarceration (Provincial Advocate for Children and Youth, 2012)
- More likely to be sexually exploited or trafficked (van Berkum & Oudshoorn, 2015)
- More likely to engage in substance misuse (Barker, 2017; Barker, Kerr, Dong, Wood, & Debeck, 2017)
- More likely to experience mental health difficulties (White et al., 2011; Tweddle, 2007; Forge et al., 2018), especially those with multiple care placements (Barker et al., 2014; Representative for Children and Youth, 2016)” (Schwan et al., 2020).

Studies indicate that young women and gender diverse people who experience homelessness and core housing need are disproportionately impacted by violence as both a cause and consequence of homelessness. For many, this begins at home. Statistics Canada found that for girls and young women who had been victims of violence, nearly two thirds were victimized in their own home.²²² Fleeing violence from their home and family of origins is a

219 Gaetz, S., Schwan, K., Redman, M., French, D., & Dej, E. (2018). *The Roadmap for the Prevention of Youth Homelessness*. A. Buchnea (Ed.). Toronto, ON: Canadian Observatory on Homelessness Press. <https://www.homelesshub.ca/resource/roadmap-prevention-youth-homelessness>

220 Schwan et al. (2018). *What Would it Take? Preventing Youth Homelessness in Canada*. Toronto, ON: Canadian Observatory on Homelessness Press. <https://www.homelesshub.ca/WhatWoulditTake>

221 Gaetz et al., 2016.

222 Conroy, S. (2018). *Police-reported violence against girls and young women in Canada, 2017*. The Canadian Centre for Justice Statistics. Statistics Canada. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2018001/article/54981-eng.htm>

common route into homelessness for young women and gender diverse people.²²³ The *National Youth Homelessness Survey* (2016) reported that 73.5% of young women who are homeless report childhood experiences of abuse (compared to 53.6% for young men). Once on the streets, young women are at risk of further violence and assault, with data indicating that 37.4% of young women had experienced a sexual assault in the previous 12 months.²²⁴

Youth homelessness is deeply intertwined with the child welfare system, with studies indicating almost 60% of youth experiencing homelessness in Canada have had involvement with the child welfare system at some point in their lives.²²⁵ Based on these statistics, youth experiencing homelessness are 193 times more likely than youth in the general population to report involvement with the child welfare system.²²⁶

Women and Gender Diverse People in Conflict with the Law

Research demonstrates a bidirectional relationship between criminal justice involvement and homelessness, with criminal justice involvement often increasing housing marginalization and risk of homelessness,²²⁷ and housing precarity or homelessness increasing the chances of having negative encounters with law enforcement and the criminal justice system, particularly for those experiencing intersecting forms of marginalization.²²⁸

The relationship between criminal justice involvement and housing precarity is often unique for women, girls, and gender diverse people. Women who interact with the criminal justice system often have histories of trauma and are victims of intimate partner or family violence, and/or sexualized abuse and violence.²²⁹ These experiences also predispose women and gender diverse people to homelessness, with many factors that contribute to homelessness – such as deep poverty, discrimination, disconnection from social supports, and exclusion from services – resulting in women engaging in activities that are criminalized.²³⁰ Many women and gender diverse people experiencing homelessness may engage in criminalized activity as a means of survival. This most often takes the form of property crimes like petty theft and shoplifting, or it may involve various kinds of sex work or drug trafficking – often crimes meant to generate income.²³¹ Canadian research suggests that criminal justice

223 Gaetz et al., 2016; Schwan et al., 2018.

224 Gaetz et al., 2016.

225 Gaetz et al., 2016.

226 Nichols, N., Schwan, K., Gaetz, S., Redman, M., French, D., Kidd, S., O'Grady, B. (2017). *Child welfare and youth homelessness in Canada: A proposal for action*. Toronto, ON: Canadian Observatory on Homelessness. https://homelesshub.ca/sites/default/files/ChildWelfare-PolicyBrief-final_0.pdf

227 See Sylvestre, M.E., Blomley, N., Damon, W., & Bellot, C. (2017). *Red Zones and Other Spatial Conditions of Release Imposed on Marginalized People in Vancouver* (Research Report). Social Sciences and Humanities Research Council. See also Saddichha, S., Fliers, J. M., Frankish, J., Somers, J., Schuetz, C. G., & Krausz, M. R. (2014). Homeless and incarcerated: An epidemiological study from Canada. *International Journal of Social Psychiatry*, 60(8), 795-800.

228 See Baldry, E., Dowse, L., & Clarence, M. (2012). *People with Mental and Cognitive Disabilities: Pathways into Prison* (Background Paper for Outlaws to Inclusion Conference). School of Social Sciences and International Studies, The University of New South Wales. See also O'Grady, B., Gaetz, S., & Buccieri, K. (2011). *Can I See Your ID? The Policing of Youth Homelessness in Toronto*. Toronto, ON: JFCY & Homeless Hub.

229 Moloney, K. P., van den Bergh, B. J., & Moller, L. F. (2009). Women in prison: The central issues of gender characteristics and trauma history. *Public Health*, 123, 426-430.

230 See Allen, S., Flaherty, C., & Ely, G. (2010). Throwaway Moms: Maternal Incarceration and the Criminalization of Female Poverty. *Affilia*, 25(2), 160-172. See also Nyamathi et al., 2017.

231 Hrenchuk, C., & Bopp, J. (2007). *A little kindness would go a long way in a study of women's homelessness in the Yukon*. <https://www.homelesshub.ca/sites/default/files/attachments/A Study of Women's Homelessness in the Yukon.pdf>

involvement for women in poverty is often because: “social assistance payments are so inadequate that, women end up criminalized for doing what they must do to support themselves and their children.”²³²

Women who are impoverished and who engage in criminalized activities often become even further marginalized from housing, social and service supports, and employment opportunities, including due to intersecting factors such as intimate partner violence, engagement in transactional sex work, sexual exploitation, substance use, and limited social supports.²³³ For example, some landlords and employers require criminal record checks before granting access to housing or employment, creating further barriers for those women and gender diverse people who have been in conflict with the law.

Indigenous women are disproportionately impacted by criminalization, including as a direct result of trying to protect themselves and their children and family members from violence and victimization.²³⁴ For example, Canadian data indicates that though women are much less likely to commit a violent offence, when they do more than three quarters of those are level 1 assaults – the least serious form of assault involving verbal threats, pushing, and punching.²³⁵ These level 1 assaults often occur in the context of domestic and intimate partner relationships, where women are reacting to violence being perpetrated against them and their children.

Research also demonstrates a relationship between intergenerational homelessness and incarceration. Mothers are one of the fastest growing segments of the carceral population in Canada, with seventy percent of women serving federal sentences being mothers to children under the age of 18.²³⁶ Mothers who are criminalized are more likely to experience cycles of child apprehensions and criminalization, and these cyclical patterns are more likely in Indigenous communities because of the profound impacts of colonization, intergenerational trauma, and a lack of sufficient socio- and economic supports.²³⁷

There is a significant lack of gender-specific housing, health, and addiction supports, creating additional barriers for criminalized women and gender diverse people to have their health and social needs met. Furthermore, there are limited programs within correctional institutions that support release planning and help bridge the gap between incarceration and housing in the community. These policy failures can perpetuate situations whereby women return to situations of violence or enter into long-lasting periods of homelessness, housing precarity, and repeated incarceration upon their release.²³⁸

232 Pate, K. (n.d.). Rising Incarceration Rates Of Racialized Women. (J. Stinson, Ed.). *Rising Incarceration Rates of Racialized Women*. Policy4Women. Retrieved from https://www.criawicref.ca/images/userfiles/files/P4W_BN_IncarcerationRacializedWomen_Accessible.pdf

233 Hrenchuk & Boop, 2007.

234 Pate, n.d.

235 Pate, n.d. See also Dichter, M. E. (2013). “They Arrested Me—And I Was the Victim”: Women’s Experiences With Getting Arrested in the Context of Domestic Violence. *Women & Criminal Justice*, 23(2), 81–98.

236 Correctional Service of Canada. (2017, November 30). *Gender Responsive Corrections for Women in Canada: The Road to Successful Reintegration*. <https://www.cscsc.gc.ca/women/002002-0005-en.shtml#t13>.

237 See Lafleur, R., & O’Grady, B. “Making it on the Outside: Towards an Integrated Control Theory for Understanding the Reintegration Process.” *The Howard Journal of Crime and Justice*, 55.1-2 (2016): 42-56. See also Vecchio, 2019.

238 See Nyamathi et al., 2017. See also Ahmed, R. A., Angel, C., Martell, R., Pyne, D., & Keenan, L. (2016). The impact of homelessness and incarceration on women’s health. *Journal of Correctional Health Care*, 22(1), 62-74.

“My son is under social services. His social worker is the same social worker I had as a kid.”

- Lived expert quoted in Yukon Status of Women Council, 2006, p. 104

Women, Girls, and Gender Diverse People with Child Welfare Involvement

Research indicates there is a cyclical, intergenerational relationship between child welfare involvement and homelessness in the lives of women, girls, and gender diverse people.²³⁹ These cyclical dynamics are particularly pronounced in marginalized communities, with studies revealing profound inequities related to experiences in care, child apprehension, and housing outcomes following child welfare involvement - particularly for families of African descent and

Indigenous communities.²⁴⁰ This highlights that child welfare involvement is both a human rights issue and an equity issue central to the realization of the right to housing in Canada.

Women experiencing poverty, housing precarity, and homelessness are at increased risk of having their children apprehended, resulting in some women with children choosing to avoid services and shelters due to fear of child welfare involvement. Fear of unwanted child welfare involvement thus may contribute to hidden homelessness and push mothers into dangerous circumstances, making it more difficult to access the supports they may need to flee intimate partner violence and exit situations of homelessness.²⁴¹ For women whose children are apprehended, available research suggests an escalation in mental health struggles, trauma, stigmatization and marginalization, and an increase in substance use as a means of coping with losing their children.²⁴²

Importantly, child welfare involvement that leads to child apprehension often has a negative impact on mothers' economic and housing stability, which can contribute to homelessness. A mother whose child is apprehended loses access to the Child Tax Benefit, which can create barriers to paying rent. Additionally, if a mother and her children were living in subsidized housing, she may be required to move to a smaller unit or move out entirely because she is now considered 'over-housed.'²⁴³ Divergent and contradictory policies across public systems (e.g., child welfare, social housing, and social assistance) can make it extremely challenging for women to procure the income, social assistance, or housing supports they need to regain custody.²⁴⁴ For example, “most social assistance systems cut entitlements for a mother as soon as her child is apprehended by child welfare, putting her in a position of losing her housing (which is not easily re-established).”²⁴⁵

There is an urgent need to address the policy failures that lead to child welfare involvement, escalate the risk of this involvement for families experiencing poverty and housing precarity, and contribute to negative housing outcomes for mothers who experience interactions with the child welfare system, as well as girls and young gender diverse people who grow up within the child welfare system.

239 Schwan et al., 2020.

240 See OACAS, 2016. See also CASW (Canadian Association of Social Workers). (2018). Understanding social work and child welfare: Canadian survey and interviews with child welfare experts. https://www.caswacts.ca/sites/default/files/documents/CASW_Child_Welfare_Report_-_2018.pdf.

241 Martin & Walia, 2019. See also Maki, 2017.

242 Kenny, K. S., Barrington, C., & Green, S. L. (2005). “I felt for a long time like everything beautiful in me had been taken out”: Women's suffering, remembering, and survival following the loss of child custody. *International Drug Policy*, 26, 1158-1166.

243 Novac, S., Paradis, E., Brown, J., & Morton, H. (2006). *A visceral grief: Young homeless mothers and loss of child custody*. <http://www.urbancentre.utoronto.ca/pdfs/researchbulletins/CUCSRB34Novacetal.pdf>

244 Maki, 2017.

245 Schwan et al., 2020, p. 34.

E. Gaps in knowledge and data with respect to on housing need and homelessness amongst women, girls, and gender diverse people in Canada

The following key gaps in knowledge and data have been identified with respect to housing need and homelessness amongst women, girls, and gender diverse peoples:

National Data

- “National data on women’s experiences of hidden homelessness, including in rural, remote, and Northern communities
- Comparative accounts of policy interventions that effectively prevent homelessness for women, and the long-term impact of such interventions
- Women and gender diverse’ peoples experiences of eviction as pathways into homelessness, and effective strategies for preventing evictions that respond to the unique challenges women disproportionately face (e.g., intimate partner violence)
- Children’s experiences of homelessness and housing precarity
- Longitudinal data on housing precarity over the lifecourse for women, girls, and gender diverse peoples
- National data on the experiences of mothers who are homeless, including whether and how policies within public systems and emergency shelters may perpetuate mother-child separation
- The scale and nature of human trafficking across Canada and its intersection with homelessness and public system entanglements (e.g., criminal justice involvement)
- The unique dimensions of housing rights’ violations experienced by women, girls, and gender diverse peoples in Canada

Demographic Groups’ Distinct Experiences

- Extremely limited research on women of colour and Black women, girls, and gender diverse peoples’ experiences of housing need and homelessness
- Inadequate data on transwomen’s and transmen’s experiences of violence and exclusion within public systems, the homelessness sector, and the VAW sector, and how these experiences undermine housing stability
- Limited research on newcomer women’s experiences of homelessness, particularly with respect to intersections between public systems (e.g., social assistance) and the settlement process
- Gaps in data on the experiences of LGBTQ2S+ women and gender diverse peoples’ experiences of housing need and homelessness, including those who are pregnant or parenting
- Older women’s experiences of hidden homelessness and core housing need, including within housing circumstances such as SROs
- Research on the intersection of disability, gender, and homelessness for women and gender diverse peoples, including with respect to abelist barriers across emergency response systems

Housing & Support Services

- Lack of comparative data on supportive housing models that are effective for diverse women experiencing housing need, violence, trauma, and/or systemic oppression
- Gaps in data on where women go when they exit homeless or VAW shelters, or when they are turned away due to capacity issues
- Evaluations of programs or interventions that assist women to remain with their children when experiencing housing challenges, or assist with reunification, including through legal means
- Comparative evaluations of gender-sensitive approaches to Housing First for women and gender diverse people
- Limited research on promising gender-sensitive or women-specific approaches and practices within the homelessness sector, including with respect to services that are low-barrier and harm reduction in approach”²⁴⁶

²⁴⁶ Schwan et al., 2020, p. 274-5.

4. HOUSING CHALLENGES & INEQUITIES EXPERIENCED BY WOMEN & GENDER DIVERSE PEOPLE

In order to better understand the housing challenges, inequities, and human rights issues experienced by women and gender diverse people in Canada, the WNHHN conducted a pan-Canadian, mixed-methods survey in late 2020 and early 2021 (see Section 2 for Methodology). This section discusses 10 key themes identified during data analysis, highlighting key findings and their significance. This section reports on common experiences across a range of diverse sub-populations, seeking to present a broad picture of how gender structures experiences of housing and homelessness in Canada.

Due to the scale and depth of the data collected, an exhaustive report of findings is not presented here. In particular, it was decided by the research team that the findings related to Indigenous women and Two-Spirit Peoples deserve a distinct analytic approach led by Indigenous scholars and community members themselves. In addition, further intersectional analysis is needed to identify the unique challenges that particular groups of women and gender diverse people face when seeking adequate housing.

STUDY SAMPLE

A total of 500 women and gender diverse people participated in the survey, spanning 12 provinces and territories and 77 communities across Canada (see Figure 5).



Figure 5.
Participants by
Province &
Territory.

AGE OF PARTICIPANTS

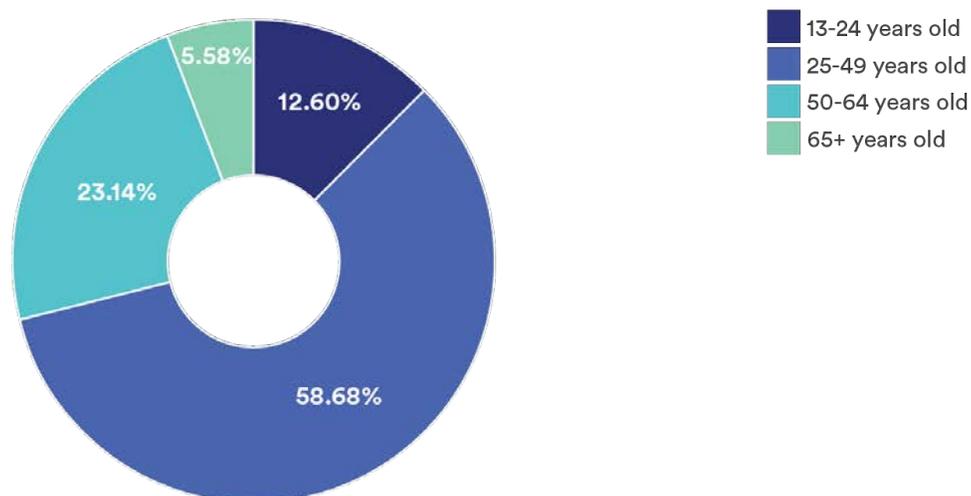


Figure 6. Age of study participants.

The sample included a fairly diverse range of ages (see Figure 6). The average age of participants was 41. With respect to gender, a majority of participants identified as cis-gender women (84.8%), with 9.6% using other terms to describe their gender identity. Only 57.6% of participants identified as heterosexual, with the remaining participants endorsing a range of sexual preferences.

SEXUAL ORIENTATION

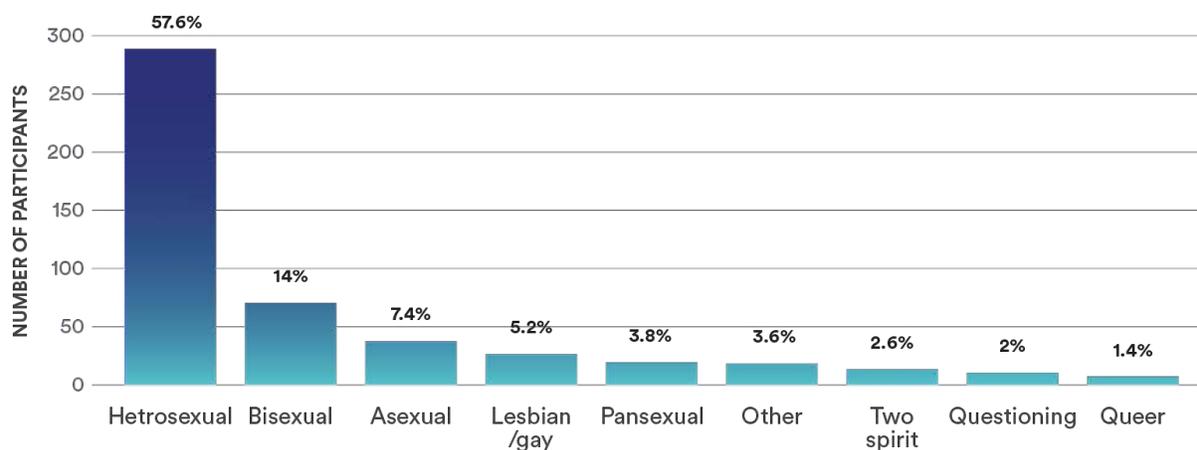


Figure 7. Sexual orientation of study participants.

Across the sample, 84.8% of participants were Canadian citizens, 6.8% were permanent residents, and 8.4% reported precarious immigration status of some form. A quarter of participants also reported speaking more than one language.

With respect to racial identity, 32.7% identified as Indigenous, 21% identified as racialized, and 46.3% identified as white. Amongst Indigenous participants, 67.5% identified as First Nations, 11% identified as Metis, 5.2% identified as Inuit, and 3.2% identifying as having mixed Indigenous heritage.²⁴⁷

It should be noted that approximately half of the study sample were persons accessing low-barrier drop-ins for women and gender diverse people, which may have skewed the results towards deeper and more complex forms of marginalization.

²⁴⁷ In addition, 5.8% reported having “other” Indigenous heritage, and 7.1% preferred not to answer.

10 Key Findings

1. Women and gender diverse people reported experiencing widespread, chronic housing affordability issues linked to low incomes. Despite this, many participants were not accessing the government benefits they would likely qualify for.

Findings reveal severe and chronic housing affordability issues for women and gender diverse people, as well as women-led families. A total of 60.2% participants reported not being able to afford a place, and 46.5% reported not being able to afford a damage deposit, moving expenses, and/or utility hookups. Importantly, 75% of participants reported at least one affordability concern, such as:

- Affordable and available places are not adequate for my children (15.2%)
- Affordable places are in bad condition (40.8%)
- Affordable and available places are not safe for me (32.8%)

PROBLEMS WITH FINDING A PLACE

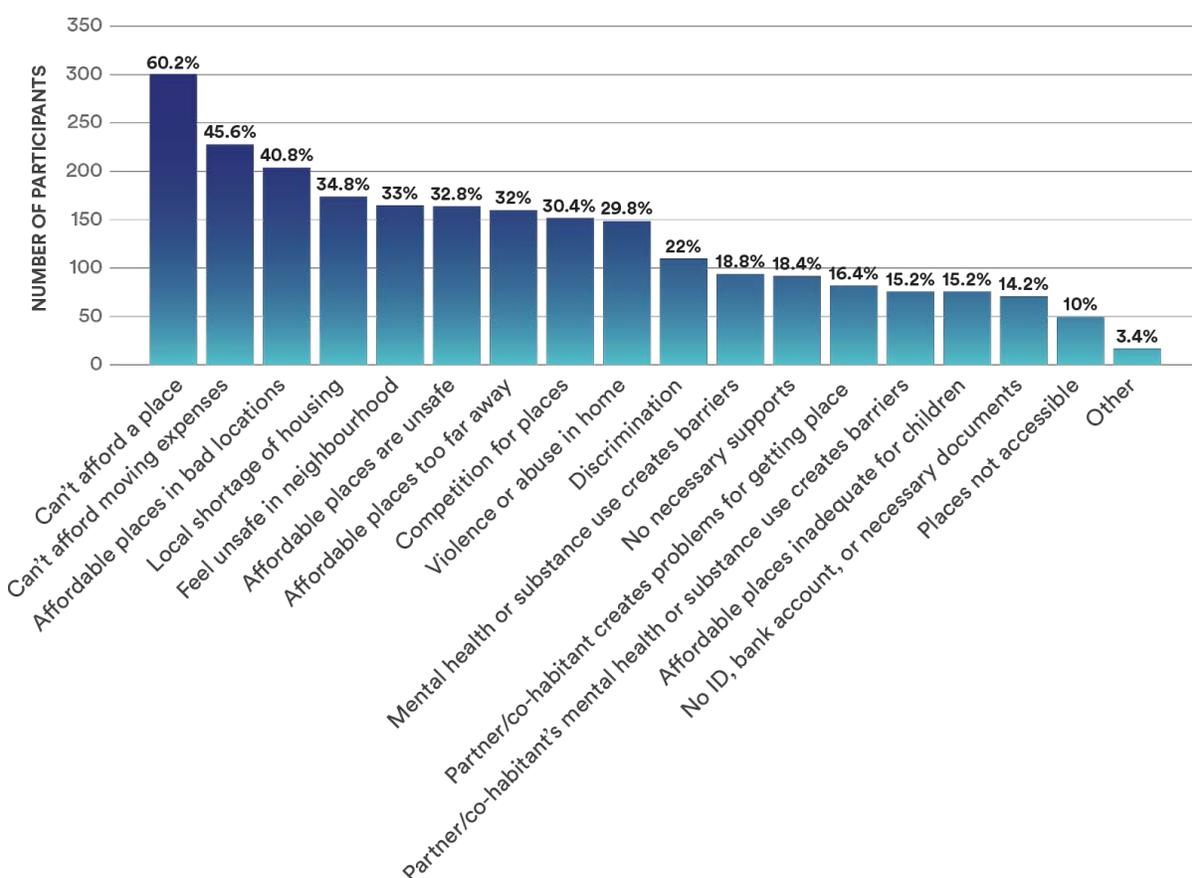


Figure 8. Problems participants faced when seeking housing.

More than a third of participants were also forced to leave their most recent housing because they couldn't afford it anymore (34.8%). Analysis further indicated the following factors were correlated with significantly greater affordability issues:

- Identifying as Indigenous
- Child welfare involvement as a child and an adult
- Multiple experiences of trauma
- Having a disability, with data indicating that with persons with multiple disabilities had a greater affordability issues

Housing affordability is intrinsically linked to income. Across the sample, only 11% reported being employed full time. A majority of the sample was receiving either social assistance or disability benefits (60.8%). Importantly, however, it appeared that many participants who qualified for such assistance were not receiving it. Among participants over 65, 40% were not receiving seniors benefits. Similarly, many persons with disabilities were not receiving disability benefits (e.g., ODSP). For participants who reported one disability, only 63.4% were receiving a disability benefit. This rate increased to 85.1% for women and gender diverse people who endorsed three or more disabilities.

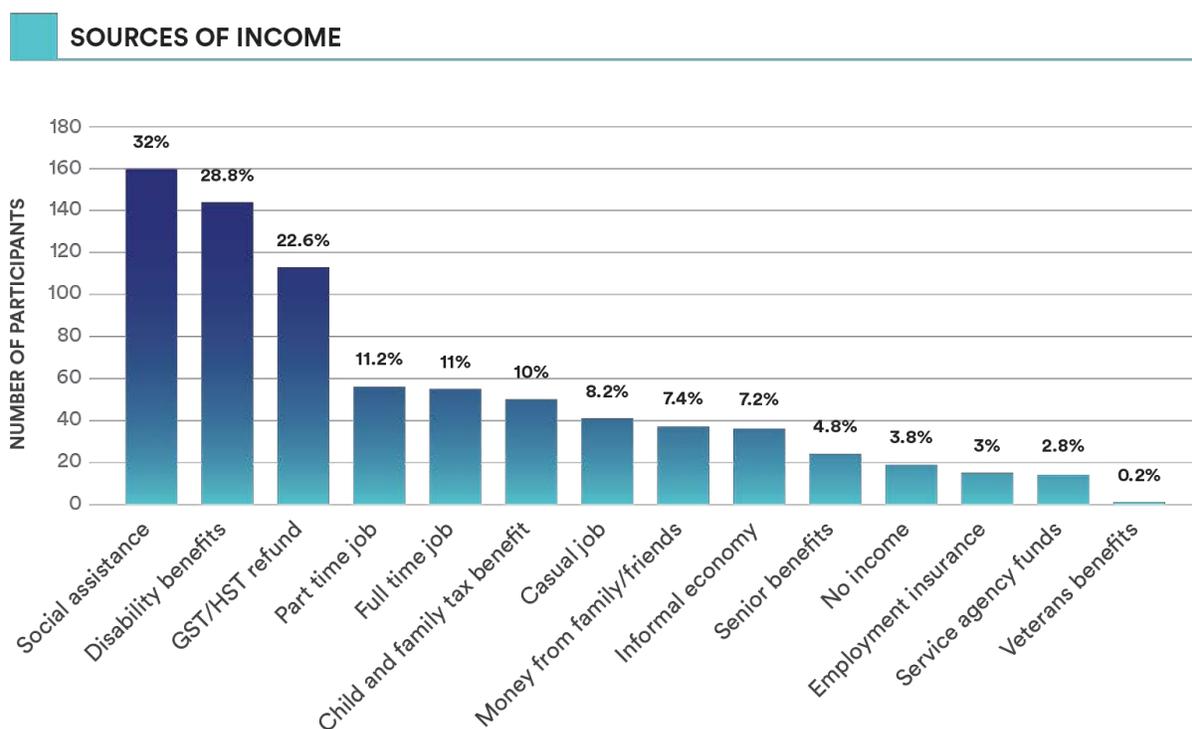


Figure 9. Participants' source of income.

2. Women and gender diverse people experience a wide ranges of housing adequacy and suitability issues, with safety issues being a common concern that undermines housing stability and leads to housing loss.

Over 70% of women and gender diverse people reported at least one problem with the condition of their current or most recent housing, and almost a third reported three or more problems. Issues included including pests (25%), the unit being too small (20.6%), and the unit being too hot or cold (19.8%). These adequacy issues were in addition to the health and safety issues identified by participants, with 52.2% reporting at least one issue and almost a third reporting more than three health and safety issues (27%). As shown in below, 27.8% percent of participants were forced to leave their most recent housing due to issues with the condition of the place.

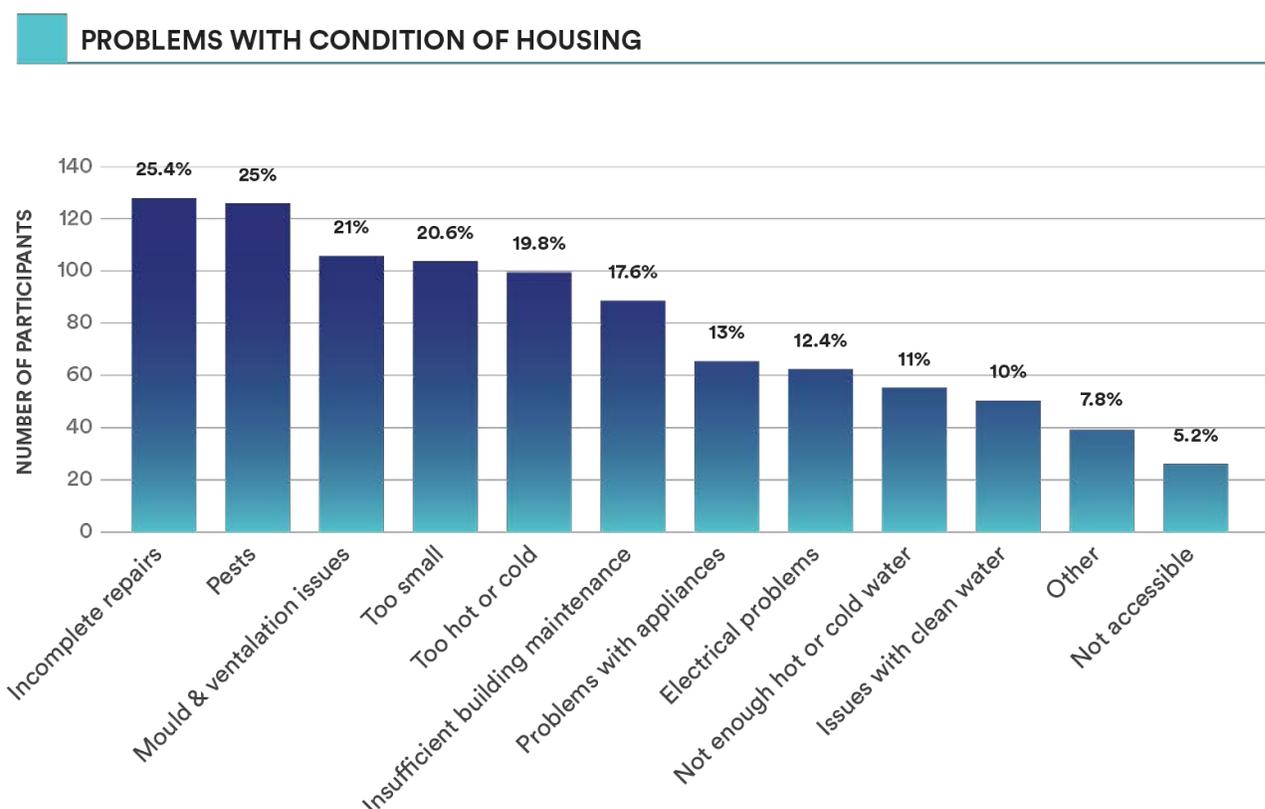


Figure 10. Problems with condition of housing.

Safety issues were particularly significant for participants, with almost half (45.8%) of women and gender diverse people reporting at least one type of safety concern within their housing. Amongst the safety issues reported, a number of participants discussed violence, abuse, or harassment from landlords. For example, one participant reports:

*“I had to leave the premises with 2 months in advance fully paid rent. My landlady was a psycho and had thrown my belongings around my room, removed my bed (which she had supplied) and made it necessary for me to sleep on a bare cement floor in a cold basement for the night. She also had removed the lightbulbs from *my* area.”*

HEALTH & SAFETY ISSUES EXPERIENCED IN HOUSING

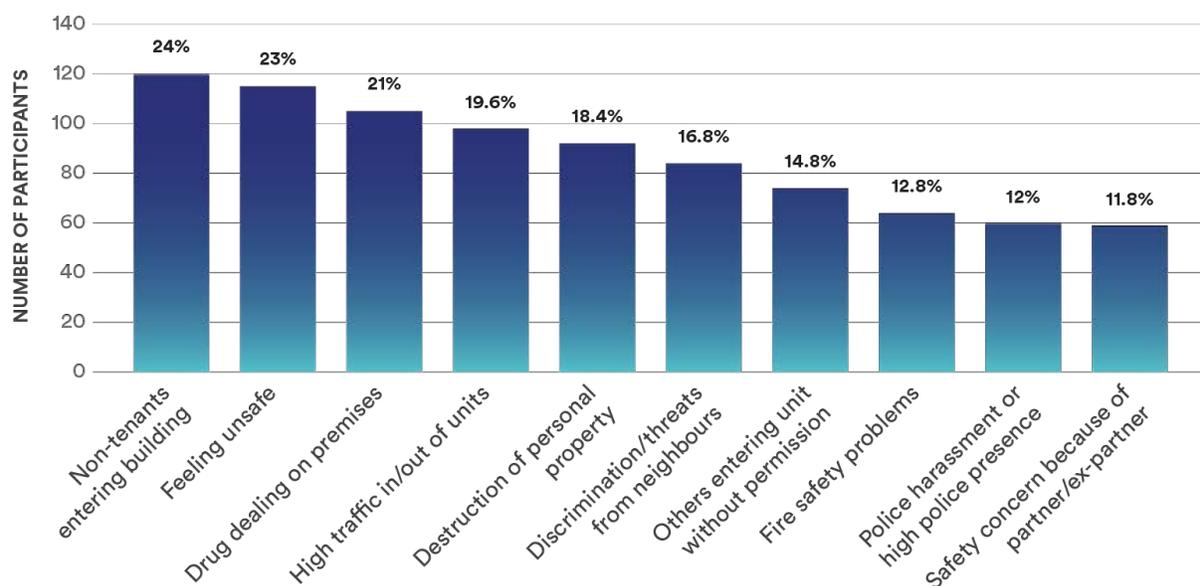


Figure 11. Health and safety issues experienced in housing.

Importantly, a third of participants (33.3%) reported that the COVID-19 pandemic had made their housing situation worse, with data indicating:

- 11% were stuck in an unsafe situation
- 11% were forced to live somewhere that was not good/healthy for them
- 8% became homeless
- 7% were forced to leave where they were living

3. The chronicity and depth of poverty amongst women and gender diverse people was linked to the insufficiency of social assistance and poorly-paid jobs. In order to survive, most participants had to engage in additional strategies to generate income each month. In many cases this contributed to increased vulnerability or debt, with over a third using credit cards, borrowing money, skipping bills, or using money marts.

The depth of the poverty many women and gender diverse people find themselves in was a significant finding of this survey, with data vividly illustrating the lengths this group goes to in order to make ends meet. Data indicated that in their current or most recent place, women and gender diverse people had an average of \$596.66 left over after paying for their housing. This amount would need to cover a range of necessities, including: food, transportation, medical necessities, necessities for children (e.g., diapers, schoolbooks), clothing, cell phone and internet access, and hygiene products, among other costs. Unsurprisingly, 61% of participants said they did not have enough money for necessities after paying for their housing, with another 22.7% reporting it depended month-to-month as to whether this amount was enough. Many reported have \$0 after paying for housing, and only 14.2% reported having enough money to cover their basic necessities after paying for housing.

Access to social assistance or social benefits (e.g., disability support programs) had a significant impact on housing stability for participants. More than 1 in 10 (12.6%) participants were forced to leave their most recent housing due to losing some form of government subsidy.

“I had stomach cancer last year. The operation cost a lot of money and I'm broke now.”

Given the depth of poverty many participants face, a majority reported engaging in a range of strategies to make ends meet. Almost a third of participants relied on food banks (30.2%) and almost 1 in 10 engaged in sex work (8.4%). On average, participants engaged in 2 additional subsistence strategies each month, and over a third of participants (33.6%) engaged in 3 or more subsistence strategies.

Importantly, analysis indicated that many participants engaged in subsistence strategies that increased their debt load. A total of 36.4% of participants used credit cards, borrowed money, skipped bills, or went to a money mart each month to afford basic necessities. Qualitative findings of the survey suggested such debts were further increased due to unexpected expenses, such as medical issues. One participant reported, “The baby was very ill last year and it ate up all my savings.”

STRATEGIES USED TO AFFORD BASIC NECESSITIES

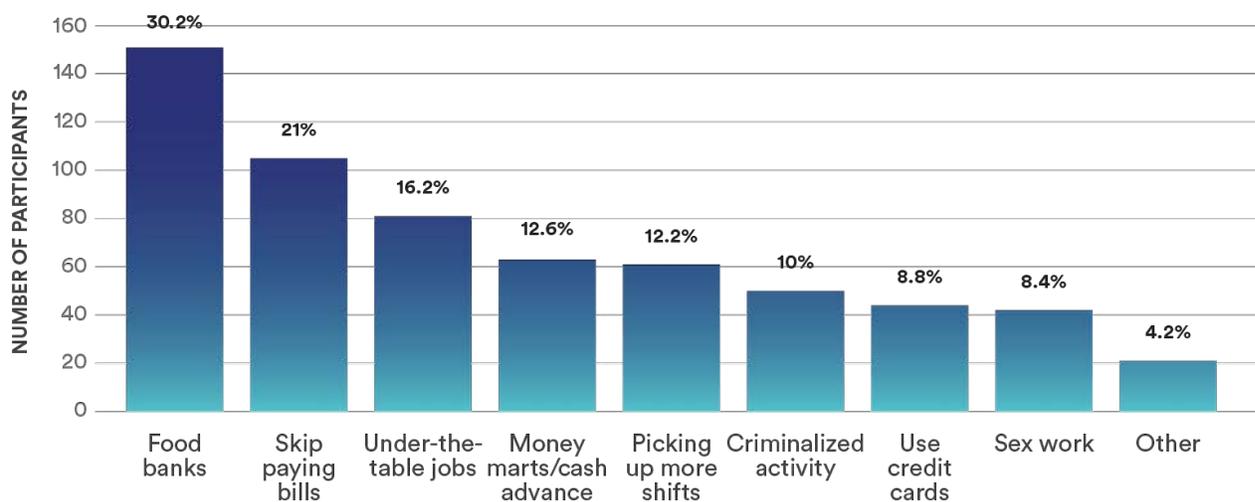


Figure 12. Strategies participants used to afford basic necessities.

COVID-19 further exacerbated poverty for some participants, with 33.6% reporting they saw a decrease in their income due to the pandemic. Analysis indicated that 14% of participants lost their jobs and 12% had their work hours reduced.

4. While eviction was a common experience amongst women and gender diverse participants, many struggled to access legal advice and supports that could have helped. The consequences of eviction were severe for many, including housing loss, homelessness, and continued exposure to abuse.

Experiences of eviction were common amongst participants, with 37.2% reporting have experienced an eviction. Analysis indicated significant correlations between evictions and a person's identity or previous experiences. Importantly, for example, there was a significant statistical relationship between histories of child welfare involvement and being evicted. Those who reported child welfare involvement as an adult, as well as those who had child welfare involvement during both childhood and adulthood, reported significantly more evictions than those with no histories of child welfare involvement. This suggests that involvement with the child welfare system makes it more likely that someone will experience an eviction.

Additional analysis indicated that the following factors were also correlated with experiencing an eviction:

- Identifying as Indigenous
- Identifying as LGBTQ2S+
- Receiving any form of government benefit
- Having multiple experiences of trauma
- Having a disability, with data indicating that with persons with multiple disabilities had a greater likelihood of experiencing eviction

It is well documented that access to legal information, advice, and representation can prevent eviction and mediate negative housing outcomes. Importantly, almost a third of women and gender diverse people (27.9%) reported needing legal help to address their housing situation but were unable to get it.²⁴⁸ When asked what happened when they were unable to access legal supports, many participants reported losing their housing or being stuck in unsafe or violent situations. Participants reported the following consequences to lack of legal supports:

- “I lost my place because I didn't have a lawyer to help me with my eviction situation so I didn't know what to do”
- “I went to see a lawyer for help when my son was 18 months old. And she told me that I was a terrible mother for doing that, and that I was trying to poison my son against his father. I had no one to babysit and no help and could not control the appointment time. I left feeling humiliated and dejected and shamed and was not able to escape for another ten years after that.”
- “I just stayed thru abuse”
- “I attempted to dispute my housing Eviction, but was denied by RTO a meeting because of a technical mistake on the deadline made by the system. Was refused a dispute.no such system helped me. I was evicted Dec 30 2019 with no notice. was given 10 minutes to leave with nowhere to go. 3 children. I reached out to an advocate which places me where I am now.”
- “I had a place to stay then had surgery, I was in the hospital for a while and because of that odsp cut me off for any funds saying I wasn't staying at my place of residence meanwhile I was in the hospital for 2 months, on life support for 1 week of in the ICU then the rest was recovery time in hospital.”

Importantly, young women and gender diverse people (age 13 to 24) reported significant challenges to accessing legal supports – more than any other age group. Across the sample, 52.2% of this group reported not being able to access legal advice or help when they needed it.

“Had baby and was in hospital when evicted.”

In participants' descriptions of evictions, it was also evident that policies and practices within public systems (e.g., child welfare, social assistance, housing, healthcare) created pathways into housing loss and homelessness for some women and gender diverse people. Several participants shared the following stories:

- “Parents refused to let me live in their place without a mental health assessment, hospital refused to completed mental health assessment because I had no address.”
- “You have to have your children ‘living with you’ in order to obtain social housing. But FCS says you have to have adequate housing in order to get your kids back.”
- “Had children apprehended so I couldn't afford the house I was currently in”
- “Got kicked out of hospital without a social worker looking for a shelter for me.”

²⁴⁸ 16% reported never needing legal advice or help.

5. Experiencing a breakup was the primary reason that women and gender diverse people lost their most recent housing. This suggests that housing for this group is deeply dependent upon maintaining a personal relationship with a man, partner, or other person.

The top reason women and gender diverse people lost their most recent housing was because of a breakup, with 47% reporting this experience. This reason outpaced all affordability issues, concerns about safety, experiences of violence, loss of income or subsidies, or poor housing conditions. This finding suggests that women and gender diverse people's security of tenure is often under the control of a romantic partner (most frequently a man), and that in order to remain housed many women and gender diverse people have to remain in a romantic relationship of some kind. Under human rights standards, women and gender diverse peoples security of tenure should not depend upon their relationship status, as explained by the UN Special Rapporteur on the Right to Adequate Housing: "The independent right of women to security of tenure, irrespective of their family or relationship status, should be recognized in national housing laws, policies and programmes."²⁴⁹

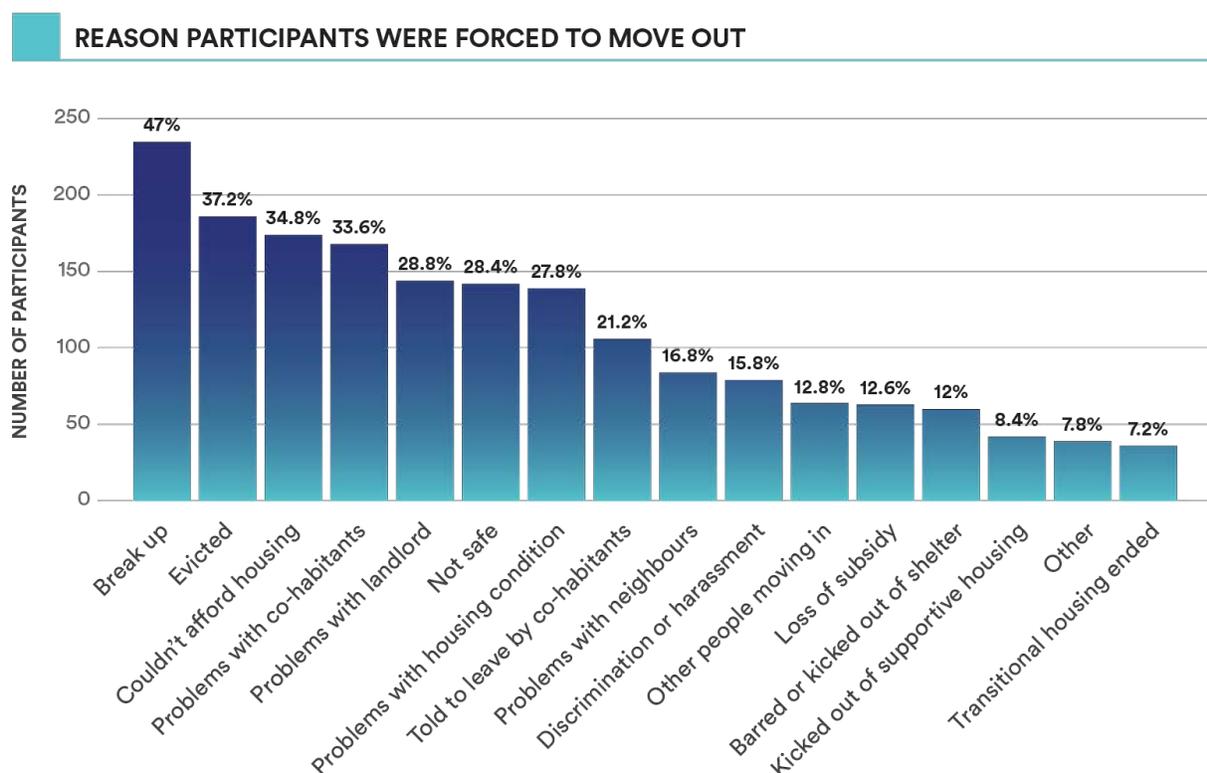


Figure 13. Reasons participants were forced to move out of their most recent housing.

Interestingly, this lack of security of tenure often intersected with issues in public system (e.g., child welfare, healthcare), sometimes creating pathways into homelessness for women. For example, participants were asked: How did the criminal justice system contribute to your homelessness?

Three participants responded:

- “No contact order and the man owned the house, i had to leave only being on a disability income.”
- “My aggressor was removed from the home but I lost my housing as a result and became homelessness.”
- “My husband went to prison and our house was auctioned off as a fine.”

6. Homelessness begins early in life for a majority of women and gender diverse people, and is often followed by a chronic, chaotic churn of precarious housing and homelessness situations.

Despite only 13% of participants being young people themselves, a majority of participants reported experiencing homelessness for the first time as a young person (55.7%). Approximately 1 in 5 participants became homeless before the age of 16, meaning that they would have likely been unable to access supports or services within the homelessness or VAW sectors. Amongst those who became homeless before 16, on average their first experience of homelessness began at age 11.

Equity-seeking groups disproportionately experienced homelessness at a younger age. For example, LGBTQ2S+ persons were more likely to experience homelessness before the age of 16, as were racialized participants. A majority of Indigenous participants (57.3%) reported experiencing homelessness for the first time as a young person (age 24 or younger), with 1 in 4 experiencing homelessness before the age of 16. Similarly disparities were reported with respect to gender, with 48.6% of gender diverse people reporting that they became homeless before the age of 16 (vs. 19.3% of cisgender women).

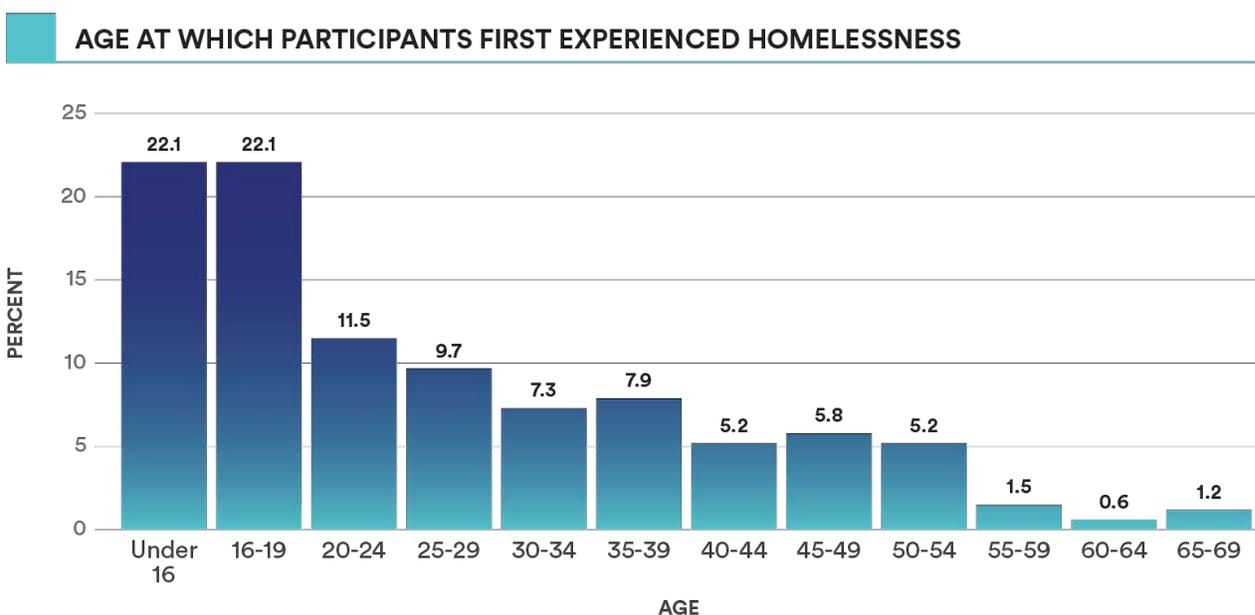


Figure 14. Age at which participants first experienced homelessness.

Once homeless, many women and diverse people reported cycling through a range of precarious housing and homelessness situations (e.g., couchsurfing, survival sex, rough sleeping, hotels/motels, residing in a shelter), with a majority experiencing three or more precarious housing situations in the last year. A majority (42.3%) spent 6 months or more in these situations over the last year.

NUMBER OF PRECARIOUS HOUSING SITUATIONS EXPERIENCED IN THE LAST YEAR

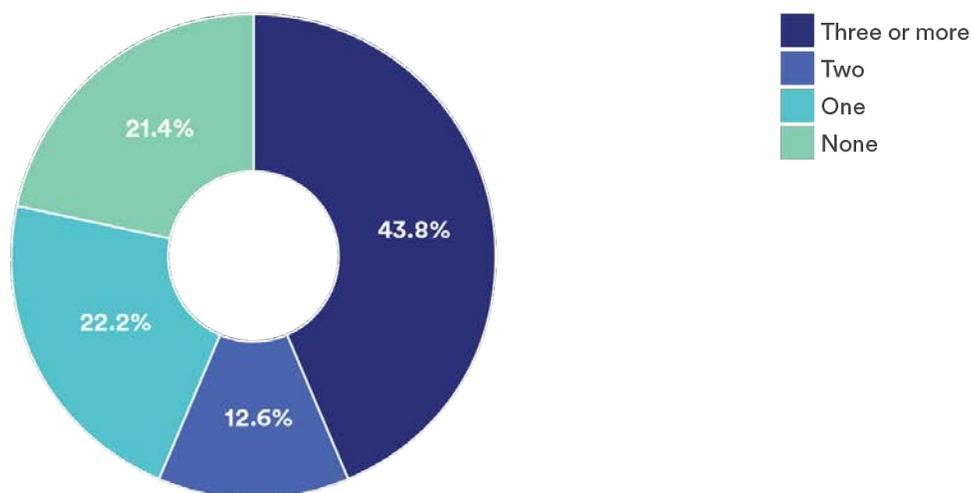


Figure 15. Number of precarious housing situations experienced in the last year.

7. Women and gender diverse people reported significant barriers to accessing emergency services, with almost a third being unable to access a bed when they needed one.

“Open Trans shelters so that trans, women, and men can have their own spaces that are safe from physical violence for trauma and domestic violence survivors. If I was still in an abusive relationship then I would not be safe as he could easily follow me inside.”

Almost a third (32.6%) of participants were unable to access a shelter bed when they needed one. When these participants were asked why they were unable to access a bed, an overwhelming majority listed ‘shelter full’ as the primary reason. Participants also reported barriers due to discrimination, eligibility criteria, COVID-related restrictions, and difficulty finding emergency shelters or services suitable for their families and pets. The following explanations reflect some of these challenges:

DISCRIMINATION

- “Because I was male presenting and fleeing abuse with a baby and a dog and you can't bring all of them with you/only one family shelter for women allows pets and I felt that because I present more masculine and don't identify exactly as a woman it would cause issues or i would t be welcome or safe there either”
- “The people inside bullied me because I was a black girl and wouldn't let me in.”

ELIGIBILITY

- “I was pregnant and I couldn't access certain services because of COVID. I also couldn't get into a shelter because I had been drugged by my ex and they thought I was intoxicated.”
- “The definition of DOMESTIC ABUSE didnt qualify in Manitoba. In newfoundland..stjohns..all domestic abuse is accepted... In manitoba if ur partner isnt physical u dont get shelter. If it isnt ur partner but member of ur household it doesnt qualify even if theyr beating u. So yes ive been denied shelter at womens abuse shelters.”
- “I was deemed a liability because I was suicidal and was "timed out" for 24 hrs”

SUITABILITY

- “No room for my size of family”
- “No beds for Families and we have 2 pets a dog and a cat”
- “Mostly because of staff being insensitive the personal needs. There not being enough beds and shelters available to avoid people that may cause issues.”

When asked what they did when they couldn't access a shelter bed, many participants described experiences of rough sleeping, survival sex, returning to situations of abuse, and begging friends or acquaintances to take them in for the night. Several quotes articulated these common experiences:

- “Sleep on the streets or in cars”
- “Stayed awake all night, looking for a friend to take me in usually”
- “I left and spent the night sleeping in the lobby of a nearby hospital”
- “Slept outside or slept with a man for a place”
- “I slept outside, and when I did the police arrested me and stole all my personal belongings.”
- “begged a friend to let me stay with him in exchange I cleaned his apartment”
- “i moved back in with the man I had a no contact order with and lived with anxiety until i was approved for Manitoba housing program”
- “I cried especially in the Winter time when it was cold outside. I have slept outside some nights and it was so cold that I got frost bite in my feet and this resulted in permanent nerve damage.”
- “Stayed in abusive situation with my dog and my kid”

Importantly, almost 1 in 5 (18.2%) participants reported being service restricted/barred from shelters. This experience was more common for particular groups, including:

- Participants that had child welfare involvement both as a child and as an adult (26.7% vs. 12.5%)
- Those who identified as having a mental health challenge (81.7% vs. 58%)

Below are the top 7 problems participants reported at drop-ins and shelters across the homelessness and VAW sectors. Analysis indicated approximately 1 in 5 participants had engaged with both the homelessness and VAW sector in the last year.

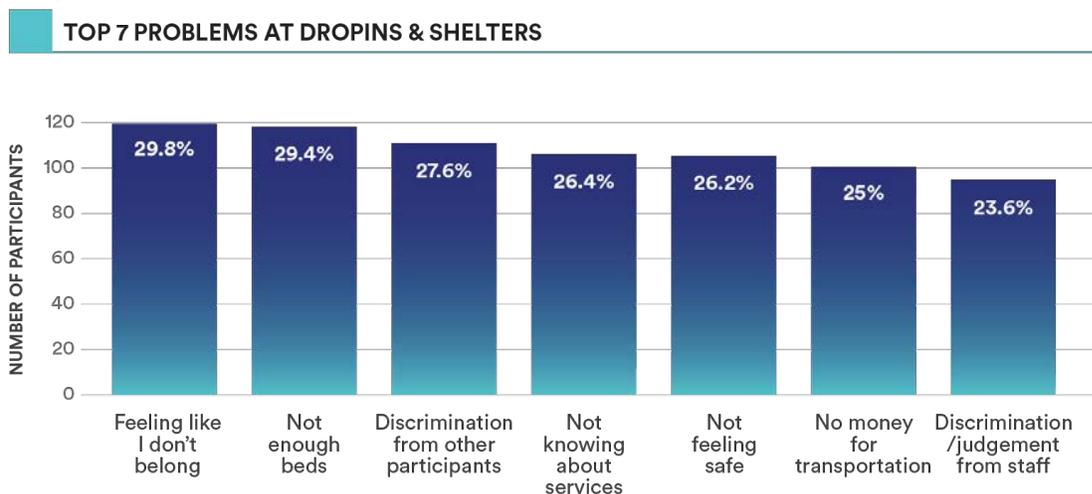


Figure 16. Top 7 problems participants faced in drop-ins and shelters.

8. Women and gender diverse people experiencing housing need and homelessness reported high exposure to trauma and violence, with 75% identifying as a survivor of trauma or abuse.

Experiences of trauma and violence were reported both prior and during experiences of homelessness by participants. Remarkably, over 75% of women and gender diverse persons reported being a survivor of abuse or trauma. Over 1 in 10 reported being involved in human trafficking, and over a quarter of the group (27.8%) had child welfare involvement as a child or youth.

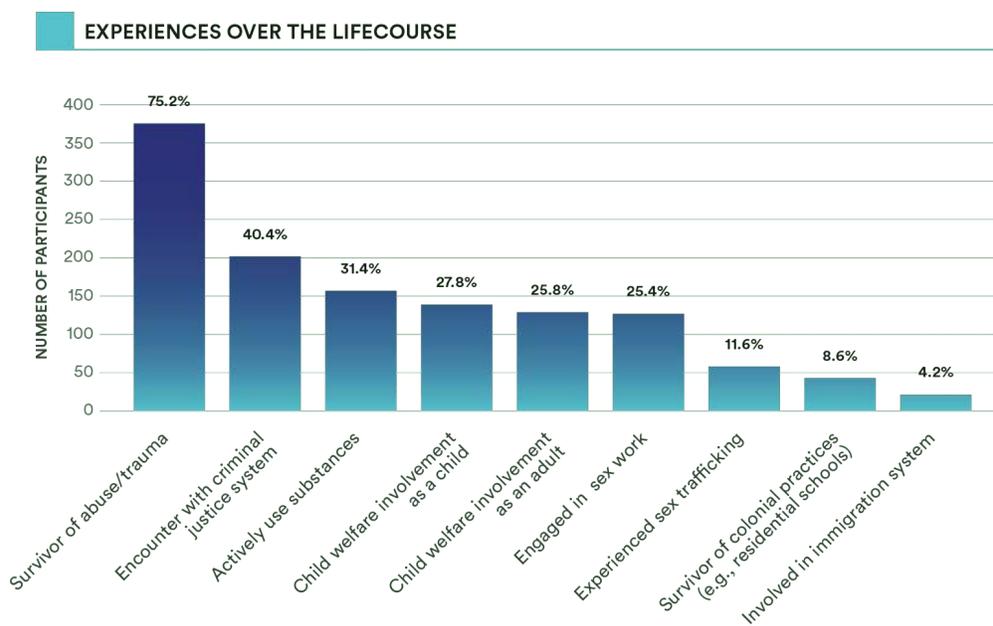


Figure 17. Experiences over the lifecourse (e.g., trauma, trafficking, child welfare involvement).

Participants also reported significant levels of violence, control, harassment, or discrimination perpetrated by the people they live with, with almost half of the sample reporting some form of violence in their current or most recent home (45.6%). Importantly, 28.4% of participants were forced to move out from their most recent housing because it was not safe for themselves or their children. Particular forms of violence at home were higher for some groups; for example, gender diverse people reported higher rates of arguments and fights (37.5% vs. 31.3%) and physical conflict, threats, or assault (29.2% vs. 21.3%).

Histories of gender-based violence were reported by participants accessing services in the homelessness sector and the VAW sector, suggesting these experiences are pervasive for those who engage with either system.

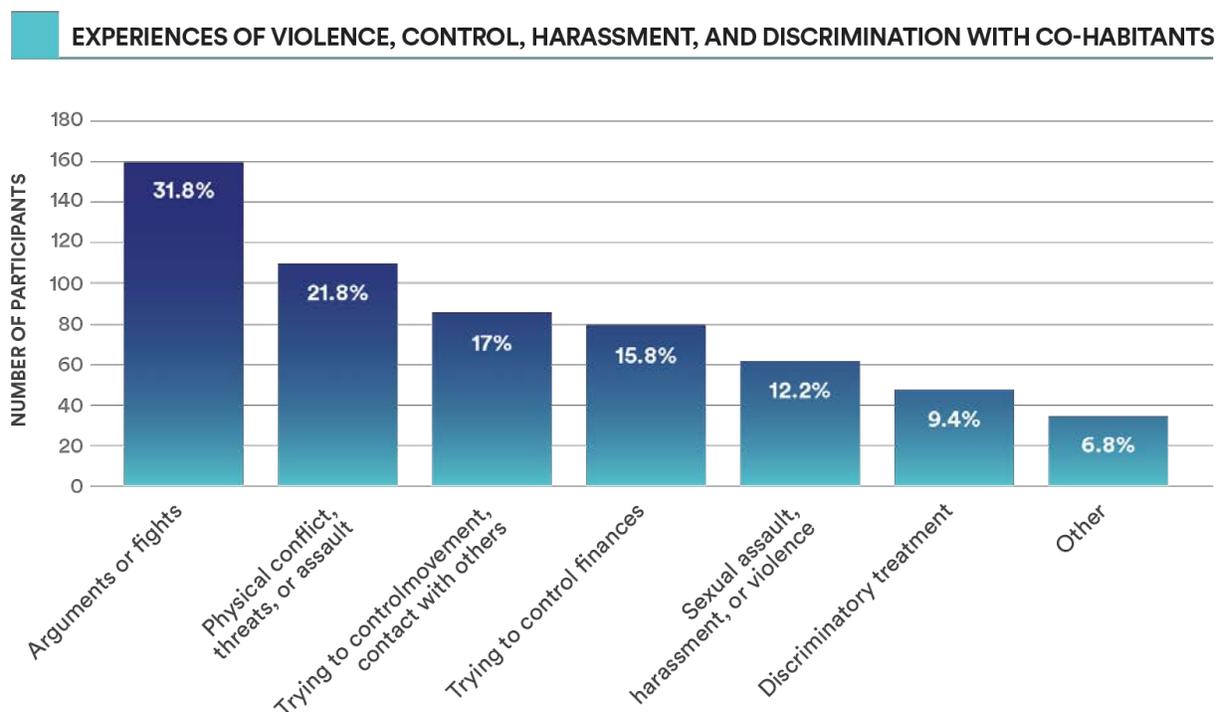


Figure 18. Participants' experiences of violence, control, harassment, and discrimination with co-habitants.

9. Women and gender diverse people, particularly those from equity-seeking groups, reported significant levels of discrimination from landlords and property managers, in many cases leading to housing loss or barriers to accessing housing.

Women and gender diverse people described complex, intersectional forms of discrimination in housing across Canada. A key finding was the level of discrimination participants experienced from landlords and property managers. A total of 80% of participants reported experiencing at least one form of discrimination from a landlord or property manager. Most participants reported experiencing multiple forms of discrimination, with almost half of participants reporting experiences of three or more (44.4%). Importantly, 15.8% reported they were forced to move out of their most recent place because of discrimination or harassment.

The rate of discrimination was higher for particular groups, with LGBTQ2S+ women and gender diverse people reporting distinct experiences in this regard. For example, data indicates that LGBTQ2S+ persons:

- Experience discrimination on the basis of age at 2.3 times the rate of heterosexual populations
- Experience discrimination on the basis of having a criminal record at 2.6 times the rate of heterosexual populations
- Experience more than twice the level of discrimination on the basis of appearance compared to heterosexual groups (26.2% vs. 12.2%)
- Experience discrimination on the basis of sexual orientation at 3.6 times the rate of people who identify as heterosexual

Gender diverse people also describe higher levels of discrimination from landlords in key domains, including on the basis of income (60.4% vs. 42.7%).

Race also shaped experiences of discrimination, with 34.7% of racialized persons and 24.2% of Indigenous persons reporting discrimination on the basis of race, colour, or ethnicity. One participant reported, for example, “As a migrant from Africa, I was discriminated against when renting an apartment and had to leave.” Indigenous persons also reported greater discrimination from landlords on other bases as well, with 52.9% reporting discrimination on the basis of income.

10. 79% of women and gender diverse people experiencing housing need or homelessness report having a disability. This group reports significant inequities and discrimination on the basis of ability, with severe consequences for many.

Remarkably, 79% of participants reported some form of disability, with almost half of the sample (46.4%) reporting a psychiatric or mental health disability of some kind. A total of 60% reported a physical disability, 38.2% reported a substance use problem, and 22.4% reported some form of cognitive, intellectual, or memory-related disability. On average participants reporting having 3 disabilities, with some participants reporting as many as 11.²⁵⁰

Analysis indicated having a disability was a significant predictor of negative housing outcomes. These included having difficulties accessing emergency shelter and supports, difficulties finding affordable and accessible housing, experiences of discrimination, and numerous additional inequities.

²⁵⁰ It should be noted that approximately half of the study sample were persons accessing low-barrier drop-ins for women and gender diverse people, which may have skewed the results towards deeper and more complex forms of marginalization. Nonetheless, similar rates of disability were reported amongst participants who not recruited from low-barrier drop-ins.

PARTICIPANT DISABILITIES

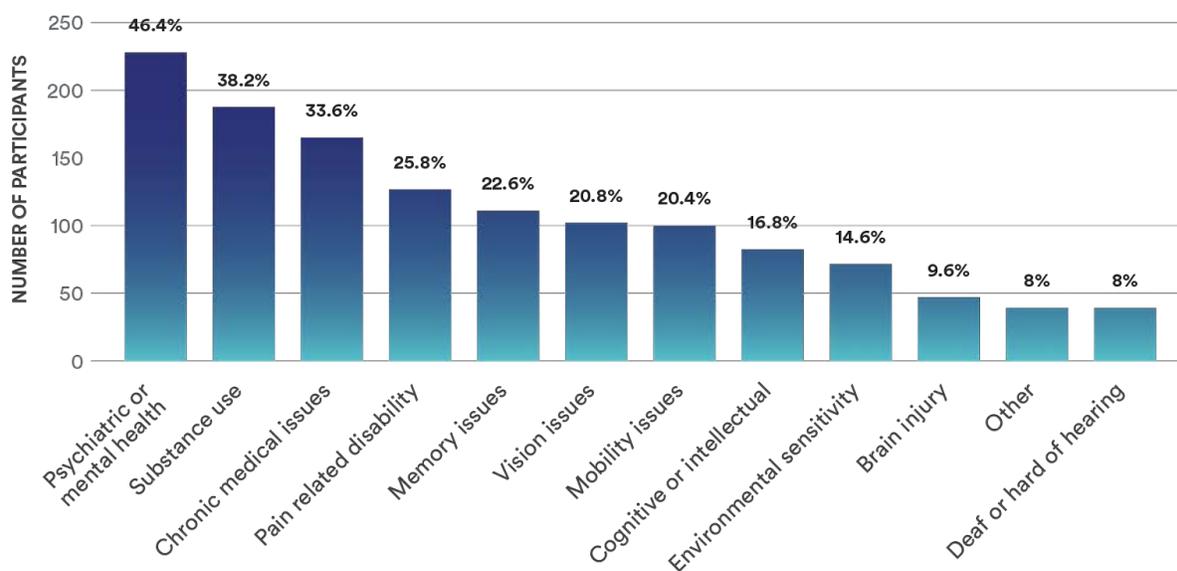


Figure 19. Disabilities reported by participants.

PROBLEMS ACCESSING SHELTER

Shockingly, people with disabilities reported being unable to access shelter beds when they needed them at roughly twice the rate of those without disabilities (65.1% for people with physical disabilities vs. 34.9% for those without; 43.1% for those with mental health disabilities vs. 18% for those without). This suggests profound accessibility issues persist in the homelessness and VAW sectors. Evidence of this surfaced in other parts of the data. For instance:

- Persons with physical disabilities reported shelters and drop-ins were not accessible to them by public transportation at almost twice the rate of those without physical disabilities (11.6% vs. 6%)
- Shelters and drop-ins are inaccessible to people with physical disabilities at more than three times the rate of those without physical disabilities (10.7% vs. 3%)

Individuals with substance use problems also experienced significant barriers when trying to access shelters. There was a significant association between reporting a substance use problem and having been barred from shelters. Those that used substances reported being barred from shelters at a rate 3 times that of those who did not (30.9% vs. 10.4%).

BARRIERS TO HOUSING

Unsurprisingly, having a disability was linked to a variety of affordability and accessibility challenges when it came to finding appropriate housing. In terms of accessibility, 16% of participants with physical disabilities reported that they had problems finding a place because of accessibility issues; a rate that was 16 times greater than those without physical disabilities (16.0% vs. 1.0%). They also more frequently reported that they did not have the supports or services necessary to get or keep a place (22.3% vs. 12.5%) and that the places they could afford were in bad condition (49.0% vs. 12.5%). Broadly speaking, these findings are in line with long-standing complaints in various provincial jurisdictions. For instance, the Ontario Human Rights Commission has highlighted inaccessible buildings as a persistent barrier for persons with disabilities when it comes to accessing appropriate housing – a barrier which they attribute, in part, to rigid adherence to inadequate *Building Code* accessibility standards.²⁵¹

In addition to accessibility concerns, persons with disabilities also reported significantly greater difficulties finding a place because of affordability issues. This trend was present among participants with mental health disabilities (73.0% vs. 40.3%), substance use problems (77.0% vs. 49.8%), cognitive/intellectual disabilities (77.7% vs. 55.2%), and physical disabilities (65.0% vs. 53.0%). These findings align with past research by Statistics Canada which stated that persons with disabilities are more likely to encounter affordability problems when they look for housing.²⁵²

INCREASED RISK OF EVICTIONS

The odds of being evicted were more than three times greater if participants had a mental health disability (OR = 3.16) (47.0% vs. 21.9%) or reported a substance use problem (OR = 3.070) (53.4% vs. 27.2%). All told, these results suggest that for many persons with disabilities, even if they are able to obtain housing, there is still a substantially increased risk that it will be taken away from them.

251 See OHRC. (2008). Human Rights and Rental Housing In Ontario - Background Paper. Ottawa, ON: OHRC. http://www.ohrc.on.ca/sites/default/files/attachments/Human_Rights_and_Rental_Housing_in_Ontario%3A_Background_Paper.pdf. See also OHRC. (2020). OHRC statement for National Housing Day November 22: Accessible housing makes social, economic sense. Ottawa, ON: OHRC. http://www.ohrc.on.ca/en/news_centre/ohrc-statement-national-housing-day-november-22-accessible-housing-makes-social-economic-sense

252 Rea, W., Yuen, J., Engeland, J., & Figueroa, R. (2008). The dynamics of housing affordability. *Perspectives on Labour and Income*, 20(1), 37-48.

5. FEDERAL POLICY ANALYSIS

A. The National Housing Strategy – A Gendered Lens

In 2019, Canada ratified the right to housing in domestic legislation in the form of the *National Housing Strategy Act* (NHSA). The NHSA recognizes that “housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities,” and implements right to housing monitoring mechanisms that seek to advance the realization of the right to housing in Canada.²⁵³ The NHSA was adopted 22 months after the announcement of *Canada’s National Housing Strategy: A Place to Call Home* (NHS), which itself references a rights-based approach to housing and dedicated 25% of its investments to addressing the housing needs of women and girls.²⁵⁴ The NHSA and the NHS represent a critical shift in federal policy and legislation toward national recognition of the right to housing. As such, both the NHSA and the NHS have considerable potential to address the disproportionate levels of housing need and unique housing rights violations experienced by women, girls, and gender diverse people.

The NHSA places a statutory obligation on the federal government to develop and maintain a National Housing Strategy that improves housing affordability and accessibility, especially for Canada’s most vulnerable communities – including particular groups of women, girls, and gender diverse people. Since its announcement, CMHC has expanded its list of vulnerable groups prioritized under the NHS to now include:

- Women and children fleeing domestic violence
- Seniors
- Young adults
- Indigenous peoples
- People with disabilities
- People dealing with mental health and addictions issues
- Veterans
- LGBTQ2+ persons
- Racialized groups
- Recent immigrants, especially refugees
- People experiencing homelessness²⁵⁵

The NHS also explicitly incorporates a “Gender-Based Analysis Plus lens (GBA+)” to guide its work, a framework provided by the Status of Women Canada.²⁵⁶ This framework was adopted to ensure that the development of the NHS and its implementation is grounded in a GBA+ lens. This means the Government of Canada has committed to “taking a gender and diversity-sensitive approach to [their] work. Considering all intersecting identity factors as part of GBA+ [that ensures] the inclusion of women, men and gender-diverse people.”²⁵⁷

253 Government of Canada. (2019, June 21). *National Housing Strategy Act*. <https://laws-lois.justice.gc.ca/eng/acts/N-11.2/FullText.html>

254 Canada Mortgage and Housing Corporation. (2018, May 2). *National Housing Strategy*. <https://www.cmhc-schl.gc.ca/en/nhs/guidepage-strategy>

255 National Housing Strategy (NHS). (2017). *National Housing Strategy – Priority Areas for Action*. <https://www.cmhc-schl.gc.ca/en/nhs/guidepage-strategy/priority-areas-for-action>

256 National Housing Strategy (NHS), 2017, p. 24.

257 Status of Women Canada. (n.d.). *GBA+ Research Guide*. <https://cfc-swc.gc.ca/gba-ac/s/research-recherche-eng.pdf>

Importantly, however, advocates and academics have identified significant gaps between NHS programs and policies and a rights-based approach to housing.²⁵⁸ The NHS itself acknowledges current gaps in knowledge necessary to assess the impact certain housing programs and initiatives may have on women, girls, and gender diverse people.²⁵⁹

In light of these gaps, this section employs a rights-based, GBA+ analysis of NHS programs, policies, and expenditures, exploring their relevance to the progressive realization of the right to housing for women, girls, and gender diverse people in Canada. Given that the NHSA is grounded in acknowledgement of the right to housing as defined under international human rights law, we use international human rights standards to guide our analyses. We specifically rely upon guidance on progressive realization provided by the UN Special Rapporteur on the Right to Adequate Housing in her 2020 report, *Guidelines for the Implementation of the Right to Housing*.²⁶⁰ These Guidelines provide authoritative human rights directives by which to assess progress towards realizing the right to housing for women, girls, and gender diverse peoples through the NHS.

While this review is not exhaustive, it highlights several dimensions of the NHS that are inconsistent with the progressive realization of the right to housing for women, girls, and gender diverse people. Four NHS Programs are analyzed below in this regard: the Canada Housing Benefit, the Rental Construction Financing Initiative, Reaching Home, and the National Housing Co-Investment Fund. While significant progress has and will continue to be made by the NHS towards the realization of the right to housing for women, girls, and gender diverse people, the concerns outlined below should be of concern to the Federal Housing Advocate. It is our hope that their articulation will assist in the expansion and transformation of elements of these NHS programs.

Progressive Realization – What does it mean?

The most egregious violations of the right to housing are often the result of governments' failures to take *positive measures* to address unacceptable housing conditions.²⁶¹ In light of this, all governments must take progressive steps towards ensuring adequate housing for all. In the Canadian context, this commitment is enshrined in the NHSA, and is also articulated in many bi-lateral agreements between the federal government and the provinces/territories negotiated as part of the National Housing Strategy.²⁶²

The principle of progressive realization articulates that all levels of government have “an obligation to take steps to the maximum of their available resources with a view to achieving progressively the full realization of the right to adequate housing.”²⁶³ Progressive realization requires that measures taken to ensure the right to housing are reasonable and proportionate to the circumstances of rights holders, and that such measures are immediate and match the urgency and scale of rights violations experienced.²⁶⁴

258 Frances Bula. (2019, August 13). Experts question funding levels, rollout of federal housing announcements. *The Globe and Mail*. <https://www.theglobeandmail.com/canada/british-columbia/article-experts-question-rollout-of-federal-housing-funds/>

259 National Housing Strategy, 2017, p. 26.

260 UN Human Rights Council. (2019, December 26). *Guidelines for the implementation of the right to adequate housing*. Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, A/HRC/43/43, No. 8, para 48 (a). http://www.unhousingrapp.org/user/pages/04.resources/A_HRC_43_43_E-2.pdf

261 Ibid, No. 2, para 17.

262 Canada Mortgage Housing Corporation. (n.d.). *Federal/Provincial/Territorial Housing Agreements*. <https://www.cmhc-schl.gc.ca/en/nhs/federal-provincial-territorial-housing-agreements>

263 A/HRC/43/43, para 18.

264 A/HRC/43/43, para 19 (c, d).

Implementation of this principle means that governments must:

- Fulfil the right to housing for all as swiftly and efficiently as possible;
- Take measures that are deliberate, concrete, and targeted towards the fulfilment of the right to housing within a reasonable time frame;
- Allocate sufficient resources;
- Prioritize the needs of disadvantaged and marginalized individuals or groups living in precarious housing conditions;
- Ensure transparent and participatory decision-making; and
- Demonstrate that they have utilized the maximum of available resources and all appropriate means, including through legislative measures.²⁶⁵

There are several dimensions of the NHS that are inconsistent with the principle of progressive realization of the right to housing for women, girls, and gender diverse people, and thus create barriers to fulfilling the vision of the NHS and Canada's international human rights. Four NHS programs are analyzed below in this regard.

Canada Housing Benefit (CHB)

The Canadian Housing Benefit is a new tool to address affordability challenges across Canada by providing “affordability support directly to families and individuals in housing need, including potentially those living in social housing, those on a social housing wait-list, or those housed in the private market but struggling to make ends meet.”²⁶⁶ The CHB aims to provide an average of \$2,500 per year to eligible households,²⁶⁷ with the goal of supporting at least 300,000 households over the course of the program. The CHB will be cost-matched by provincial and territorial governments. Upon its announcement in 2017, the NHS committed \$4 billion to the program.²⁶⁸

KEY CONCERNS:

- Progressive realization requires the prioritization of those most in need, obligating governments to employ deliberate and targeted means to reach those who are most marginalized and disadvantaged. In the Canadian context, research has powerfully demonstrated that deep core housing need is disproportionately experienced by women and women-led families. Studies show 57% of renter households in core housing need are female-led families or singles,²⁶⁹ and that women-led, lone-parent family households are in core housing need at twice the rate of male-led, lone-parent households.²⁷⁰ Despite this, the Canada Housing Benefit does not provide specific targets aligned with this disproportionate need, nor does it require that provinces or territories allocate these funds proportionate to the housing need experiencing by women and women-led families.
- The CHB does not provide a framework to enable transparent reporting and monitoring on who is receiving the benefit, making it difficult to ensure that CHB funds are actually being accessed by women and gender

²⁶⁵ A/HRC/43/43, No. 2, para 16(b) and 19(a). See also *Ben Djazia and Bellili v. Spain*, para. 15.3.

²⁶⁶ National Housing Strategy, 2017, p. 15.

²⁶⁷ Canadian Alliance of Non-Profit Housing Associations. (2019, April). *Canada Housing Benefit – Policy Principles*. https://chra-achru.ca/wp-content/uploads/2019/04/canada_housing_benefit_-_canpha_key_principles_0.pdf

²⁶⁸ National Housing Strategy, 2017, p. 15.

²⁶⁹ Pomeroy, 2020.

²⁷⁰ Canada Mortgage and Housing Corporation. (2019). *Core Housing Need Data — By the Numbers*. CMHC – SCHL. Retrieved from <https://www.cmhc-schl.gc.ca/en/data-and-research/core-housing-need/core-housingneed-data-by-the-numbers>

diverse people experiencing the most severe forms of housing marginalization, including those who are experiencing violence, trading sex for housing, or couchsurfing.

- The level of support offered through the CHB (\$2,500 per year, per household) is severely inadequate to meet the deep core housing need many women and women-led families find themselves in. Women disproportionately carry the burden and cost of caring for children,²⁷¹ while also working on-average lower-paying jobs²⁷² and receiving less money for the same job.²⁷³ The findings outlined in this report paint a dire picture of women and gender diverse people having to make ends meet through three or four additional subsistence methods on average each month, including through sex work and the accumulation of debt. Such findings suggest that the CHB does not align with human rights standards regarding the allocation of sufficient resources to meet the level of need experienced by those women and gender diverse people experiencing extreme socio-economic marginalization.
- The CHB, like many NHS programs, is dependent upon bilateral agreements with provinces and territories, and a majority of the funds are allocated for delivery in the latter years of the program.²⁷⁴ Both of these characteristics significantly slow the delivery program funds to those experiencing housing need. For instance, Ontario is the first province to roll out the initiative. It is reported that since the Canada-Ontario Housing Benefit program launched on April 1, 2020, approximately 3,800 households have received CHB assistance - representing just 1.2% of the 300,000 households meant to benefit from the program.²⁷⁵ Given growing evidence that the pandemic has resulted in disproportionate job losses and evictions amongst low-income women, particularly Indigenous, Black, and racialized women,²⁷⁶ the slow roll out of this program is inconsistent with the standard that the right to housing be realized as swiftly and efficiently as possible.

The Rental Construction Financing Initiative (RCFI)

“States must prohibit all forms of discrimination in housing by public or private actors and guarantee not only formal but also substantive equality, which requires taking positive measures to address housing disadvantages and ensure equal enjoyment of the right to housing.”

A/HRC/43/43, No. 8, para. 48 (a)

The Rental Construction Financing Initiative is the largest program in the NHS, represents 40% of NHS funding, and aims to produce 14,000 housing units over the life of the program. The RCFI provides low-interest cost loans for the construction of rental housing. Unlike many other NHS programs, the RCFI does not require financial contributions from other levels of government. The affordability guidelines for the program are also more relaxed than the National

271 Houle, P., Turcotte, M., & Wendt, M. 2017. “Changes in parents’ participation in domestic tasks and care for children from 1986 to 2015” in *Spotlight on Canadians: Results from the General Social Survey*, Statistics Canada Catalogue no. 89-652-X2017001. Online: <https://www150.statcan.gc.ca/n1/pub/89-652-x/89-652-x2017001-eng.htm>.

272 Moyser, M., & Burlock, A. (2018). *Women in Canada: A gender-based statistical report*. <https://www150.statcan.gc.ca/n1/pub/89-503-x/2015001/article/54931-eng.pdf>

273 See, e.g., Block, S., & Galabuzi, G. (2011). *Canada’s Colour Coded Labour Market: The gap for racialized workers*. Canadian Centre for Policy Alternatives. <https://www.policyalternatives.ca/publications/reports/canadascolour-coded-labour-market>

274 Biss, M., & Raza, S. (2021) *Implementing the Right to Housing in Canada: Expanding the National Housing Strategy*. Canadian Human Rights Commission.

275 See “Canada and Ontario Invest in Affordable Housing in Ottawa.” <https://www.newswire.ca/news-releases/canada-and-ontario-invest-in-affordable-housing-in-ottawa-835283535.html>

276 Centre for Equality Rights in Accommodation & National Right to Housing Network, 2021.

Co-Investment Fund, requiring that developers offer 20% of units at 30% of the median total income for families in the area for ten years.²⁷⁷ Spending on this program has increased since 2017, and the cost of the initiative is currently 25.7 billion.²⁷⁸

KEY CONCERNS:

- Given that the RCIF is understood to be the “centrepiece” of the NHS,²⁷⁹ representing approximately 40% of NHS funding, it would be natural that this program reflect the NHS’s commitment to ensuring that 25% of investments go to housing for women and girls.²⁸⁰ The RCIF, however, makes no such commitment. In fact, according to CMHC’s own reporting, the National Housing Co-Investment Fund and the Community Housing Transformation Centre and Community-Based Tenant Initiative are the only two programs that make explicit mention of prioritizing housing for vulnerable populations.²⁸¹ The failure to meet this target within the RCIF has significant implications regarding whether the housing built through this program will actually meet the needs of women and women-led families, particularly given evidence that developers are less inclined to build housing units for larger families in core housing need (households often led by women).²⁸² To be rights compliant, the RCIF must include targets, timelines, outcomes, and indicators that address systemic barriers to housing experienced by women, girls, and gender diverse people.
- The affordability criteria employed in the RCIF is inconsistent with most definitions of affordable housing and housing need, including the one employed by CMHC itself: that housing is considered unaffordable when a household pays over 30% of their gross income for shelter (either in rent or mortgage).²⁸³ Studies have consistently shown that tying affordability criteria to median income or median rent in no way reflects the capacity of low-income renters or households to pay.²⁸⁴ For example, in Toronto, a unit offered at 80% of market rent would still be three times the housing benefit allocated under Ontario Disability Support (\$375).²⁸⁵ This suggests that a vast majority of the ‘affordable’ housing produced under the RCIF will be inaccessible to women and gender diverse people living on social assistance, disability benefits, or minimum wage, including those who are caring for children or other dependents. Given that poverty is

²⁷⁷ A proposal may also be funded if it has been approved by a housing affordable housing initiative from another level of government. See Canada Mortgage Housing Corporation. (n.d.). *Rental Construction Financing*. <https://assets.cmhc-schl.gc.ca/sites/cmhc/nhs/rental-construction-financing/nhs-rcfi-highlight-sheet-en.pdf?rev=e821c3c7-9991-42e2-947d-5f50e28e1126>

²⁷⁸ The RCIF is a loan program intended to stimulate purpose built market rental construction, and as such it is a non-budgetary expenditure (distinct from grants and contributions). As Pomeroy (2021) explains: “Design features include: a loan at a very favourable below market interest rate for a 10 year term, amortized over a 50 year duration only once the project achieves full stabilized rent up; and pre-approval for a private lender insured loan at the 10 year renewal with no insurance premium. In addition, depending on achieving a set of social outcomes relating to energy efficiency, accessible design and a very minimal affordability criteria it is potentially possible to secure financing for 100% of cost, although in practice a maximum of 90% is more likely” (p. 3). See Steve Pomeroy. (2021). *Toward Evidence Based Policy: Assessing the CMHC Rental Housing Finance Initiative (RCFI)*. <https://carleton.ca/cure/wp-content/uploads/CURE-Brief-12-RCFI-1.pdf>

²⁷⁹ Pomeroy, 2021.

²⁸⁰ National Housing Strategy, 2017, p. 11.

²⁸¹ CMHC. (2019). *CMHC Annual Report*. CMHC, p. 21-22. <https://www.cmhc-schl.gc.ca/en/about-cmhc/corporate-reporting/cmhc-annual-report>

²⁸² Ontario Non-Profit Housing Association. (2007, October). *Implementing Inclusionary Policy to Facilitate Affordable Housing Development in Ontario*. <http://www.focus-consult.com/ResearchFiles/By%20Year/2007/Inclusionary%20Zoning%20to%20Facilitate%20Affordable%20Housing%202007.pdf>

²⁸³ Canada Mortgage Housing Corporation. (2018, March 31). *About Affordable Housing in Canada*. <https://www.cmhc-schl.gc.ca/en/developing-and-renovating/develop-new-affordable-housing/programs-and-information/about-affordable-housing-in-canada>

²⁸⁴ Pomeroy, 2021.

²⁸⁵ Whitzman, C. (2020). *A Canada Wide Definition of Affordable Housing and Housing Need*.

disproportionately experienced by Indigenous, Black, and racialized women, as well as women with disabilities,²⁸⁶ these criteria will have a particularly exclusionary impact on those groups.

- The relaxed affordability criteria of the RCIF, combined with the requirement that developers only maintain the ‘affordability’ of 20% of units for ten years, belies a prioritization for the construction of rental housing that can turn a profit for housing developers and their investors. That 80% of the rental units constructed in this program have no affordability requirements, and only 20% have such a criteria for 10 years, reveals a structural bias towards the interests of housing developers and their investors rather than the housing needs of disadvantaged groups experiencing homelessness or housing need, including NHS priority groups such as women and children fleeing violence. This is inconsistent with the human rights obligation that governments ensure the right to housing as a priority in the allocation of resources.
- The RCIF does not outline a strategy for ensuring that the ‘affordable’ units constructed through this program are not lost after ten years. In the absence of a targeted strategy, with appropriate regulation and monitoring, there is little reason to believe that the affordability of these units would not erode over time. Women, girls, and gender diverse people in core housing need may thus face the same inaccessible housing rental markets in ten years as they do now.

Reaching Home

Reaching Home (previously the Homelessness Partnering Strategy) is the primary federal program addressing homelessness in Canada, administered by Employment and Social Development Canada (ESDC). The announcement of the NHS was accompanied by significant increases in funding to Reaching Home, with an average spending of \$224.8 million per year. Key program components include: “an outcomes-based approach; coordinated access system; data collection and case management through the Homeless Individuals and Families Information System (HIFIS); analyses of shelter capacity, use, and nationally coordinated Point-In-Time Counts; and increased funding to Indigenous homelessness; homelessness in the territories, homelessness in the territories, and in rural and remote areas.”²⁸⁷ homelessness in the territories, and in rural and remote areas.”²⁸⁸ In the wake of the COVID-19 pandemic, the federal government committed an additional \$300 million to Reaching Home in 2021-2022.²⁸⁹

KEY CONCERNS:

- Reaching Home has sought to prioritize addressing chronic homelessness in its programs, and the 2020 Throne’s Speech committed the federal government to ending chronic homelessness in Canada. However, the definition of chronic homelessness employed by Reaching Home²⁹⁰ has been critiqued for failing to account for the ways in which women experience homelessness.²⁹¹

286 Hudon, T. (2015). *Immigrant Women*. Statistics Canada. <https://www150.statcan.gc.ca/n1/en/pub/89-503-x/2015001/article/14217-eng.pdf?st=t0itNNrb>. See also Martin & Walia, 2019.

287 Biss & Raza, 2021.

288 Biss & Raza, 2021.

289 Prime Minister of Canada. (2020, October 27). “New Rapid Housing Initiative to create up to 3,000 new homes for Canadians.” <https://pm.gc.ca/en/news/news-releases/2020/10/27/new-rapid-housing-initiative-create-3000-new-homes-canadians>

290 Chronic homelessness refers to individuals who are currently experiencing homelessness and who meet at least 1 of the following criteria: they have experienced a total of at least 6 months (180 days) of homelessness over the past year; or they have had recurrent experiences of homelessness over the past 3 years, with a cumulative duration of at least 18 months (546 days) (Reaching Home, 2020).

291 For example, the Ontario Federation of Indigenous Friendship Centre states “...established targets may not adequately address the needs of youth, LGBTQ2S persons, and women fleeing violence who are more likely to experience other intersectional barriers that

The Advisory Committee on Homelessness, for example, articulated:

“The prioritization of chronic homelessness inadvertently excludes many women for being eligible for Homelessness Partnering Strategy funding because chronic homelessness is interpreted as chronically homeless emergency shelter users (where women are often under-represented) and chronically homeless individuals (many women are accompanied by children in homelessness) and does not consider the high degrees of situational vulnerability and high acuity homeless women often experience” (2018, p. 22).

This failure to capture the experiences of women within federal definitions of chronic homelessness results in inequitable investments for women who are homelessness and contributes to severe gaps in supports, services, and emergency housing. As such, the effect of the current definition of chronic homelessness contravenes the obligation that governments guarantee substantive equality and non-discrimination in the area of housing.²⁹²

- There continues to be a lack of equitable investment in emergency homeless shelters and shelter beds for women across the country, similarly contravening the human rights obligation of non-discrimination in funding allocation. The most recent pan-Canadian data indicates that 68% of all shelter beds in Canada are designated for men or are co-ed (which many women and gender diverse people avoid due to experiences of violence within them), compared to 13% dedicated specifically to women.²⁹³

prevent or preclude them from accessing mainstream shelters when trying to break out of cycles of poverty and homelessness. If the government is seeking to apply a Gender Based Analysis to the National Housing Strategy, rates of shelter use alone is not a suitable metric to measure progress.” See *Response to the National Housing Strategy*, 2018, p.17. <https://ofifc.org/wp-content/uploads/2020/03/2018-policy-housing-strategyPRINT.pdf>

292 A/HRC/43/43, No. 8, para 48.

293 Employment and Social Development Canada. (2019). *Highlights of the National Shelter Study 2005 to 2016*. Ottawa. <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports-shelter-2016.html>

- Homelessness is a prima facie violation of the right to housing.²⁹⁴ International human rights standards require that governments eliminate homelessness in the shortest possible time.²⁹⁵ Despite this, the vast majority of homelessness shelters and Violence Against Women shelters continue to operate at or over capacity each day – a pattern that has been evident for many years.²⁹⁶
- Research indicates there are significant gaps, silos, and particular policies or practices within the homelessness and Violence Against Women sectors that create harm for women, girls, and gender diverse people seeking help, including in programs funded through the NHS. Identified issues include eligibility criteria that exclude women experiencing particular forms of housing instability or violence, duty to report policies that deter women with children seeking help, sexual violence within co-ed homeless shelters, discrimination against Indigenous women and Two-Spirit people, and transphobia and other forms of discriminatory practices.²⁹⁷ Such harmful impacts suggest the GBA+ approach committed to through the NHS may not always be reaching practices at the service provider level, and that there are practices within other policy areas (e.g., the VAW sector) that may be deepening exclusion for some women and gender diverse peoples. This is contrary to governments' human rights obligations with regards to non-discrimination and the expectation for "coordination in all relevant policy areas"²⁹⁸ to advance the right to housing.

The National Housing Co-Investment Fund (NHCF)

This cost-sharing program, facilitated through low-interest loans and contributions, supports the repair and renewal of existing housing ("Revitalization"), as well as the construction of new housing ("New Construction") across Canada. Both construction loans²⁹⁹ and revitalization loans³⁰⁰ are offered as low-interest repayable loans or as forgivable loans. All projects funded through the program require support from another level of government. The program aims to create 60,000 new housing units. The guidelines for this program require that at least 30% of the housing units must be less 80% of the Median Market Rent, and that this rate be maintained for a minimum of 20 years.

KEY CONCERNS:

- Like many other NHS programs, the NHCF does not articulate clear targets, timelines, or indicators for its impact on women and gender diverse peoples, including groups that are experiencing intersectional discrimination and the most severe forms of housing instability in Canada (e.g., refugee women-led families fleeing violence). This prevents ongoing monitoring of progress on the realization of the right to housing for these groups, and makes it difficult to assess whether NHS is reaching its overall goal of ensuring 25% of NHS resources are dedicated to women and girls.

294 A/HRC/31/54, para. 4.

295 A/HRC/43/43, No. 5.

296 Schwan et al., 2020.

297 Schwan et al., 2020.

298 A/HRC/43/43, No. 4, para 28 (b).

299 CMHC. (2018). *National Housing Co-Investment Fund: New Construction*. <https://www.cmhc-schl.gc.ca/en/nhs/co-investment-fund--new-construction-stream>

300 CMHC. (2018). *National Co-Investment Fund – Revitalization*. <https://www.cmhc-schl.gc.ca/en/nhs/co-investment-fund--housing-repair-and-renewal-stream>

- While the affordability criteria for the NHCF is more restrictive than the RCIF program (30% rather than 20% must be affordable, maintained over twenty years, rather than ten), the same critiques articulated above concerning the affordability guidelines of the RCIF apply to the NHCF. By linking affordability criteria to median rent, the NHCF is unlikely to meet deeply marginalized women and gender diverse people whose incomes are very low and for whom even very low rents are out of reach.
- Small women's organizations, non-profits, service providers, and housing providers across Canada have articulated significant barriers to benefiting from NHS capital investment programs. These small grassroots organizations and providers are often 'closest to the ground' with respect to understanding the unique needs and experiences of women and gender diverse people, but often have limited capacity or support to expand housing delivery or management for the populations they serve. Emerging critiques from such organizations across Canada suggest that the NHCF, alongside other NHS capital programs, may be disproportionately investing in housing providers and developers that are not focused on women and may not understand the gender-based considerations that should inform revitalization and housing construction to meet their needs. This is of particular concern with regards to Indigenous women and Two-Spirit people, for whom there is a tremendous need for housing built by and for Indigenous women and Two-Spirit people.

B. The National Housing Strategy Act – Implications for identified barriers to realizing the right to housing for women, girls, and gender diverse peoples through the NHS

There remain some significant gaps between the NHS and the human right to housing as articulated under international human rights law and enshrined in the NHSA. As demonstrated in the previous section, these gaps create barriers to meaningfully realizing the right to housing for women, girls, and gender diverse people. This has several implications for the Federal Housing Advocate, including the following:

- One of the four key priorities of the NHSA is to “establish national goals relating to housing and homelessness and identify related priorities, initiatives, timelines and desired outcomes.”³⁰¹ Given this, the Office of the Federal Housing Advocate should recommend that the Ministry of Families, Children, and Social Development embed such priorities, initiatives, timelines, and outcomes in all programs of the NHS, and that these meaningfully reflect the unique housing challenges and rights violations experienced by women, girls, and gender diverse peoples. Rights-based participation by this group is foundational to identifying, implementing, and monitoring outcomes.
- Women, girls, and gender diverse people must be able to claim their right to housing in Canada. Expanding avenues for access to justice will be critical for ensuring all level of government are making reasonable steps towards the progressive realization of the right to housing for these groups. In addition

301 Government of Canada, 2019.

to the recommendations concerning access to justice outlined in the subsequent section, the Federal Housing Advocate should rely upon guidance provided in *The Shift*.³⁰²

- The NHS must be expanded significantly to meet the housing needs of the most marginalized women, girls, and gender diverse people in Canada. In addition to the recommendations outlined in the subsequent section, the Federal Housing Advocate should rely upon guidance provided in the National Right to Housing Network's submission, *Implementing the Right to Housing in Canada: Expanding the National Housing Strategy*.

Finally, and of critical importance with respect to realizing the right to housing for women and gender diverse people, is addressing the role that public systems play in creating housing instability and homelessness. Research powerfully demonstrates how inadequate, discriminatory, or harmful policies within child welfare, the criminal justice system, the health and mental health systems, the immigration system, and other public systems create pathways into homelessness, housing instability, and violence.³⁰³ The child welfare system provides an illustrative example of this, with studies indicating:

1. Women-led families experiencing poverty are at greater risk of having their children apprehended in part because of the conflation between neglect and poverty in child welfare practices.³⁰⁴
2. Young people with child welfare involvement are 193 times more likely to experience youth homelessness.³⁰⁵
3. Young people with child welfare involvement are more likely to become young parents,³⁰⁶ and are at increased risk of having their own children taken into care.³⁰⁷
4. Youth homelessness is linked to chronic homelessness, with the most recent national Point-in-Time Count demonstrating that almost 50% of people experiencing chronic homelessness first became homeless as a youth.³⁰⁸
5. Child apprehension is often an event that contributes to, and precipitates, housing instability and homelessness for mothers.³⁰⁹
6. Women experiencing homelessness with their children may avoid services and shelters for fear of child apprehension, making it more difficult to necessary supports and services.³¹⁰

As these data points illustrate, policies and practices within the child welfare system directly contribute not only to housing instability and homelessness for women, but are foundational to youth homelessness, chronic homelessness, and intergenerational homelessness. If we expect to end homelessness and realize the right to housing for all, it will require reckoning with such public system problems.

302 Freeman, S., Perucca, J., & Farha, L. (2021). *Monitoring the Right to Adequate Housing: Cross-Jurisdictional Research on Accountability Offices*. Canadian Human Rights Commission.

303 For a comprehensive review of how this occurs within each public system, see Schwan et al., 2020.

304 Women's Housing Equality Network. (n.d.). *Women and girls: Homelessness and poverty in Canada*. <https://www.edmontonsocialplanning.ca/index.php/resources/digital-resources/f-social-issues/f10-women/685-2008-women-and-girls-factsheet/file>

305 Nichols et al., 2018.

306 Provincial Advocate for Children and Youth, 2012; Tweddle, 2007.

307 Wall-Wieler et al., 2018

308 ESDC (Employment and Social Development Canada). (2019). *Everyone counts highlights: Preliminary results from the second nationally coordinated point-in-time count of homelessness in Canadian communities*. <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights2018-point-in-time-count.html#3.5>

309 Van Berkum & Oudshoorn, 2015.

310 Martin & Walia, 2019; Maki, 2017.

Given that public systems like child welfare are the under provincial/territorial jurisdiction, the Federal Housing Advocate will play a critical role in support cross-jurisdictional collaboration to ensure that public systems respect and protect the right to housing.

6. RECOMMENDATIONS

“The right to housing must be recognized as a central component of women’s right to substantive equality, which requires that laws, policies and practices be altered so that they do not maintain, but rather alleviate, the systemic disadvantages that women experience.”³¹¹

The National Housing Strategy Act provides a critical opportunity to meaningfully advance the right to housing for women, girls, and gender diverse people in Canada. This undertaking is particularly urgent in the context of deepening gender-based inequities during the pandemic, including in the area of housing and income.³¹² Without significant rights-based oversight and action, these inequities threaten progress on women’s rights in Canada and represent retrogression on the right to housing. It is within this urgent context that we offer the following recommendations to the Office of the Federal Housing Advocate (see Appendix A for a summary). These recommendations are crafted in recognition that all women, girls, and gender diverse peoples have “the right to live somewhere in security, peace, and dignity.”³¹³

A. Establishing human rights-based targets, timelines, outcomes, and indicators

1. End all forms of homelessness for women, girls, and gender diverse peoples in the shortest possible time through the allocation of maximum available resources.

Homelessness is a prima facie violation of human rights, and as such, requires urgent government action to ensure access to adequate housing for all in the shortest possible time.³¹⁴ In order to comply with obligations outlined in international human rights law, the Federal Housing Advocate should support Canadian governments to:

- Immediately end all forms of homelessness for women, girls and gender diverse people. The Federal Housing Advocate should recommend that the progressive realization of an end to homelessness be marked in sub-goals within the NHS,³¹⁵ including the commitment to ending chronic homelessness outlined in the 2020 Throne’s Speech. This commitment to ending chronic homelessness must reflect the unique ways in which women and gender diverse people experience chronic homelessness (e.g., multiple years trapped in violent homes). The Federal Housing Advocate should assist governments in

311 A/HRC/43/43, No. 9, para 52.

312 Centre for Equality Rights in Accommodation & National Right to Housing Network, 2021.

313 General Comment No. 4 of the United Nations Committee on Economic, Social, and Cultural Rights.

314 A/HRC/31/54, para. 4.

315 Biss & Raza, 2021.

ensuring gender equity underpins all efforts to end chronic homelessness, including through ongoing monitoring and reporting efforts within the Office of the Federal Housing Advocate.

- Apply the principle of maximum available resources in all efforts to end homelessness and housing instability for women, girls, and gender diverse peoples, prioritizing those most in need. The Office of the Federal Housing Advocate should play an active role in assessing whether this standard is being met.
- The Federal Housing Advocate should use all means at its disposal to ensure targets and timelines with respect to the right to housing for Indigenous women, girls, and gender diverse people are met, assisting governments to align these targets and timelines with international human rights standards, including UNDRIP, as well as the *Calls to Justice* outlined in *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*.³¹⁶

2. Develop a national definition of homelessness that reflects the unique causes, conditions, and experiences of homelessness for diverse women, girls, and gender diverse people.

Homelessness amongst women, girls, and gender diverse people remains understudied, undercounted, and underfunded because it is often not recognized as such.³¹⁷ This deepens the marginalization and invisibility of these groups, and contributes to gender-based funding inequities.³¹⁸ In seeking to advance substantive equality and non-discrimination, the Federal Housing Advocate should:

- Conduct or commission a rights-based, GBA+ audit of current definitions of homelessness used in policy, programming, legislation, and funding allocation. The Federal Housing Advocate should work in partnership with lived experts and other key stakeholders to undertake such an audit.
- Recommend that the Government of Canada develop a rights-based, gender-inclusive national definition of homelessness, drawing on the lived expertise of diverse women, girls, and gender diverse people. The consultation of diverse Indigenous women, girls, and Two Spirit people in the development of this national definition must be paramount.

3. Identify and mobilize rights-based indicators capable of tracking progress on the progressive realization of the right to housing for women, girls, and gender diverse people.

Tracking progress on the realization of the right to housing for women, girls, and gender diverse people in Canada is in its infancy. Given this, the Federal Housing Advocate should:

- Recommend that the Government of Canada develop and/or adopt measurement tools and data collection methods capable of collecting meaningful, disaggregated data on the experiences of women, girls, and gender diverse people experiencing housing instability and homelessness. These tools and methods should ensure representation of groups typically underrepresented in current data collection

316 National Inquiry into Missing and Murdered Indigenous Women and Girls (NIMMIWG), 2019).

317 See Bretherton, 2017; Pleace & Bretherton, 2013; Schwan et al., 2020.

318 For example, the Minister's Advisory Committee on Homelessness noted that "[t]he lack of an agreed-upon definition of homelessness creates a critical disadvantage to accessing Homelessness Partnering Strategy funds for women" (2018, p. 22).

methods (e.g., PiT Counts, Street Needs Assessments)³¹⁹, such as: women experiencing sex trafficking, those who are doubled-up or couch surfing, and those staying in unsafe and/or exploitive situations to remain housed.

- Recommend that existing government data collection tools and measurements (e.g., byname lists, coordinated access) disaggregate data on the basis of gender and race in an effort to advance equitable access to supports, services, and housing. As noted in the National Right to Housing Network’s submission to the Federal Housing Advocate (2021), the Federal Housing Advocate should provide guidance on how such efforts can follow the principles outlined by the OHCHR in “A Human Rights-Based Approach to Data: Leaving No One Behind in the 2030 Development Agenda.”³²⁰
- Play an active role in tracking the impact of financial investments in federal housing and homelessness programs on women, girls and gender diverse peoples, in partnership with lived experts, key stakeholders, and scholars.³²¹ For example, while the NHS commits a minimum of 25% of investments to housing for women, there are few indicators as to whether and how these targets are being met, including within specific programs (e.g., the Rapid Housing Initiative).³²² The Federal Housing Advocate should assist in establishing a process whereby sufficient mechanisms are in place to assess whether substantive gender-based equity is being achieved in funding allocations.
- Work alongside Indigenous leaders and community members to hold Canadian governments accountable for tracking progress towards the realization of the right to housing for Indigenous women, girls, and Two-Spirit people on an urgent and priority basis. These efforts should be led and controlled by Indigenous Peoples themselves, with the Federal Housing Advocate providing human rights expertise as requested and desired.

319 Bretherton, 2017; Savage, 2016; Schwan et al., 2020.

320 International Institute for Sustainable Development. (2016, April 14). “UN Human Rights Office Issues Six Principles for Data Collection on SDGs.” <https://sdg.iisd.org/news/un-human-rights-office-issues-six-principles-for-data-collection-on-sdgs/>

321 This is a requirement under international human rights law, as outlined in UN Human Rights Council. (2018, January 15). Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. <http://www.undocs.org/A/HRC/37/53>

322 Biss & Raza, 2021, p. 10.

B. Key components of the right to housing as applied to women, girls, and gender diverse people

OPPORTUNITIES FOR THE EXPANSION TO THE NATIONAL HOUSING STRATEGY

4. Ensure gender-based equity in funding for NHS housing investments, prioritizing substantial investment in deeply affordable housing that genuinely meets the needs of diverse women, girls, and gender diverse people.

Affordable, safe and permanent housing is the only long-term solution for homelessness and housing instability amongst women, girls, and gender diverse peoples. In order to help address the scale of core housing need faced by these groups across Canada, the Federal Housing Advocate should:

- Support the establishment of an oversight mechanism to ensure NHS investments reflect the human rights principle of prioritizing those most in need, and that this prioritization employs a GBA+ lens to identify and allocate resources. As noted by the Parliamentary Budget Officer, key programs within the NHS (e.g., the National Housing Co-Investment Fund and the Rental Construction Financing Initiative) do not require investments to target low-income households.³²³ The Federal Housing Advocate should work with key stakeholders and scholars to review the eligibility and prioritization criteria of *all* programs under the NHS to ensure that those in deep core housing need (disproportionately women-led households³²⁴) are prioritized, rather than the interests of market-based housing developers.
- Recommend and assist the federal government to redesign capital programs to substantially increase access to NHS programs for women-led and women-focused organizations, non-profits, and housing providers. In partnership with women-serving organizations and groups, the Federal Housing Advocate should support the identification of mechanisms for capacity-building amongst small, grassroots women's organizations and service providers in the building and management of housing.
- Hold the federal government accountable for ensuring all federally-funded housing and homelessness programs established through the National Housing Strategy are conditional upon recipient governments and organizations (including CABs and CEs³²⁵) progressively adopting a rights-based, GBA+ approach. This should be ensured through ongoing monitoring and reporting of gender-based impacts and outcomes at the local and regional level.

323 Office of the Parliamentary Budget Officer. (2019, June 18). *Federal program spending on housing affordability*. https://www.pbodpb.gc.ca/web/default/files/Documents/Reports/2019/Housing_Affordability/Federal%20Spending%20on%20Housing%20Affordability%20EN.pdf

324 CMHC, 2019.

325 Community Advisory Boards (CABs) and Community Entities (CEs) are local organizing committees responsible for setting direction for addressing homelessness in their community or region as part of the National Housing Strategy set up by the Government of Canada. See <https://chra-achru.ca/community-advisory-boards-community-entities-cabs-ces/>.

5. Ensure equitable investments in emergency homelessness supports and services funded by Reaching Home.

Research demonstrates a significant underinvestment in emergency shelter services and emergency beds for women and gender diverse people across Canada.³²⁶ The Federal Housing Advocate should conduct or commission a GBA+ audit of federal investments in the homelessness sector made through Reaching Home, seeking to identify and remedy gender-based inequities in funding. Particular efforts should be made to ensure equitable investments in emergency housing and homelessness supports for Indigenous women, girls, and gender diverse peoples, including in rural, remote, Northern, and urban spaces.

6. Implement a Federal Residential Tenant Support Benefit that meaningfully prevents eviction, rental arrears, and pathways into homelessness for women and gender diverse people.

The eviction and arrears crisis in Canada, in part driven by the pandemic, is disproportionately impacting women, including women with disabilities, and Black and Indigenous women.³²⁷ As proposed by CERA and NRHN,³²⁸ the federal government should adopt a Residential Tenant Support Benefit that preserves tenancies during the COVID-19 and for a reasonable thereafter, seeking to ensure no one loses their housing because of lost income. This Benefit should be positioned as a key priority within the National Housing Strategy, and should be implemented using a GBA+ lens. The Federal Housing Advocate should recommend the adoption of a Federal Residential Tenant Support Benefit, and lend her/his/their expertise and authority to ensure this Benefit is established in alignment with human rights standards. The Federal Housing Advocate should also support the creation of mechanisms to monitor the Benefit's impact on women, girls, and gender diverse people.

7. Redesign and further invest in the Canada Housing Benefit to maximize benefit for those in greatest need, ensuring swift access for women, girls, and gender diverse peoples experiencing deep core housing need, hidden homelessness, and violence of all kinds.

The Canada Housing Benefit (CHB) has the potential to provide tremendous support to women, girls, and gender diverse people experiencing severe housing need, homelessness, and violence. In order to optimize this potential, the Federal Housing Advocate should:

- Guide governments to adopt rights-based decision-making regarding who receives the CHB, ensuring access for diverse and marginalized women, women-led families, and gender diverse people experiencing core housing need and homelessness. Barriers to accessing the CHB for persons experiencing hidden homelessness should be minimized or eliminated wherever possible.
- Recommend that the federal government provide the CHB as a direct entitlement to individuals and families, rather than through cost-sharing agreements with provinces and territories, in order to increase the access to the benefit and address the urgent eviction and arrears crisis in Canada.

³²⁶ Schwan et al., 2020.

³²⁷ Centre for Equality Rights in Accommodation & National Right to Housing Network, 2021.

³²⁸ Centre for Equality Rights in Accommodation & National Right to Housing Network, 2021.

- Advise governments to increase investment in the CHB in line with the level of housing need experienced across the country, taking into consideration the unique housing needs of women, girls, and gender diverse people.

8. Ensure the affordability metrics employed in all NHS programs actually reflect the depth of poverty and core housing need that many women, girls, and gender diverse people experience in Canada.

There is a significant disconnect between the affordability metrics employed in many NHS programs (e.g., 30% of median income for the region) and what would make housing affordable and attainable for those most in need. In partnership with lived experts, scholars, and key stakeholders, the Federal Housing Advocate should provide rights-based guidance to the federal government on how to revise the NHS affordability metrics in line with human right standards, seeking to advance the human rights principle of prioritizing those most in need.

ENSURING MEANINGFUL REALIZATION OF THE NHSA FOR WOMEN, GIRLS, AND GENDER DIVERSE PEOPLE

9. Support provincial and territorial governments to adopt the right to housing in legislation and policy. Such legislation and policy should seek to ensure that the right to housing is mainstreamed within public systems that contribute to housing insecurity and homelessness for women, girls, and gender diverse peoples.

The roots of housing rights violations are “multidimensional, involving many different areas of policy and programmes and requiring comprehensive plans to effect meaningful change over time.”³²⁹ This is particularly evident in the lives of women, girls, and gender diverse peoples, for whom harmful policies in public systems create direct and indirect pathways into experiences of homelessness and violence. Data persuasively shows that if we expect to end housing need and homelessness for women, girls, and gender diverse people, it will require significant reforms in public systems (including many systems under provincial/territorial jurisdiction).

In light of this, the Federal Housing Advocate should use all means at its disposal to support provincial/territorial governments to adopt the right to housing in legislation and policy, including through the adoption of rights-based housing and homelessness strategies. Such legislation and policy must ensure the human right to housing is mainstreamed within public systems that affect the right to housing for women, girls, and gender diverse peoples, such as child welfare, criminal justice, healthcare, education, immigration, and other key policy areas.³³⁰ To this end, the Federal Housing Advocate should:

- Seek to uncover and report on systemic injustices experienced by women, girls, and gender diverse peoples in public systems that undermine these groups’ right to housing. On the basis of this work, the Federal Housing Advocate should provide education and rights-based guidance to provincial/territorial

³²⁹ A/HRC/43/43, No. 4, para 25.

³³⁰ See Schwan et al. (2020) for an exhaustive review of public systems and their intersection with housing need and homelessness for women, girls, and gender diverse people.

departments and ministries whose policies undermine the right to housing for women, girls, and gender diverse people.

- Support provincial/territorial governments to draft and implement provincial/territorial legislation on the right to housing in alignment with international human rights standards. This work should include supporting governments to implement mechanisms through which women, girls, and gender diverse people with lived expertise can be involved in the development of this legislation.
- In coordination with Indigenous leaders and communities, act as a human rights authority on how provincial/territorial governments can best respect, protect, and fulfill the distinct rights of Indigenous Peoples in line with their international human rights obligations.
- Assist provincial/territorial governments in their efforts to centre Indigenous women, girls, and Two-Spirit people in the development of right to housing legislation or policy, supporting the creation of mechanisms for meaningful participation by Indigenous Peoples in its creation.
- Champion cross-ministerial and cross-departmental coordination, both within and across jurisdictions, to advance the right to housing in policy areas that have been shown to contribute to housing instability in the lives of some women, girls, and gender diverse peoples.

10. Improve access to justice for marginalized women, girls, and gender diverse people experiencing systemic violations of their right to housing.

Despite experiencing many gender-based rights violations in the area of housing, women and gender diverse people continue to experience significant barriers to accessing justice. Given this, the Federal Housing Advocate should:

- Analyze current avenues for access to justice for housing rights violations, seeking to identify and urgently address the unique barriers that may prevent diverse women and gender diverse people from accessing the Office of the Federal Housing Advocate (e.g., lack of childcare, experiences of gender-based discrimination and oppression, incarceration). Ultimately, as identified in The Shift's submission to the Federal Housing Advocate, the Office of the Federal Housing Advocate must be accessible to all.³³¹
- Include affected women, girls, and gender diverse people in all stages of the investigation process, positioning women, girls, and gender diverse peoples with lived experience of housing instability as experts.³³²

11. Ensure the right to housing guides policies, practices, operations, and decision-making within both the homelessness and Violence Against Women sectors.

The research presented in this report indicates there are significant gaps between human rights standards and practices in operation at some homelessness and VAW organizations/agencies. Particular practices and policies can create harm for some women and gender diverse people seeking help, including on the basis of discriminatory policies, duty to report policies, and eligibility and acuity criteria. In some cases seemingly benign or very minor

³³¹ Freeman, Perucca, & Farha, 2021.

³³² A similar recommendation is offered in The Shift's submission to the Federal Housing Advocate (Freeman, Perucca, & Farha, 2021).

operational policies within shelters, drop-ins, transitional housing, and other emergency services produce horrific results for those seeking or receiving support. Given this, the Federal Housing Advocate should:

- Recommend that federal ministries responsible for administering funds to address homelessness or gender-based violence (e.g., CMHC, WAGE, ESDC) require homelessness and VAW organizations/agencies to conduct rights-based audits of their practices, operations, and decision-making at all levels. Such audits should be comprehensive and participatory.
- Recommend that the Government of Canada invest in the development of a GBA+, rights-based framework for practices and protocols within the homelessness and VAW sectors. This framework should address such issues as eligibility criteria for accessing services (e.g., provide rights-based guidance to the VAW sector on eligibility criteria for accessing services, seeking to ensure access for all women and gender diverse people fleeing violence, rather than limiting service provision to persons experiencing particular forms of violence (i.e., IPV)).

C. Improving housing outcomes for those most in need

12. Urgently prioritize all available means to realize the right to housing for Indigenous women, girls, and Two-Spirit people.

Indigenous women, girls, and Two-Spirit people experience the most egregious housing conditions in Canada and remain the most underserved in the homelessness and VAW sectors. These experiences are grounded in historical and ongoing colonial practices and cultural genocide.³³³ The progressive realization of the right to housing for Indigenous women, girls, and Two-Spirit people should be the measure by which we assess the impact of the *National Housing Strategy Act*. In order to urgently realize the right to housing for this group, the Federal Housing Advocate should:

- Demand that the federal government allocate maximum available resources to immediately end homelessness and progressively realize the right to housing for Indigenous women, girls, and Two-Spirit people.
- Hold governments accountable for ensuring the UN Declaration of the Rights of Indigenous People and the Calls to Justice outlined in *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*³³⁴ guide decision-making in the area of housing for Indigenous women, girls, and Two-Spirit people.
- Hold governments accountable for ensuring meaningful participation of Indigenous women, girls, and Two-Spirit people in all decision-making processes that affect them with respect to housing, including through the principles of free, prior, and informed consent.

333 MMIWG, 2019.

334 MMIWG, 2019.

- Advocate for the immediate adoption of an Urban Indigenous Housing Strategy, developed by and for Indigenous persons, that meets the unique needs of urban Indigenous women, girls, and Two-Spirit people.³³⁵
- Prioritize identifying and monitoring systemic housing rights violations experienced by Indigenous women, girls, and Two-Spirit people, including in the area of funding allocation at all levels of government.

13. Develop distinctive rights-based standards and approaches to ensuring equality and non-discrimination in housing for disadvantaged groups of women, girls, and gender diverse people.

The Federal Housing Advocate should seek to ensure equal enjoyment of the right to housing for all.³³⁶ To this end, the Federal Housing Advocate should seek to identify means through which governments can alleviate the effects of intersectional, gender-based discrimination against diverse women, girls, and gender diverse people in the area of housing. This will require particular attention to disadvantaged groups' unique experiences of discrimination and inequity, including for the following groups: Black and racialized women and gender diverse people; Indigenous women, girls and Two-Spirit people; gender diverse people; young women and gender diverse people; older women and gender diverse people; persons with disabilities; LGBTQ2S+ -identified persons; women, girls, and gender diverse people experiencing violence; and newcomer women and gender diverse people. To advance substantive equality in housing for disadvantaged groups, the Federal Housing Advocate should:

- Hold governments accountable for not only prohibiting all forms of discrimination in housing, but advancing substantive equality through positive measures for disadvantaged women, girls, and gender diverse people.³³⁷
- Conduct investigations into the unique experiences of disadvantage and discrimination faced by diverse groups of women, girls, and gender diverse people in the area of housing. For example, the Federal Housing Advocate should identify how particular housing policies create barriers for low-income mothers to remain housed with their children, and advise relevant governments on policy reform to prevent family separation and protect the right to housing for low-income families.³³⁸
- Support governments to work with marginalized groups of women, girls, and gender diverse peoples to develop distinctive standards and approaches to equality that reflect their realities.

335 OFIFC. (2018, January). *Response to the National Housing Strategy*. <https://ofifc.org/wp-content/uploads/2020/03/2018-policy-housing-strategyPRINT.pdf>

336 Committee on Economic, Social and Cultural Rights, General Comment No. 20, para. 37.

337 A/HRC/43/43, No. 8, para 48 (a).

338 Convention on the Rights of the Child, art. 27, and Committee on the Rights of the Child, General Comment No. 21. "Where a lack of housing threatens the ability of parents to remain with their children, appropriate housing and related support must be provided to avoid family separation." A/HRC/43/43, No. 8, para 48 (d) (i).

D. Articulating a long-term vision for adequate housing for women, girls, and gender diverse people

14. Increase home ownership and primary lease holding among low-income and marginalized women and gender diverse people.

As identified by the UN Special Rapporteur on the Right to Adequate Housing, “the right to own, manage, enjoy and dispose of property is central to a woman’s right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family.”³³⁹ It is evident that in Canada, a woman’s access to housing still depends in large part on her relationship with a man.³⁴⁰ In order to advance the autonomy and self-determination of this group, it is essential that home ownership is made attainable for women and gender diverse people living on low-incomes. Further, it is essential that women and gender diverse people are equitably listed on, and have agency over, rental leases, and that such leases provide them protection in the event of dissolution of relationships. To this end, the Federal Housing Advocate should:

- Support governments to identify and invest in innovative home-ownership models that are compliant with international human rights standards and have shown promise for advancing home ownership among women and gender diverse people living on low-incomes.
- Conduct or commission an inquiry into systemic and discriminatory barriers to home ownership for low-income women and gender diverse people, particularly for those who are Black, Indigenous, people of colour, persons with disabilities, and persons experiencing violence.
- Work with provincial/territorial governments to ensure landlord/tenant legislation does not have a direct or indirect discriminatory effect on women, girls, and gender diverse people, including for those who are residing in transitional housing or social housing. In so doing, particular consideration should be given to the intersection between landlord/tenant legislation and other policy areas that affect the right to housing for these groups (e.g., child welfare).

15. Expand and substantially increase investments in eviction prevention for women, girls, and gender diverse people.

Evictions remain a key cause of homelessness for gender and diverse people, despite substantive evidence on the efficacy and cost-benefits of eviction prevention programs and policies.³⁴¹ In seeking to strengthen housing retention for these groups, the Federal Housing Advocate should:

- Recommend that governments invest in evidence- and rights-based eviction prevention policies and programs that respond to the unique circumstances of women, girls, and gender diverse people.

339 OHCHR. (n.d.). General Recommendations Adopted by the Committee on the Elimination of Discrimination Against Women. Article 26. [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/A_49_38\(SUPP\)_4733_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/A_49_38(SUPP)_4733_E.pdf)

340 See national survey findings in Section 5 of this report.

341 Canadian Mortgage and Housing Corporation. (2005). *Cost effectiveness of eviction prevention programs*. Socio-economic Series, 05-035. <https://www03.cmhc-schl.gc.ca/catalog/productDetail>

International examples of ‘zero eviction into homelessness’ policies and programs should be particularly explored, including those that help prevent child apprehension.

- Recommend that governments develop and expand low-income rent subsidy programs for women, girls, and gender diverse people experiencing housing instability and other difficulties (e.g., violence), ensuring that these programs reach those most in need.
- Advise governments to improve access to legal information, advice, and representation for low-income women, girls, and gender diverse people facing housing precarity or housing rights violations.

16. Raise social assistance, disability benefits, and minimum wage to livable rates, ensuring equitable access to social benefits for diverse women and gender diverse people.

Poverty is a foundational cause of homelessness and housing insecurity for women, girls, and gender diverse people, with advocates and academics noting the “close intersection between the implementation of the right to housing and a lack of adequacy in social assistance programs and minimum wages.”³⁴² As such, the Federal Housing Advocate should champion national standards for provincial/territorial social assistance programs that are consistent with the right to housing, and hold governments accountable for enforcing these standards through funding agreements and other means.³⁴³

17. Ensure the Violence Against Women (VAW) sector and the homelessness sector work collaboratively to effectively meet the needs of diverse women, girls, and gender diverse people.

Research shows that gaps and silos between the homelessness and VAW sectors can contribute to ongoing housing instability and exposure to violence.³⁴⁴ In order to build a cohesive, equitable, effective, and rights-based emergency response system for women and gender diverse people experiencing homelessness, the Federal Housing Advocate should:

- Conduct or commission an inquiry on systemic violations of the right to housing at the intersection of the VAW and homelessness sectors, seeking to identify how particular gaps between the sectors may deepen homelessness or marginalization for some women, girls, and gender diverse people.
- Recommend that the Government of Canada invest in the development of a rights-based framework for coordinating service delivery across the VAW and homelessness sectors, recognizing that women often move between services in both sectors and deserve to have their right to housing upheld within and between each.

³⁴² Biss & Raza, 2021.

³⁴³ Biss & Raza, 2021.

³⁴⁴ Schwan et al., 2020.

18. Actively prevent the financialization of housing, including through the regulation of financial actors and Real Estate Investment Trusts.

Given that women-led households are disproportionately in core housing need in Canada,³⁴⁵ it is likely that these households disproportionately suffer the effects of financialized housing markets and the resultant loss of naturally-occurring affordable housing (NOAH). In light of the corrosive role of financialization of housing on the right to housing, the Federal Housing Advocate should seek to guide governments on the regulation of business in the area of housing in line with international human rights law.³⁴⁶

E. Providing for participatory processes to ensure ongoing inclusion and engagement

19. Implement mechanisms for the meaningful participation of women, girls, and gender diverse people in the design, implementation, and monitoring of housing policies and decisions.³⁴⁷

Rights-based participation “is a core element of the right to housing and critical to dignity, the exercise of agency, autonomy and self-determination.”³⁴⁸ In order to meaningfully realize this for women, girls, and gender diverse people experiencing housing insecurity, the Federal Housing Advocate should:

- Support governments to develop multiple, highly-accessible avenues through which women, girls, and gender diverse people with lived expertise can meaningfully influence the development of housing policy, programming, and legislation. Such avenues must provide meaningful opportunities “to influence the outcome of decision-making processes”³⁴⁹ at the highest levels.
- Actively outreach to marginalized women, girls, and gender diverse women experiencing housing need, seeking to involve these groups in the work of the Office and integrating their expertise into every function of the Office. In so doing, the Advocate should specifically outreach to women and gender diverse people who are typically excluded in policy development and rights-based audits of policies, plans, and budgets. This should include women and gender diverse people who are incarcerated, living in hotels/motels, residing in treatment facilities, as well as girls and young women in the child welfare system.

³⁴⁵ CMHC, 2019; Pomeroy, 2021.

³⁴⁶ A/HRC/43/43.

³⁴⁷ A/HRC/43/43, No. 3.

³⁴⁸ A/HRC/43/43, No. 3.

³⁴⁹ A/HRC/43/43, No. 3.

APPENDIXES

APPENDIX A: SUMMARY OF RECOMMENDATIONS

A. Establishing human rights-based targets, timelines, outcomes, and indicators

RECOMMENDATION	ROLE OF THE FEDERAL HOUSING ADVOCATE
<p>1. End all forms of homelessness for women, girls, and gender diverse peoples in the shortest possible time through the allocation of maximum available resources.</p>	<ul style="list-style-type: none"> ○ Recommend that the progressive realization of an end to homelessness be marked in sub-goals within the NHS ○ Assist governments in ensuring gender equity underpins all efforts to end chronic homelessness, including through ongoing monitoring and reporting efforts within the Office of the Federal Housing Advocate. ○ Play an active role in assessing whether governments are employing the principle of maximum available resources in all efforts to end homelessness and housing instability for women, girls, and gender diverse peoples, ○ Use all means at its disposal to ensure targets and timelines with respect to the right to housing for Indigenous women, girls, and gender diverse people are met, assisting governments to align these targets and timelines with international human rights standards, including UNDRIP, as well as the <i>Calls to Justice</i> outlined in <i>Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls</i>
<p>2. Develop a national definition of homelessness that reflects the unique causes, conditions, and experiences of homelessness for diverse women, girls, and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Conduct or commission a rights-based, GBA+ audit of current definitions of homelessness used in policy, programming, legislation, and funding allocation ○ Recommend that the Government of Canada develop a rights-based, gender-inclusive national definition of homelessness, drawing on the lived expertise of diverse women, girls, and gender diverse people
<p>3. Identify and mobilize rights-based indicators capable of tracking progress on the progressive realization of the right to housing for women, girls, and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Recommend that the Government of Canada develop and/or adopt measurement tools and data collection methods capable of collecting meaningful, disaggregated data on the experiences of women, girls, and gender diverse people experiencing housing instability and homelessness. ○ Recommend that existing government data collection tools and measurements (e.g., byname lists, coordinated access) disaggregate data on the basis of gender and race in an effort to advance equitable access to supports, services, and housing ○ Play an active role in tracking the impact of financial investments in federal housing and homelessness programs on women, girls and gender diverse peoples, in partnership with lived experts, key stakeholders, and scholars

	<ul style="list-style-type: none"> ○ Assist in establishing a process whereby sufficient mechanisms are in place to assess whether substantive gender-based equity is being achieved in funding allocations. ○ Work alongside Indigenous leaders and community members to hold Canadian governments accountable for tracking progress towards the realization of the right to housing for Indigenous women, girls, and Two-Spirit people on an urgent and priority basis
B. Key components of the right to housing as applied to women, girls, and gender diverse people	
RECOMMENDATION	ROLE OF THE FEDERAL HOUSING ADVOCATE
4. Ensure gender-based equity in funding for NHS housing investments, prioritizing substantial investment in deeply affordable housing that genuinely meets the needs of diverse women, girls, and gender diverse people.	<ul style="list-style-type: none"> ○ Support the establishment of an oversight mechanism to ensure NHS investments reflect the human rights principle of prioritizing those most in need, and that this prioritization employs a GBA+ lens to identify and allocate resources. ○ Recommend and assist the federal government to redesign capital programs to substantially increase access to NHS programs for women-led and women-focused organizations, non-profits, and housing providers. ○ Hold the federal government accountable for ensuring all federally-funded housing and homelessness programs established through the National Housing Strategy are conditional upon recipient governments and organizations (including CABs and CEs) progressively adopting a rights-based, GBA+ approach.
5. Ensure equitable investments in emergency homelessness supports and services funded by Reaching Home.	<ul style="list-style-type: none"> ○ Conduct or commission a GBA+ audit of federal investments in the homelessness sector made through Reaching Home, seeking to identify and remedy gender-based inequities in funding, particularly for Indigenous women, girls, and gender diverse peoples
6. Implement a Federal Residential Tenant Support Benefit that meaningfully prevents eviction, rental arrears, and pathways into homelessness for women and gender diverse people.	<ul style="list-style-type: none"> ○ Recommend the adoption of a Federal Residential Tenant Support Benefit, and lend her/his/their expertise and authority to ensure this Benefit is established in alignment with human rights standards. ○ Support the creation of mechanisms to enable monitoring of the Benefit's impact on women, girls, and gender diverse people.
7. Redesign and further invest in the Canada Housing Benefit to maximize benefit for those in greatest need, ensuring swift access for women, girls, and gender diverse peoples experiencing deep core housing need, hidden homelessness, and violence of all kinds.	<ul style="list-style-type: none"> ○ Guide governments to adopt rights-based decision-making regarding who receives the CHB, ensuring access for diverse and marginalized women, women-led families, and gender diverse people experiencing core housing need and homelessness ○ Recommend that the federal government provide the CHB as a direct entitlement to individuals and families, rather than through cost-sharing agreements with provinces and territories

	<ul style="list-style-type: none"> ○ Advise governments to increase investment in the CHB in line with the level of housing need experienced across the country, taking into consideration the unique housing needs of women, girls, and gender diverse people.
<p>8. Ensure the affordability metrics employed in all NHS programs actually reflect the depth of poverty and core housing need that many women, girls, and gender diverse people experience in Canada.</p>	<ul style="list-style-type: none"> ○ Provide rights-based guidance to the federal government on how to revise the NHS affordability metrics in line with human right standards, seeking to advance the human rights principle of prioritizing those most in need.
<p>9. Support provincial and territorial governments to adopt the right to housing in legislation and policy. Such legislation and policy should seek to ensure that the right to housing is mainstreamed within public systems that contribute to housing insecurity and homelessness for women, girls, and gender diverse peoples.</p>	<ul style="list-style-type: none"> ○ Use all means at its disposal to support provincial/territorial governments to adopt the right to housing in legislation and policy, including through the adoption of rights-based housing and homelessness strategies ○ Seek to uncover and report on systemic injustices experienced by women, girls, and gender diverse peoples in public systems that undermine these groups' right to housing ○ Provide education and rights-based guidance to provincial/territorial departments and ministries (e.g., child welfare) whose policies undermine the right to housing for women, girls, and gender diverse people. ○ Support provincial/territorial governments to draft and implement provincial/territorial legislation on the right to housing in alignment with international human rights standards. This work should include supporting governments to implement mechanisms through which women, girls, and gender diverse people with lived expertise can be involved in the development of this legislation. ○ In coordination with Indigenous leaders and communities, act as a human rights authority on how provincial/territorial governments can best respect, protect, and fulfill the distinct rights of Indigenous Peoples in line with their international human rights obligations. ○ Assist provincial/territorial governments in their efforts to centre Indigenous women, girls, and Two-Spirit people in the development of right to housing legislation or policy, supporting the creation of mechanisms for meaningful participation by Indigenous Peoples in its creation. ○ Champion cross-ministerial and cross-departmental coordination, both within and across jurisdictions, to advance the right to housing in policy areas that have been shown to contribute to housing instability in the lives of some women, girls, and gender diverse peoples.
<p>10. Improve access to justice for marginalized women, girls, and gender diverse people experiencing systemic violations of their right to housing.</p>	<ul style="list-style-type: none"> ○ Analyze current avenues for access to justice for housing rights violations, seeking to identify and urgently address the unique barriers that may prevent diverse women and gender diverse people from accessing the Office of the Federal Housing Advocate (e.g., lack of childcare, experiences of gender-based discrimination and oppression, incarceration). ○ Include affected women, girls, and gender diverse people in all stages of the investigation process, positioning women, girls, and gender diverse peoples with lived experience of housing instability as experts

<p>11. Ensure the right to housing guides policies, practices, operations, and decision-making within both the homelessness and Violence Against Women sectors.</p>	<ul style="list-style-type: none"> ○ Recommend that federal ministries responsible for administering funds to address homelessness or gender-based violence (e.g., CMHC, WAGE, ESDC) require homelessness and VAW organizations/agencies to conduct rights-based audits of their practices, operations, and decision-making at all levels ○ Recommend that the Government of Canada invest in the development of a GBA+, rights-based framework for practices and protocols within the homelessness and VAW sectors.
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C. Improving housing outcomes for those most in need

RECOMMENDATION	ROLE OF THE FEDERAL HOUSING ADVOCATE
<p>12. Urgently prioritize all available means to realize the right to housing for Indigenous women, girls, and Two-Spirit people.</p>	<ul style="list-style-type: none"> ○ Demand that the federal government allocate maximum available resources to immediately end homelessness and progressively realize the right to housing for Indigenous women, girls, and Two-Spirit people. ○ Hold governments accountable for ensuring the UN Declaration of the Rights of Indigenous People and the Calls to Justice outlined in <i>Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls</i> guide decision-making in the area of housing for Indigenous women, girls, and Two-Spirit people. ○ Hold governments accountable for ensuring meaningful participation of Indigenous women, girls, and Two-Spirit people in all decision-making processes that affect them with respect to housing, including through the principles of free, prior, and informed consent. ○ Advocate for the immediate adoption of an Urban Indigenous Housing Strategy, developed by and for Indigenous persons, that meets the unique needs of urban Indigenous women, girls, and Two-Spirit people. ○ Prioritize identifying and monitoring systemic housing rights violations experienced by Indigenous women, girls, and Two-Spirit people, including in the area of funding allocation at all levels of government.
<p>13. Develop distinctive rights-based standards and approaches to ensuring equality and non-discrimination in housing for disadvantaged groups of women, girls, and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Seek to ensure equal enjoyment of the right to housing for all ○ Hold governments accountable for not only prohibiting all forms of discrimination in housing, but advancing substantive equality through positive measures for disadvantaged women, girls, and gender diverse people ○ Conduct investigations into the unique experiences of disadvantage and discrimination faced by diverse groups of women, girls, and gender diverse people in the area of housing. ○ Support governments to work with marginalized groups of women, girls, and gender diverse peoples to develop distinctive standards and approaches to equality that reflect their realities.

D. Articulating a long-term vision for adequate housing for women, girls, and gender diverse people

RECOMMENDATION	ROLE OF THE FEDERAL HOUSING ADVOCATE
<p>14. Increase home ownership and primary lease holding among low-income and marginalized women and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Support governments to identify and invest in innovative home-ownership models that are compliant with international human rights standards and have shown promise for advancing home ownership among women and gender diverse people living on low-incomes. ○ Conduct or commission an inquiry into systemic and discriminatory barriers to home ownership for low-income women and gender diverse people, particularly for those who are Black, Indigenous, people of colour, persons with disabilities, and persons experiencing violence. ○ Work with provincial/territorial governments to ensure landlord/tenant legislation does not have a direct or indirect discriminatory effect on women, girls, and gender diverse people, including for those who are residing in transitional housing or social housing
<p>15. Expand and substantially increase investments in eviction prevention for women, girls, and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Recommend that governments invest in evidence- and rights-based eviction prevention policies and programs that respond to the unique circumstances of women, girls, and gender diverse people. ○ Recommend that governments develop and expand low-income rent subsidy programs for women, girls, and gender diverse people experiencing housing instability and other difficulties (e.g., violence), ensuring that these programs reach those most in need. ○ Advise governments to improve access to legal information, advice, and representation for low-income women, girls, and gender diverse people facing housing precarity or housing rights violations.
<p>16. Raise social assistance, disability benefits, and minimum wage to livable rates, ensuring equitable access to social benefits for diverse women and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Champion national standards for provincial/territorial social assistance programs that are consistent with the right to housing, and hold governments accountable for enforcing these standards through funding agreements and other means
<p>17. Ensure the Violence Against Women (VAW) sector and the homelessness sector work collaboratively to effectively meet the needs of diverse women, girls, and gender diverse people.</p>	<ul style="list-style-type: none"> ○ Conduct or commission an inquiry on systemic violations of the right to housing at the intersection of the VAW and homelessness sectors, seeking to identify how particular gaps between the sectors may deepen homelessness or marginalization for some women, girls, and gender diverse people. ○ Recommend that the Government of Canada invest in the development of a rights-based framework for coordinating service delivery across the VAW and homelessness sectors, recognizing that women often move between services in both sectors and deserve to have their right to housing upheld within and between each.

<p>18. Actively prevent the financialization of housing, including through the regulation of financial actors and Real Estate Investment Trusts.</p>	<ul style="list-style-type: none"> ○ Guide governments on the regulation of business in the area of housing in line with international human rights law
<p>E. Providing for participatory processes to ensure ongoing inclusion and engagement</p>	
<p>RECOMMENDATION</p>	<p>ROLE OF THE FEDERAL HOUSING ADVOCATE</p>
<p>19. Implement mechanisms for the meaningful participation of women, girls, and gender diverse people in the design, implementation, and monitoring of housing policies and decisions.</p>	<ul style="list-style-type: none"> ○ Support governments to develop multiple, highly-accessible avenues through which women, girls, and gender diverse people with lived expertise can meaningfully influence the development of housing policy, programming, and legislation. Such avenues must provide meaningful opportunities “to influence the outcome of decision-making processes”³⁵⁰ at the highest levels. ○ Actively outreach to marginalized women, girls, and gender diverse women experiencing housing need, seeking to involve these groups in the work of the Office and integrating their expertise into every function of the Office.

APPENDIX B – GLOSSARY OF TERMS³⁵¹

Accessibility: Accessibility refers to the design of products, devices, services, or environments for people who experience disabilities.³⁵² This term is used throughout the report to refer to one’s ability to access and benefit from services, systems, spaces, and programs.

Affordable Housing: Any type of housing - including rental/home ownership, permanent/temporary, for-profit/non-profit - that costs less than 30% of a household’s pre-tax income.

At-Risk of Homelessness: People who are not currently experiencing homelessness, but whose current economic and/or housing situation is precarious or does not meet public health and safety standards.

Canadian Human Rights Act: A federal law that protects all people who are legally in Canada from discrimination by federally regulated employers and service providers.

Chronic Homelessness: According to *Reaching Home: Canada’s Homelessness Strategy Directives*, chronic homelessness refers to individuals who are currently experiencing homelessness AND who meet at least 1 of the following criteria:

- Experienced at least 6 months (180 days) of homelessness over the past year
- Recurrent experiences of homelessness over the past 3 years, with a cumulative duration of at least 18 months (546 days).

Current definitions of chronic homelessness fail to consider the gendered, hidden, and nuanced ways in which women and gender diverse people experience homelessness. For example, it does not include situations where individuals live in transitional housing or in public institutions, or remain in unsafe or unsuitable housing to avoid entering a homeless shelter.

Cis-gender: *Cisgender* or *cis* refers to those whose gender matches their assigned sex at birth.

Core Housing Need: As defined by Statistics Canada (2017), “a household is said to be in ‘core housing need’ if its housing falls below at least one of the adequacy, affordability or suitability standards and it would have to spend 30% or more of its total before-tax income to pay the median rent of alternative local housing that is acceptable (meets all three housing standards)” (n.p.).

Gender Diverse: Refers to persons whose gender identity, role, or expression differs from the cultural norms prescribed for people of a particular sex. This term is becoming more popular as a way to describe people without reference to a particular cultural norm, in a manner that is more affirming and potentially less stigmatizing than gender nonconformity.³⁵³

351 This Glossary of Terms is drawn from existing the glossary of terms made available through the Canadian Human Rights Commission, the 519 Space for Change, the Homeless Hub, the National Harm Reduction Network, and the National Housing Strategy. Other terms were defined during the project itself, in collaboration with our diverse range of stakeholders. While not an exhaustive list of definitions related to our communities or our work, this Glossary of Terms offers some definitions to the terminology we have used throughout our report and within our project. Limitations of the English language presents unique barriers when representing women and gender diverse people in their fullest diversity.

352 See <https://accessibilitycanada.ca/aoda/definitions/>

353 See <https://www.genderspectrum.org/understanding-gender>.

Hidden Homelessness: Refers specifically to persons who are living in temporary housing situations where their homelessness is not visible, but who live without the guarantee of continued residency or immediate prospects for accessing permanent housing. This includes women, girls, and gender diverse people who are in situations of family violence, couch-surfing, trading sex or labour for housing, or residing in overcrowded housing.

Housing Policy: Refers to the actions and inactions of all levels of government, including legislation and program delivery, which have a direct or indirect impact on housing supply and availability, housing standards, and urban planning.

Inclusion: An approach that aims to reach out to and include all people, honouring the diversity and uniqueness, talent, beliefs, backgrounds, capabilities, and ways of living of diverse individuals and groups.

Intersectionality: An analytical framework for understanding how aspects of a person's social and political identities combine to create different models and experiences of discrimination and privilege.

Harm reduction: Harm reduction is a set of practical strategies and ideas aimed at reducing negative consequences associated with drug use. Harm Reduction is also a movement for social justice built on a belief in, and respect for, the rights of people who use drugs.

Non-Binary: An umbrella term for gender identities that fall outside of the male and female binary.

Trauma-informed Practice: Trauma informed practice acknowledges how common trauma is, and the wide impact it has, including the interrelationship between trauma, substance use and mental health concerns. We understand this as a foundational aspect of gender-specific service delivery. It recognizes a wide range of physical, psychological and emotional responses that women may experience as a result of trauma and view these not as 'problematic behaviours' but as responses to difficult life experiences, which may reflect coping strategies that are (or were) survival strategies.

Two Spirit: An umbrella term encompassing gender and sexual diversity in Indigenous communities. Two Spirit people often serve integral and important roles in their communities, such as leaders and healers. There are many understandings of the term Two Spirit – and this English term does not resonate for everyone. Two Spirit is a cultural term reserved for those who identify as Indigenous.

Woman/Women: This term includes self-identified women, who can be trans, cis and/or Two Spirit.

Trans: *Trans* is considered an umbrella term that describes individuals whose genders do not correlate with the sex they were assigned at birth.

Oppression: The obvious and subtle ways dominant groups unjustly maintain status, privilege, and power over others, using physical, psychological, social, or economic threats or force. Frequently, an explicit ideology is used to sanction the unfair subjugation of an individual or group by a more powerful individual or group, which causes injustices in everyday interactions between marginalized groups and the dominant group.