



# HIGHLIGHTS REPORT

**CYCLES OF HOMELESSNESS:  
UNDERSTANDING EVICTION PREVENTION AND  
ITS RELATION TO HOMELESSNESS**



**ACACIA CONSULTING AND RESEARCH  
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## THE STUDY

On the surface, successfully preventing an eviction represents an effective and affordable tool in preventing homelessness. However, there is considerable uncertainty regarding the extent to which the threat of eviction actually results in absolute or relative homelessness.

Eviction is a complex phenomenon. The entire legal eviction process can last from a matter of days to several months, and each step in the process presents a distinct opportunity to intervene. Further, little is known about who faces eviction and the details of their eviction experiences.

With these issues in mind, the 12-month study entitled “Cycles of Homelessness: Understanding Eviction Prevention and its Relationship to Homelessness” responds to three research questions:

1. What are the characteristics of tenants served with eviction notices and tenants who are evicted?
2. What are the key points of intervention in the eviction process and what specific approaches are most successful at these points in maintaining security of tenure?
3. What are the best practices of eviction prevention models for populations at risk of homelessness and/or people who have recently experienced a bout of homelessness?

Study responses to these questions provide a foundation for a strategy to reduce homelessness. As governments and service providers better understand the link between eviction and homelessness, it is possible to design more effective eviction prevention initiatives which address the needs of households facing eviction and the professionals who support them.

### Methodology

The study took place in the urban regions of Greater Vancouver, British Columbia (BC), Ottawa, Ontario and Halifax Regional Municipality (HRM), Nova Scotia. It relied on a review of published and unpublished literature on eviction and eviction prevention; focus groups and interviews with 91 households with a history of eviction; key informant interviews with a network of front-line workers and experts in the area of eviction, and dissemination of project results through professional associations, and local networks of community organizations.

### Team

The study was led by Acacia Consulting and Research (ACR), involving a national research team which included Michel Frojmovic (study leader), Kate Murray, (analyst) and Sherrie Tingley (community researcher) in Ottawa, Patricia Richards (researcher) in Halifax, and Jeff Sommers (researcher) in Vancouver.

### Client

This report received funding from the National Research Program of the Government of Canada’s National Homelessness Initiative. The research and recommendations are those of the author of the report and do not necessarily reflect the views of the Federal Housing and Homelessness Branch.



## PRINCIPLE CONCLUSIONS

The experiences of study participants confirm much of the existing knowledge regarding the characteristics of tenants facing eviction. However, the research indicates gaps in what is known about the experiences of certain vulnerable groups of tenants, and a need to question the assumption of a straightforward link between eviction and homelessness. The following three themes reflect the most significant findings of the study.

### **Eviction Prevention Cannot be Equated with Homelessness Prevention**

Services and programs with a mandate to prevent evictions can by no means be assumed to result in the prevention of absolute homelessness. Even without formal intervention, most households facing eviction are unlikely to move from a threat of eviction to rooflessness or shelter usage.

At the same time, eviction prevention services often do not reach those households facing the highest risk of absolute homelessness – that is, those in need of multiple supports due to addiction, mental illness, or other complex difficulties. An integrated system of eviction prevention does contribute to the prevention of homelessness. However better quality and more consistent outcome evaluations are needed to more clearly assess how and the extent to which this is occurring.

### **Threat of Eviction is an Important and Useful Indicator of Crisis**

Study findings suggest that households in need of multiple supports and facing threat of eviction are more likely to require crisis intervention than eviction prevention services. However, while eviction prevention is of limited effectiveness as a tool to prevent homelessness, the ability to better monitor and report on evictions would be beneficial as an indicator of the need for crisis interventions.

The ability to use evictions data as an “early warning” system would be even more beneficial for both preventing evictions and/or determining the need for other supports. However, this would require making data available at an even earlier stage in the evictions process, including a requirement for landlords to formally register their initial notice of eviction. At present, evictions data are not collected consistently across jurisdictions, nor are these data easily accessible.

### **Making a Real Impact on Homelessness Requires New Public Policy and Investment**

The study results indicate that an effective eviction prevention system is an important, but incomplete response to homelessness. For the majority of households at highest risk of homelessness, crisis interventions such as housing search help, temporary storage of personal belongings, and provision of first and last month’s rent were seen as more helpful than eviction prevention.

To prevent homelessness over the long-term, tenants and key informants emphasized the need for greater investment in areas such as improved tenant access to timely and relevant information, coordinated case management, more affordable housing, more adequate income, and the reform of tenant-landlord legislation and eviction procedures.



# GLOSSARY OF TERMS

This list defines how the following terms are used in the current report:

**Absolute Homelessness:** Refers to emergency shelter usage or street homelessness / rooflessness.

**Application:** Made by a landlord or tenant to the provincial body responsible for administering landlord-tenant legislation to request enforcement of the legislation. In the case of eviction, an application results in the issuance of a judgment and/or a dispute resolution process.

**Arrears:** Money which is overdue and unpaid. If tenant household is late paying rent, it is said to be 'in rental arrears' for the unpaid amount.

**Default Order:** An Order (judgment or ruling) issued by the provincial residential tenancy body without a dispute or hearing.

**Dispute:** Occurs wherein the respondent to an Application challenges the decision sought by the applicant. Depending on provincial legislation, a dispute is resolved through mediation, arbitration and/or a tribunal or court hearing, and results in a mediated settlement or legal decision.

**Eviction Order:** A legal judgment issued by a judicial or quasi-judicial court which requires tenants to vacate their rental housing unit due to eviction. Called an 'Order to terminate a Tenancy' in Ontario, a 'Writ of Possession' in British Columbia, and an 'Order of Vacant Possession' in Nova Scotia

**Eviction:** The process of tenant eviction is assumed to begin when a) a renter household has either experienced a significant economic change which threatens to cause it to fall into arrears on its rental payment, and/or b) a renter household has been served a formal or informal notice of eviction.

**Gross Rent Spending, 50% or more:** Refers to the percentage of renter households spending at least half of their income on shelter costs.

**Household:** Refers to a person or a group of persons who occupy the same dwelling and do not have a usual place of residence elsewhere in Canada, consisting of either a family with or without other non-family persons, two or more families sharing a dwelling, a group of unrelated persons, or a single person.

**Housing Retention:** Refers to a tenant household's ability to maintain tenancy within their current housing unit.

**Housing Stability:** Refers to a longer-term pattern of secure tenancy over several years wherein a tenant household is able to acquire and maintain rental housing that is appropriate and affordable. Tenants with stable housing may opt to move to new housing, but are not forced out under adverse circumstances.

**Income Percentile:** Represents the total population ranked from highest to lowest. For example, if the 25th percentile of family income is shown as \$30,000, this means that 75% of families have a total income greater than or equal to \$30,000 and 25% of families have a total income less than or equal to \$30,000.

**Notice:** A Notice is served by a landlord or tenant to the other to indicate the issuer's intention to terminate the tenancy earlier than the date defined in the rental agreement. Formal notices must be in writing, and must adhere to periods of notice and other guidelines as defined in provincial residential tenancy legislation.

**Relative Homelessness:** Includes living temporarily with friends, relatives or strangers, or living in unsafe, inadequate or tenuous housing.

**Rooflessness:** Living and sleeping outdoors or in some other structure not meant for human habitation.

**Vacancy Rate:** Reflects the number of units that are available for rental. For example, a vacancy rate of 3 percent indicates that 3 out of every 100 rental units are vacant and available to rent.



Photo: Travis Allison

## EVICTION IN CONTEXT: THE PREVALENCE OF EVICTION

This study has attempted to track the number and characteristics of tenants affected by eviction. However, one of the most significant themes which emerged early on in this study has been the surprisingly limited amount of eviction data – particularly in British Columbia and Nova Scotia. Even where specific information on the number of evictions is collected, data are difficult to access and/or incomplete.

Eviction data are most plentiful in Ontario, where the provincial Rental Housing Tribunal tracks numbers and types of applications, and their method of resolution.

<b>Rental Evictions Data for Selected Ontario Cities, 2002</b>			
	<b>Ottawa</b>	<b>Toronto</b>	<b>Waterloo</b>
<b>Eviction Notices</b>	Unknown	Unknown	Unknown
<b>Applications to Evict</b>	4,428	23,310	1,773
<b>Eviction Orders</b>	2,761 (62% of Applications)	13,590 (58% of Applications)	1,203 (68% of Applications)
<b>Default Orders</b>	1,812 (41% of Applications)	8,078 (35% of Applications)	791 (45% of Applications)
<b>Tenants filing a Dispute</b>	1,278 (29% of Applications)	6,825 (29% of Applications)	475 (27% of Applications)
<b>Cases Gone to Hearing</b>	1,523 (34% of Applications)	10,205 (44% of Applications)	699 (39% of Applications)
<b>Eviction Orders after Hearing</b>	873 (57% of Hearings)	5,933 (58% of Hearings)	457 (65% of Hearings)
<b>Evictions</b>	Unknown	Unknown	Unknown

Source: CERA analysis based on Ontario Rental Housing Tribunal data

In Ottawa and other Ontario cities, most eviction applications result in eviction orders. Further, a large percentage result in default orders not disputed by tenants. Even where tenants dispute their eviction at a hearing, an eviction is upheld in the majority of cases.

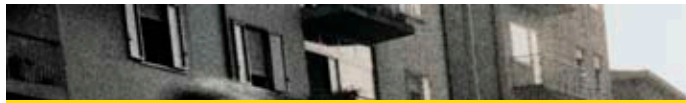
Data on the number of evictions in BC were not available; the province's Residential Tenancy Branch (RTB) currently maintains minimal statistical data. In BC during the 2002-2003 fiscal year, landlords filed 59% of all applications for arbitration of a dispute. Among these were a total of 9,176 applications for orders of possession of premises from tenants. Seventy percent of the applications were successful.

In Nova Scotia, information on the categories of complaint, numbers of applications, orders and mediated totals are collected by the province's Residential Tenancies service. Approximately 3,500 applications are received in HRM in any given year. However, it is difficult to determine how many relate to eviction. A key informant estimated that approximately 60% of applications received result in eviction orders.

In all study jurisdictions, non-payment of rent is thought to be the most common cause of eviction. Between 1998 and 2005, 87% of eviction applications filed in Eastern Ontario were for non-payment of rent.

Eviction appears to be a significant fact-of-life in the experiences of tenant households facing housing affordability challenges. In Ottawa, applications to evict equate to approximately 11% of the number of tenant households who spend 30% or more of their income on shelter and to 21% of tenant households spending 50% or more of their income on shelter.

However, it is likely that even more tenants face notice of eviction. The number of eviction notices, and the number of tenants who actually depart their rental unit after facing an eviction notice or an eviction order is not currently tracked in any of the study jurisdictions.



## EVICTION IN CONTEXT: POPULATIONS ‘AT RISK’

The situations of study participants were indicative of a national trend of rising rents and stagnant or declining incomes for low income\* individuals and families. The Federation of Canadian Municipalities (FCM)'s Quality of Life Reporting System (QOLRS) found growing housing affordability challenges – particularly for renters. Rental housing affordability varied dramatically across family types, with singles and single-parent families facing the most serious affordability challenges.

From 1991 to 2001, inadequate supplies of new, private and non-market rental housing contributed to very low rental vacancy rates, dramatically rising rents and lengthening social housing waiting lists. By 2002, wait times for social housing in Ottawa grew to five to eight years. Waitlisted households accounted for over 10 per cent of renter households in Ottawa. For low-income individuals, 1991 average monthly rents across the QOLRS communities for bachelor apartments exceeded 30

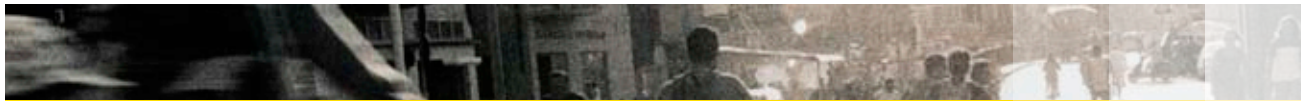
per cent of monthly income by \$118. By 2001, this gap had grown to \$180. In each of the 3 cities in the current study, the ability of low-income individuals to afford rental housing was eroded over the 10-year period.

Affordability trends in rental market housing affect those groups who are more likely to rent than to own. These are often vulnerable groups such as youth, aboriginal persons, recent immigrants and female-headed single parent families.

	Vancouver	Ottawa	HRM	Canada
<b>Total Population</b>	538,570	761,155	354,710	29,522,300
<b>Total Households</b>	236,095	301,770	144,435	11,562,975
<b>Two-parent families</b>	44.5%	47.8%	45.9%	47.8%
<b>Female Lone Parent families</b>	14.2%	13.2%	14.2%	12.7%
<b>Recent Immigrant (10 years)</b>	19.5%	8.2%	2.1%	6.1%
<b>Aboriginal</b>	2.8%	2.9%	2.2%	3.8%
<b>Youth</b>	12.9%	13.3%	13.8%	13.4%
<b>Seniors</b>	12.9%	11.5%	11.0%	13.0%
<b>Vacancy rates</b>				
<b>2001</b>	0.7	0.8	2.8	1.7
<b>2004</b>	1.3	3.9	2.9	2.7
<b>Total Renter Households</b>	459,750	118,135	55,035	3,868,115
<b>% Renter Households</b>				
<b>All Households</b>	56.0%	39.3%	38.2%	34.3%
<b>2-parent Families</b>	29.6%	20.4%	15.4%	17.8%
<b>Female Lone Parent</b>	53.7%	52.8%	52.5%	49.1%
<b>Recent Immigrant</b>	47.4%	65.4%	49.5%	50.5%
<b>Aboriginal</b>	88.8%	55.6%	49.4%	49.9%
<b>Youth</b>	87.7%	85.9%	92.0%	80.3%
<b>Seniors</b>	55.3%	48.4%	49.8%	45.0%
<b>Gross Rent Spending: 50% or more</b>				
<b>All Households</b>	22.6%	17.3%	22.0%	19.0%
<b>2-parent Families</b>	16.8%	12.2%	9.1%	11.1%
<b>Female Lone Parent</b>	29.1%	26.1%	33.5%	24.5%
<b>Recent Immigrant</b>	24.9%	21.5%	32.8%	22.5%
<b>Aboriginal</b>	33.2%	15.7%	28.3%	20.0%
<b>Youth</b>	39.6%	30.6%	39.4%	30.6%
<b>Seniors</b>	20.2%	19.1%	20.1%	18.9%

Source: FCM QOLRS analysis based on 2001 Census Data. [www.fcm.ca](http://www.fcm.ca)

\*The measure of low income used by FCM is the 25th income percentile



## SUMMARY OF FINDINGS

Study findings suggest that there are different groups of tenants who face eviction, and that these groups require different approaches to prevention of eviction and homelessness.

Tenant Populations	Risk of Eviction	Risk of Homelessness	Points of intervention and strategies	Identification of best practices
Stably Housed	Moderate risk of notice of eviction; minimal likelihood of successful eviction	Minimal risk of absolute homelessness	Rely on personal supports and private economic resources.	None required beyond existing legal system
At-Risk of Housing Instability	High risk of notice of eviction; moderate to strong likelihood of successful eviction	Moderate risk of absolute homelessness; very low risk of chronic homelessness	Focus on preventing eviction through early intervention, and cost-effective initiatives.	Majority of existing eviction prevention initiatives are suitable
In Need of Multiple Supports to Achieve Housing Stability	High risk of notice of eviction or extra-legal eviction, and very strong likelihood of successful eviction	High risk of chronic and repeated episodes of homelessness	Eviction often serves as a “red flag” for more complex factors; preventing an eviction may not be the desired outcome.	Requires case management, coordination; majority of existing eviction prevention initiatives are inappropriate.

### Stably Housed:

These tenants generally do not face eviction or disadvantage in the housing market. In the rare instances where eviction occurs, these individuals cope on their own (eg. clearing up a misunderstanding with the landlord, advocating for their rights, or paying arrears). If they are forced to leave their rental unit, they have sufficient resources to secure other housing, and family and friends who will help.

Although this first group of tenants forms a large part of the rental housing market, it does not form a significant aspect of the story of eviction and homelessness in Canada. Because ‘stably housed’ tenants rarely experience eviction and do not experience absolute homelessness, this group does not require a policy or social service response.

### At Risk of Housing Instability:

This group is vulnerable to eviction because of low income and other factors (eg. language, ethnicity, size of family, precarious employment, or because they are receiving income support). These characteristics also create disadvantage in the housing market. However, this group is generally able to maintain acceptable, albeit less than appropriate, housing by finding roommates, living in ‘bad’ neighbourhoods or small units, or making financial sacrifices.

The defining characteristic of this group is the adequacy of short-term help that prevents imminent eviction and maintains the household’s current housing situation. With the exception of ‘Third Party Financial Management’ initiatives, most current eviction prevention initiatives, including rent banks, are well-suited to this group

### In Need of Multiple Supports to Achieve Housing Stability:

This third group is not only vulnerable to eviction because of the factors described for tenants ‘at risk of housing instability’ (group 2), but also experiences additional issues that can lead to a pattern of repeated eviction, homelessness, and possibly shelter use. This group may be smaller in size than group 2, but consumes a relatively larger proportion of support resources.

The defining characteristic of this group is that their housing stability would not necessarily be achieved by preventing their current eviction and maintaining their current housing situation. Rather, this group requires multiple supports around both securing and maintaining appropriate housing, and around other issues such as addictions, health and mental health, behaviour and financial management.



Photo: Brad Cross

*“When I received a notice of eviction, I didn’t know what to do. I was so stressed that it was hard to figure it out. I didn’t pay rent as I couldn’t function normally. No one knew, I didn’t tell anyone [about my mental health problems].”*

Tenant Participant,  
Halifax

## DEMOGRAPHIC CHARACTERISTICS OF TENANTS WHO FACE EVICTION

In comparison with key informant comments and eviction literature, tenants ‘in need of multiple supports’ were overrepresented in study focus groups. Just over half of Ottawa tenant participants were ‘at risk of housing instability’ and most others would be considered ‘in need of multiple supports to maintain housing stability’. As well, there were several demographic groups that were consistently under or over-represented in the study’s focus groups in comparison to national trends and the literature.

### Single Parent Families Stand Out

The situations of study participants were generally consistent with national trends described in national QOLRS data. The two most prevalent demographic groups in the study were female-headed lone-parent families and single adults. Families represented over half of the study’s tenant sample, consistent with a number of other studies of tenants facing eviction. Women far out-weighted men in all three cities by a margin of 2 to 1; as well, the proportion of youth (under 30) in the study was almost twice as high as in the general population.

### ‘Untold Stories’: Newcomers and Seniors

As a group, both newcomers and seniors are characterized by a significant dependence on rental housing and face above-average affordability challenges. Further, they were described by key informants as groups with particular vulnerabilities to eviction. Yet, these groups and their distinct experiences were consistently underrepresented among focus group participants and discussion.

### Aboriginal Participants were Prominent

Aboriginal people were significantly over-represented among study participants and by key informants. Like newcomers and seniors, this group is very likely to depend on rental housing and faces great affordability challenges. Yet, aboriginal people are not particularly well described in the evictions-related literature or in eviction data sets.

### Mental Health and Addictions Issues are Common

People with mental health issues were strongly represented among participants, with approximately 30 percent of tenants in all jurisdictions reporting mental health issues. A number of participants and key informants indicated that mental health issues are implicated in numerous eviction experiences. However, evictions-related literature and data did not address this subject in any detail. Substance abuse was reported by 20 percent of focus group participants overall. Even where participants did not report addiction problems, drug and/or alcohol use contributed to evictions - especially for young people. Further, addictions appeared to be linked to other risk factors such as conflict with the law.

### Working Poor Households are Increasing; Welfare Recipients Remain Most Vulnerable

Census data indicate that the number of working poor families is increasing. Both eviction literature and key informants confirmed that an increasing number of people from this group are facing eviction. However, participants in focus groups reported much higher reliance on social assistance (welfare) and much lower participation in the labour force than is evident in some other studies or among the general population. Only 15% of study participants were employed. Forty-five percent received social assistance, while 25% relied on disability benefits. While economic risk of eviction appears to be increasing for both working and non-working households, tenants who rely on income security programs appear to face the worst affordability challenges.



## HOUSING CHARACTERISTICS OF TENANTS WHO FACE EVICTION

The study examined 'risk of eviction' and 'risk of homelessness' in relation to different tenant populations. Taken with other studies on eviction, study findings support the notion of a large group of individuals who only experience eviction (or threat of eviction) once, and a smaller group of tenants – prevalent among study participants – for whom housing instability is a more regular feature of life.

*“My place is infested with rodents, I got bitten and got blood poisoning as well as flea bites from the rugs which never get changed. I complained to the Health Board and then got evicted. I got an eviction notice and I won and at the same time they wouldn't clean up the place and it gets worse.”*

Tenant Participant,  
Vancouver

### Housing Affordability

Focus group participants confirmed their difficulty in making ends meet – particularly when faced with an extra expenditure. Just over half of all study participants indicated their eviction was primarily related to an affordability issue. However, almost all participants faced additional barriers to maintaining their tenancy, including racism, age, mental health issues, drug and/or alcohol use, and ability to access income supports.

### Housing Stability

Compared to other studies, tenant participants appeared more likely to have a history of housing instability. Respondents had a high rate of eviction and over half faced absolute homelessness following eviction. In particular, the large group of tenant participants who were 'in need of multiple supports' were more likely to have been successfully evicted. Most participants experienced either street or shelter homelessness or else moved in with friends or family on a temporary basis. Although they faced eviction and homelessness, tenant participants were unlikely to seek help from eviction prevention services.

### Housing Quality

One of the most significant themes that emerged through tenant focus groups and key informant interviews was the deteriorating, poorly maintained and substandard nature of their housing situation. Further, tenants cited other features of their housing as important determinants of housing quality – these included location and relationships with other tenants, roommates and particularly their landlord. Many who 'didn't bother' fighting an eviction described these issues. The eviction, under these circumstances, was believed to be 'not worth fighting'. In effect, eviction was not seen as the worst of their problems. Moving regularly also became part of a pattern of behaviour, and a standard response to conflict, including the threat of eviction.

Many tenants were clearly living in housing that was inappropriate given their physical, financial, and social needs. Satisfaction with housing was found to be closely tied to the vulnerability to risk of eviction and homelessness. Hence, 'good-ness of fit' between a tenant household and its housing unit emerged as one way to assess risk of eviction and homelessness.



## POINTS OF INTERVENTION IN THE EVICTION PROCESS

Residential tenancy law is a provincial matter and varies significantly between the three jurisdictions targeted by this study. However, it is possible to construct a general model which depicts eight stages in the 'Cycle of Housing Instability'. Each stage offers a distinct opportunity to intervene in the eviction process.

Key informants in all three cities described the importance of assisting tenants before the formal eviction process begins. 'Safe Tenancy' is a term developed by the research team to describe this pre-emptive intervention in education and behaviour issues that could lead to landlord-tenant difficulties. However, households facing the threat of eviction are often not identified

Tenants indicated a tendency to accept and adapt to their eviction; 61 of 91 focus group participants did not fight their eviction. They were more concerned with storing personal belongings and searching for new housing than with preventing their imminent eviction. Many stated their housing was 'not worth keeping'. However, many tenants mistake a "Notice of Eviction" as an "Order of Eviction". Households not already connected to the social services network are often not aware of their rights or that eviction prevention services exist.



Key informants attempt to address this concern by building partnerships for early identification of households at-risk. As well, they cited a need for increased safe tenancy strategies for vulnerable groups. These strategies include the provision of information and advice to tenants and landlords, counseling and referral, mediation, outreach, and training of other social service professionals. However, informants indicated they are so busy with clients in crisis, they are generally unable to undertake preventative education and outreach.

at this early stage. Instead, intervention typically happens once the eviction process is well advanced to stage 3 (Notice) or beyond. At these points, the intervention is invariably occurring at a point of crisis. By stage 7 (Housing Loss), eviction prevention is no longer possible. However, this is the stage when tenants most often seek support.

*"I didn't seek legal help because I didn't think legal aid would help unless I was a criminal"*

Tenant Participant,  
Ottawa



# POINTS OF INTERVENTION ACROSS STUDY JURISDICTIONS

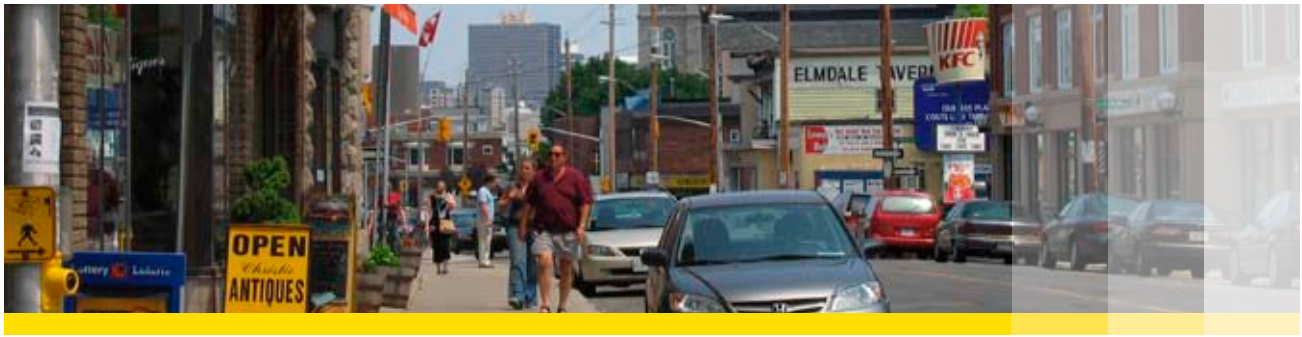
The ability to intervene is often dictated by provincial residential tenancy law. Ontario's system is complicated, with numerous steps and documents that flow between the landlord, tenant and Housing Tribunal. Eviction prevention can occur at several points; however, time restrictions within the process are very tight and require tenants to understand and react quickly to any notice they receive. In contrast, British Columbia's eviction process is simpler, offering fewer points for intervention. In Nova Scotia and BC, housing and other workers provide general support before, during, and after the

eviction process. In contrast, specialized eviction prevention initiatives and workers are well-developed to intervene at each point of the process in Ontario.

Nova Scotia's system stands out as offering tenants more time (30 days) to pay their rent before a notice of eviction can be served. In addition, Nova Scotia's system builds in extra protection for tenants who have occupied their unit for 5 years or more. BC's process allows a landlord to give 10 days notice the first day a tenant is late with his/her rent. Both BC and On-

tario give tenants as little as five days notice to file their intention to 'dispute' their eviction. Nova Scotia's system incorporates contact to each party to encourage mediation; a hearing is only scheduled if mediation fails. This option is not available in BC. Ontario tribunal staff members make some effort to encourage mediation however in both BC and Ontario, a tribunal or arbitration hearing is the norm.

	Ontario	British Columbia	Nova Scotia
<b>Notice (sent by landlord to tenant)</b>	Tenant must resolve the issue by the date specified (14 days for arrears).	Tenant has 5-15 days to resolve the issue, vacate, or file for arbitration (within 5 days if in arrears).	'Notice to Quit' indicates impending eviction but does not provide a reason.
	If the issue is not resolved by the date specified and the tenant does not leave voluntarily, either party may make an Application to the residential tenancy body.		
<b>Application</b>	A landlord submits an Application for eviction; the \$150 charge for a Tribunal 'Notice of Hearing' is added to the tenant's account.	An Application for arbitration costs \$50 (waived for people with low income).	An Application to Residential Tenancies costs \$25 (waived for Welfare Recipients). Landlords must notify tenants of Application.
<b>Dispute</b>	A tenant must notify the Tribunal in writing of intent to dispute within 5 days of receiving Notice of Hearing.	With an application, a hearing is scheduled; arbitrators hear the case and make a decision.	With an Application, mediation is encouraged; an agreement is reached or a hearing scheduled.
<b>Eviction Order</b>	If a 'Dispute of Application' form is not received, the Tribunal issues a default order of eviction. If the tenant opts to dispute, mediation or a hearing results in a settlement or an eviction order.	If an arbitrator upholds the eviction, an 'Order of Possession' is issued and allows the landlord to get a 'Writ of Possession' from the BC Supreme Court.	If a Residential Tenancies Officer upholds the eviction, an 'Order of Vacant Possession' is granted. The Order can be appealed in Small Claims Court
<b>Housing Loss</b>	If a tenant does not leave upon receiving an eviction order, a 'Sheriff's Notice to Vacate' is delivered. This costs \$336 and is charged to the tenant's account.	With a Writ, the landlord can hire bailiff services to remove the tenant from the property.	Where no appeal occurs, an Order can be enforced like any other judgment of the Small Claims Court.



# IDENTIFYING BEST PRACTICES

The study uses an ‘urban systems approach’ to recognize and evaluate eviction prevention ‘best practices’ as part of an overall continuum of services in each jurisdiction. The report profiles and compares the system of initiatives in place in each of the three urban regions of Greater Vancouver, Ottawa and HRM. The following categories provide a useful way to discuss the system of eviction prevention in each study jurisdiction

### Information and Advice:

Includes services to tenants or landlords that provide a range of information and advice on rental housing issues and legal rights in order to ensure the fair and efficient implementation of Tenant-Landlord regulations.

**Example:** *Halifax’s Disabled Individuals Alliance (DIAL) targets a variety of services to people with disabilities, including information and advice on housing issues.*

### Legal Representation:

Includes any service to tenants involving legal representation at rental tribunal hearings.

**Example:** *Dalhousie Legal Aid provides legal aid services for persons who would not otherwise be able to obtain legal advice. The program also conducts research, provides information, makes recommendations and engages in program relating to legal aid and law reform in the Province of Nova Scotia.*

### Conflict Resolution and Mediation:

These initiatives share in common the approach of bringing together tenant and landlords through the intervention of a third-party.

**Example:** *Established in 2003, Ottawa’s Housing Loss Prevention Network (HLPN) brings together six social services and housing agencies located across the city. The HLPN provides a spectrum of eviction prevention-related services; workers provide support, mediation, counseling, and advocacy to tenants in danger of eviction.*

**Example:** *BC’s network of advocacy organizations work primarily with clients who are tenants and deal with, among other things, landlord-tenant disputes. Advocates are trained in a range of areas, eg. knowledge of landlord-tenant legislation, and various mediation and advocacy skills. The central organization of BC’s network of advocates is the Tenants Rights Action Coalition (TRAC), which operates a province-wide telephone information ‘hotline’ for tenants and landlords. TRAC’s mandate includes education workshops on tenancy law for other advocacy groups across the province.*

### Emergency Financial Assistance:

Involves providing emergency financial assistance to tenants who are in arrears and facing eviction. Assistance takes the form of emergency grants or loans such as those provided by Rent Banks.

**Example:** *The City of Ottawa’s Essential Health and Social Support (EHSS) program provides one-time emergency grants for low-income, non-social assistance recipients in arrears and who have received a formal notice of eviction or who are at risk of imminent eviction.*

### Third Party Financial Management:

Involves the assumption of direct control of a tenant’s finances by a third party in order to ensure timely and full payment of rent to a landlord

**Example:** *The “MoneyWise” Trusteeship Program of the Salvation Army in Ottawa assists recipients of social benefits, pensions and/or wages through development of individualized service plans with specific goals, in order to assist in money management and eviction prevention, life skills and basic budget training.*

# ASSESSING BEST PRACTICES

The challenge to identifying best practices is to establish the likelihood of a causal link between a particular eviction prevention approach and a positive impact on the housing stability of individuals and families at varying risk of homelessness. The study uses the following five criteria to compare eviction prevention systems in each study jurisdiction.

## Effective Targeting of Clients:

Services designed to suit needs of target population; Priority to clients who have eviction risk factors and are at imminent risk of losing their housing.

Current programs generally do not design their programs to specifically target groups within the general population considered to be “at risk”. Most services were described as being funded to assist ‘low income clients’, which includes a range of households – not necessarily those most at risk of eviction and homelessness. Further, insufficient resources mean that services are often limited to helping those clients who ‘walk in the door’; these clients are unlikely to be groups (such as newcomers or seniors) who face barriers to access. Although informants stated they want to do more targeted outreach, they are frequently too overworked to do this.

## Point of Intervention:

Effective orientation of services to a particular point of intervention and particularly, intervening early in the eviction process.

There is consensus among key informants in all jurisdictions of the importance of intervention before the formal eviction process begins. However, they noted that intervention typically happens once the eviction process is well advanced, and commonly, once it’s over. With intervention taking place at the point of crisis, options for preventing an eviction and engaging in preventative ‘safe tenancy’ activities are extremely limited in all study cities.

## Use of Multiple / Holistic Strategies:

Facilitating access to a range of strategies that can be combined to tailor to the specific needs of an individual or household.

Informants are keenly aware of the complexity of eviction experiences. Whereas BC and Nova Scotia informants worked with clients on a range of housing and non-housing issues, Ottawa informants sometimes felt constrained by a narrow focus on eviction prevention which did not allow them to address other factors affecting the housing stability of tenants. Referral to other services was a common strategy in all jurisdictions.

## Undertaking Research and Evaluation:

Reliance on research, evaluation, monitoring, data collection and analysis with respect to the design and implementation of effective prevention programs.

Perhaps because of the explicit policy focus on eviction prevention, considerable attention has been paid to research and evaluation of these programs in Ottawa. However, data collection and evaluation is lacking in the other jurisdictions. Even ambitious Ontario studies experience challenges in accessing and tracking informants over time. Further – ‘success’ is difficult to define; preventing an imminent eviction is not always the desired outcome.

## Cost Effectiveness:

Financial sustainability and the cost-effectiveness of a particular intervention.

In Ontario, it is possible to make some general cost-effectiveness comparisons. On the whole, the emergence of the HLPN as a program unique to Ottawa suggests an overall positive trend towards cost-effectiveness. However, inadequate financial and/or follow-up client outcome data for most eviction prevention (especially in Halifax and Vancouver) initiatives makes it impossible to make accurate generalizations regarding their cost-effectiveness.



*“We provide communications, education, information; we are often the first point of contact. We provide on-going multilevel support, issues are disclosed through other activities and then assistance is given. It often depends on when they tell us about their problem. There are no simple housing issues. After I refer them out to other agencies, I do a check up with them. I find that workers often assume that people have endless time to deal with their housing problems.”*

Key Informant,  
Ottawa



# Recommendations

Study findings resulted in both program and research-related recommendations.

## Program-Related Recommendations

**Develop a strategy for improving access to information on eviction and eviction prevention:** There is need for a mix of methods for disseminating landlord-tenant and eviction information. This mix reflects the distinct needs of the three different population groups characterized by differing degrees of housing stability.

**Invest in systems-wide eviction prevention interventions in municipalities:** Public sector investment should take the form of a systems-approach to eviction prevention, comprising a mix of all five categories of eviction prevention services. Investments should target initiatives which demonstrate cost-effectiveness, such as community-based tenant-landlord mediation.

**Invest in comparable and accessible evictions data:** Establish a national evictions data monitoring and reporting function, based on data currently collected by provincial administrative bodies such as the Ontario Rental Housing Tribunal. This would require more comprehensive data collection by provincial agencies.

**Develop national standards on eviction and access to eviction prevention:** Document the variance across provinces and municipalities in terms of landlord-tenant legislation, administration, and access to eviction prevention services. Define federal, provincial, and municipal government roles in establishing national standards relating to eviction and eviction prevention.

**Address the persistent and growing gap between incomes and housing costs:** Inadequate income, particularly for those who rely on social assistance, is a clear determinant of housing instability. The policy response to preventing homelessness must include increasing the affordability of housing for low-income and vulnerable households, and improving the adequacy of incomes.

## Research-Related Recommendations

**Invest in longitudinal studies on pathways from eviction.** Longitudinal and multi-jurisdictional research would enable more rigorous exploration of the pathways between the threat of eviction and homelessness. This research could address gaps in knowledge regarding the experience of particular groups, notably newcomers and seniors.

**Develop a more comprehensive understanding of eviction, including extra-legal evictions:** Research is needed to develop mechanisms for estimating the total number and type of households facing eviction, those successfully evicted, and those who experience informal and extra-legal evictions.

**Test the hypothesis that eviction could serve as a 'red flag':** Research is needed to explore the value of eviction as an indicator of the need for more comprehensive support for households at risk of housing instability and homelessness.

**Support research on eviction as a social determinant of population health:** Eviction prevention should be recognized as inter-sectoral and jurisdictional. Research on eviction should be linked with approaches that emphasize upstream approaches to health promotion.

**Explore new organizational models to support service diversity and specialization:** A new model is needed to support preventative and community-based health and housing programs which are coordinated across sectors, yet targeted to vulnerable groups.

# LINKS

The following links provide national and province-specific information on eviction and housing issues.

## **National Homelessness Initiative**

National Research Program

[http://www.homelessness.gc.ca/research/index\\_e.asp](http://www.homelessness.gc.ca/research/index_e.asp)

## **Canada Mortgage and Housing Corporation**

The Canadian Housing Information Centre

<http://www.cmhc-schl.gc.ca/en/corp/li/>

## **Ontario**

### **Ontario's Rental Housing Tribunal**

[http://www.orht.gov.on.ca/scripts/index\\_.asp](http://www.orht.gov.on.ca/scripts/index_.asp)

### **Alliance to End Homelessness**

Ottawa, ON

<http://www.endhomelessnessottawa.ca/>

### **Advocacy Centre for Tenants Ontario**

Toronto, ON

<http://www.acto.ca/>

### **Centre for Equality Rights in Accommodation (CERA)**

Toronto, ON

[www.equalityrights.org/cera/](http://www.equalityrights.org/cera/)

## **British Columbia**

### **British Columbia's Residential Tenancy Office**

<http://www.rto.gov.bc.ca/>

### **Tenants Rights Action Coalition (TRAC)**

Vancouver B.C

<http://www.tenants.bc.ca/abouttrac/index.html>

### **Seniors Housing Information Program (SHIP)**

New Westminster, BC

<http://www.seniorshousing.bc.ca>

## **Nova Scotia**

### **Residential Tenancies, Service Nova Scotia and Municipal Relations**

<http://www.gov.ns.ca/snsmr/consumer/resten/>

### **Dalhousie Legal Aid Services**

Halifax, NS

[http://law.dal.ca/law\\_4128.html](http://law.dal.ca/law_4128.html)

*“Poverty is the fundamental determinant of service users. The issue being faced is economic evictions due to high rents and low incomes. People on minimum wage can't afford market rent. So, people often cope by taking on unstable/precarious living situations. It's a bad situation for both landlords and tenants. Landlords aren't getting the investment income they are expecting, but tenants don't have the money to pay.”*

Key Informant,  
Ottawa



## **STUDY AUTHOR**

Acacia Consulting & Research (ACR) is an Ottawa-based company established in 1999 to help urban, municipal and community-based organizations make better use of data, information and knowledge in order to influence policy and effect social change at the local and neighbourhood levels. ACR worked in association with Strathcona Research Group (Vancouver) and Patricia Richards (Halifax).

### **For More Information:**

### **Acacia Consulting & Research**

9 Craftsman Private  
Ottawa ON K1Y 4W9  
tel: (613) 728-0335  
fax: (613) 728-2467  
email: [acr@istar.ca](mailto:acr@istar.ca)

