



CITY OF LANGLEY

MOTION

Declaring Housing as a Human Right – Councillor Wallace

WHEREAS recognizing housing as a human right fundamentally shifts government motivations by adding critical urgency and responsibility to ensure access to affordable housing (meaning housing costs are aligned with income) through policies that prevent homelessness, address the escalating housing and homelessness crisis, eliminate discrimination, and prioritize the needs of vulnerable and marginalized populations;

AND WHEREAS the Government of Canada affirmed the right to housing as a matter of international law and enshrined it domestically through the National Housing Strategy Act (2019), recognizing housing as a human right and establishing mechanisms for accountability and inclusion;

THEREFORE, BE IT RESOLVED that the UBCM call for the BC Government to enshrine housing as a human right in legislation and forthcoming housing and homelessness strategies, ensuring that housing policy in British Columbia is grounded in principles of equity, accessibility, accountability, and the inherent dignity of all people.

Background:

Identifying the Issue: Why Housing as a Human Right?

British Columbia is in the midst of an ongoing housing crisis. From skyrocketing rents to expanding encampments, the failure to provide adequate and affordable housing has become one of the province's most pressing human rights issues. While the federal government enshrined the right to housing in 2019, BC has yet to follow suit – despite mounting evidence that recognition of housing as a human right leads to more effective, equitable housing policy.

Housing as a Human Right has been legislated in Canada at the federal level since 2019 and is included in the National Housing Strategy.¹ This legislation is Canada's commitment to recognizing the right to housing under international human rights law. According to the United Nations, this means recognizing that all people have the right to not only a roof over their heads but a place to live in security, peace, and dignity.² Without corresponding recognition at the provincial level, the federal right to housing remains a promise without a pathway. Provinces hold the primary responsibility for housing policy and funding. Until BC enshrines this right in law, it will be difficult to ensure that housing strategies are guided by rights-based principles and accountable to those they affect most.

All provincial and territorial human rights codes include protections against the denial of housing and/or discrimination in the housing sphere. Yet, no Canadian province or territory currently enshrines housing as a stand-alone right in its human rights code or other laws.

¹ *National Housing Strategy Act*: <https://laws-lois.justice.gc.ca/eng/acts/n-11.2/FullText.html>

² United Nations. Special Rapporteur on the Right to Adequate Housing. "The Human Right to Adequate Housing." <https://www.ohchr.org/en/special-procedures/sr-housing/human-right-adequate-housing#:~:text=The%20United%20Nations%20Committee%20on,in%20security%2C%20peace%20and%20dignity>. Aspects for enacting and evaluating housing as a human rights from the UN Special Rapporteur on Housing include: security of tenure, affordability, habitability, accessibility, non-discrimination, participation, empowerment, safety, and reconciliation.

Access to housing is a crisis in British Columbia. Rates of homelessness and those living in precarious or inadequate housing continue to rise. The housing crisis and housing precarity impacts everyone and disproportionately impacts persons with disabilities, Indigenous peoples, racialized people, new Canadians, women leaving domestic violence, queer and trans youth, sex workers, and seniors.

As [noted](#) by the BC Office of the Human Rights Commissioner, homeless encampments “are a result of structural conditions, including the failure of all levels of government to uphold the right to adequate housing.”³ If homelessness is viewed as a measure of systemic failure, then the experiences of people living in encampments should be seen as an even more acute indicator of multi-system failure.

It is crucial that the Government act not only to build more housing but also to build housing that is actually affordable to the people who need to access it and specifically addresses the needs of systematically marginalized and disadvantaged groups.⁴ For example, The Village in Duncan, BC is a model that provides wrap-around care for people experiencing homelessness that is so successful that communities across the country have expressed interest in replicating it and have sent delegations to Duncan to learn more about it. In 2023, UBCM passed [a resolution](#) 2023-NR26 that urged the province to implement Duncan’s Village model as part of its supportive housing continuum to be funded through BC Housing.

At the Intersections: Right to Housing, Indigenous rights, and Gender-inclusive Housing

Housing is not a one-size-fits-all solution. We need a diversity of housing options to respond to the specific needs and rights of BC residents experiencing the impacts of the housing crisis⁵ in different ways and across the whole housing spectrum.

Although Indigenous peoples make up 2.2% of Vancouver’s population, they compose approximately 39% of people experiencing homelessness.⁶ As the province plans to build new housing, legislation and policy must ensure that social and market housing development includes meaningful consultation and inclusion of Indigenous peoples. The needs of Indigenous women, trans, and Two-Spirit peoples, who are uniquely impacted by homelessness and housing precarity, must be considered in provincial housing plans and actions through the application of the Indigenous GBA model.⁷ Upholding housing as a human right at the provincial level compliments

³ BC Office of the Human Rights Commissioner. “*Responding to Homeless Encampments: Local Governments’ Human Rights Obligations.*” https://bchumanrights.ca/wp-content/uploads/2023.09.13_Encampment-Brief.pdf

⁴ According to CMHC, housing is considered “affordable” if it costs less than 30% of a household’s before-tax income. The term “affordable housing” is a very broad term that can include housing provided by the private, public and non-profit sectors. It also includes all forms of housing tenure : rental, ownership and co-operative ownership, as well as temporary and permanent housing.

⁵ The Federal Housing Advocate released a document outlining the human rights and calls to action regarding encampments and residents of encampments. https://www.housingchrc.ca/sites/housing/files/2024-02/Final%20report%20-%20Federal%20Housing%20Advocate%27s%20review%20of%20encampments%20-%20EN_1.pdf

⁶ According to data from the Homeless Hub, Indigenous rates of homelessness occur at 82% in Prince George in 2021; 35% in Victoria in 2020; 47% in Kamloops in 2021. https://homelesshub.ca/community_profile/abbotsford/

⁷ Chastity Davis and Natalie Clark. “Indigenous Gender Based Analysis Plus IGBA Toolkit.” <https://www2.gov.bc.ca/gov/content/governments/indigenous-people/minister-s-advisory-council-on-indigenous-women-maciw/gender-bases-analysis>

the legislative commitments made through BC's DRIPA action plan to ensure social, cultural and economic well-being of Indigenous people in BC.

[Data](#) from the Women's Legal Education and Action Fund, women and gender-diverse people who experience inadequate or precarious housing become more vulnerable to exploitation, as well as intimate and domestic violence.⁸ When trying to leave abusive and violent relationships, women experience significant barriers in accessing safe shelter. The National Women's Housing and Homelessness Network has submitted [a human rights claim](#) that identifies a number of gender-based housing inequities and discriminatory outcomes which stem from a common systemic issue: the invisibilization of unique circumstances, needs, dignity, and rights as women, girls, and gender-diverse people. This has resulted in violations of women's right to housing and substantive equality.⁹

What Housing as a Human Right Means to BC

When we recognize Housing as a Human Right, it motivates governments to allocate the maximum of resources to address the problem.¹⁰ Governments are required to deliver on housing units and ensure that housing is adequate and appropriate to people's unique needs. For example, ensuring that housing is affordable based on income and shelter rates, that homes are safe during extreme weather, that housing is accessible and meets the standards of universal design, and that housing accommodates family circumstances like family size, pets, proximity to essential services and community supports.

Acknowledging housing as a human right at the federal level contributed to the creation of housing funds and the Federal Housing Advocate; however, the Advocate [has said](#) that this needs to be replicated at the provincial and municipal levels to break down barriers between jurisdictions and create a commitment that motivates whole-government action.¹¹

Recognizing housing as a human right lays the groundwork for rights-based housing legislation. Within a rights-based legislative framework, governments must fulfill their obligations to meet their communities' housing needs.

Early lessons from Manitoba's Housing First policies demonstrate that a rights-based housing policy framework can lead to myriad positive outcomes, including:

- Clarity around responsibilities for housing and responding to homelessness;
- Analysis of how policies, programs, planning decisions, and budgets affect access to adequate housing;
- Development and implementation of a plan to ensure the right to housing for every resident, over time, with priority to those who are most vulnerable;

⁸ Legal Education and Action Fund. "Gender and Poverty Backgrounder."

<https://www.leaf.ca/wp-content/uploads/2023/08/Gender-and-Poverty-Backgrounder.pdf>

⁹ Women's National Homelessness and Housing Network. "The Crisis Ends With Us: Request for Review into the Systemic Denial of the Equal Right to Housing of Women and Gender-Diverse People in Canada."

<https://womenshomelessness.ca/wp-content/uploads/WNHNN-Claim-15-June-2022.pdf>

¹⁰ The National Right to Housing Network. "Progressive Realization of the Right to Adequate Housing: A Literature Review." https://housingrights.ca/wp-content/uploads/NHC-Progressive-Realization-Paper_EN.pdf

¹¹ BC Office of the Human Rights Commissioner. "Beyond the Headlines: Housing and Human Rights." <https://bchumanrights.ca/resources/beyond-the-headlines/>

- Coordination of local housing and homelessness service providers to ensure a systemic response to housing is being enacted;
- Meaningful engagement with individuals and communities directly affected when developing, implementing, and monitoring policies and programs on housing and homelessness;
- Integration with higher orders of government to fulfill their obligations and provide the resources and powers municipalities need to end homelessness and ensure access to adequate housing for all residents.

Conclusion

Enshrining housing as a human right in BC would anchor housing policy in principles of equity, participation, and accountability. It would require the government to measure success not only in units built but also in whether those units meet people’s needs. This measure will provide more actionable, nuanced, and localized direction to the province, municipalities, developers, and non-for-profit housing suppliers on pathways for addressing the housing crisis and encampments.

The provincial government has both the responsibility and opportunity to lead. By enshrining the right to housing in legislation, BC can align itself with national and international human rights standards, address systemic inequalities, and deliver housing that meets the needs of all residents. Now is the time for BC to recognize that housing is not just a commodity – it is a human right.

Previous UBCM Resolutions

2020-NR70 Declaring a Homelessness Emergency: Making an Emergency Plan to Drastically Reduce Homelessness

Whereas British Columbia has at least 7,655 homeless people, and homelessness robs people of their security, dignity, rights and lives, as homeless people have about half the life expectancy as housed people;

And whereas Bill C-97 June 21, 2019 containing the *National Housing Strategy Act*, and the federal right to housing legislation enshrines the need to recognize that the right to adequate housing is a fundamental human right affirmed in international law.

Therefore, be it resolved that the UBCM call upon the Province to declare a Homelessness Emergency and work with all orders of governments, BC Housing and other partners on a Homelessness Emergency Plan to build or find dignified, affordable housing for homeless people across BC.

Provincial Response

Ministry of Attorney General and Minister responsible for Housing Across the Province, homelessness is being exacerbated by the dual public health emergencies of the COVID-19

pandemic and the overdose crisis, as well as an affordable housing crisis. The Province is committed to working with all orders of government, BC Housing, health authorities and community partners to prevent and reduce homelessness, to increase affordable housing and to provide dignified health, cultural and social supports for vulnerable people.

The Province has partnered with the federal government to implement the 70-billion National Housing Strategy, which aims to eliminate chronic homelessness, build 125,000 new homes and bring half a million families out of core housing need over 10 years. In Budget 2018 the provincial government committed to a 10-year affordable housing plan, Homes for BC, which includes partnering to deliver 114,000 new units of affordable housing, including supportive housing, and increasing security for renters.

This plan includes a historic investment of 7 billion over 10 years to build 39,110 units of affordable housing, including 14,350 rental units for low-to-middle income families and individuals; 4,900 new units of supportive housing for individuals who are experiencing or at risk of homelessness; 1,750 units of social housing for Indigenous people; and 1,500 units for women fleeing problematic domestic situations. The 4,900 units of supportive housing for the homeless include 2,000 units funded through the Rapid Response to Homelessness Program, 2,500 units with 247 support services through the Building BC Supportive Housing Fund, and an additional 200 units funded in Budgets 2019 and 2020. Of these, over 2,600 have been completed so far, with hundreds more in the development phases in communities across the province.

In response to the COVID-19 pandemic, the province has supported the addition of over 80 emergency response centres and 3,500 additional spaces to support safe sheltering, isolation, transitional housing, and the orderly disbanding of several encampments consisting of hundreds of people across the province, including several large encampments in Victoria and Vancouver. Budget 2021 includes an additional 265 million in 2021-22 to extend supports and services for people experiencing or at risk of homelessness. This will maintain 3,000 temporary emergency shelter and hotel spaces made available to these communities during the pandemic.

In November 2020, the Province issued new mandates to ministries to address homelessness. The Ministry of Attorney General and Minister Responsible for Housing is mandated to lead the development of a provincial Homelessness Strategy. In support of this Strategy, the Ministry and BC Housing are planning the transition of the people in these 3,500 spaces to appropriate, permanent options over time when the COVID restrictions are removed. The Ministries of Social Development and Poverty Reduction, Health, Mental Health and Addictions, Municipal Affairs, and Children and Family Development are co-mandated to support this work. A new Cabinet Working Group on Mental Health, Addictions and Homelessness has been formed to support coordinated efforts. The Ministry of Social Development and Poverty Reduction continues to lead the Poverty Reduction Plan, TogetherBC, released as part of Budget 2019, which includes key actions to reduce poverty long-term and to provide opportunities for jobs and skills training.

Convention Decision: Not Considered - Automatic Referral to Executive Executive Decision: Endorsed as Amended