



Position Statement on Housing - The Cornerstone to an Inclusive Life



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Purpose

This **Position Statement on Housing** sets out key requirements to ensure that people with an intellectual or developmental disability have the right to choose and access housing that is suitable, adequate, accessible, affordable, and inclusive.

Background

Housing is the cornerstone to an inclusive life in our communities. Where we live is essential to our sense of personhood and well-being. It is also essential to how we are able to participate in society. Individuals whose housing enables them to fully participate in society and access social and work-related opportunities are more likely to make social connections and to view themselves as part of the community where they live.

Conversely, lack of access to inclusive and affordable housing has a detrimental impact on a person's overall sense of well-being, security, personal dignity, and participation in society. For example, individuals who live far from community centres and cannot access transportation become socially isolated because they are not able to regularly interact and connect with others.

People with an intellectual or developmental disability face serious disadvantages in the context of housing. Many live in congregated and segregated housing, including special care homes and nursing homes, which have strict rules around when individuals may leave their residence and who can visit them. And, even more alarming, those who do not live in these circumstances often face high rates of poverty and rely on scarce housing subsidies to access affordable housing.

Housing Policy – Key Principles

Access to adequate and affordable housing is a right recognized under international law.¹ The following principles are applicable to housing for people with a disability and must be applied to housing developments and disability support policies to respect the rights of people with a disability that are set out in international treaties, which Canada has ratified:

1. Persons with a disability have the right to inclusive housing options. This includes the right to choose where, with whom, and how they live, rather than being forced into co-living or other arrangements. Inclusive housing options are dispersed, accessible, affordable, and provide people with the opportunity to live a life of their own and exercise personal autonomy.

¹ *International Covenant on Economic, Social and Cultural Rights* – Article 11 (1966); *United Nations Convention on the Rights of Persons with Disabilities* - Article 28 (2006).

2. Housing and disability-related supports are distinct needs and should be addressed as such in government policy and programs. “Home First” policies must equally apply to adults with a disability under age 65.
3. Social inclusion is key to housing and disability support policy. Housing inclusivity requires dispersed and mixed-income communities.
4. The segregation, isolation and congregation of people with a disability is wrong and must be avoided. People with a disability must be directly involved in planning and choosing their housing and corresponding support services (when required).
5. Funding for housing must be portable and controlled by the individual.

Home First

Home First is an approach to housing and service delivery for programs that support people to live in their own homes. This policy framework currently applies to seniors in New Brunswick and involves pillars focused on healthy aging; appropriate supports and care; and a responsive, integrated, and sustainable system. According to the NB Housing Action Plan 2019-2022:

Housing investments support the principles in New Brunswick’s Home First strategy. Home First is a series of innovative approaches and initiatives to support seniors to live in their own homes and continue to be part of their communities.... Access to affordable housing and housing repair programs are essential to keeping seniors in their homes. It is neither financially viable nor sustainable for New Brunswick to continue to disproportionately invest in residential care beds; investments must be balanced with more affordable investments in community housing.²

Unfortunately, Home First policies do not fully extend to adults with a disability under age 65. For many adults with a disability, residential facilities remain the default option to address their needs for housing and disability-related support. This is particularly problematic for adults with an intellectual or developmental disability who face the transition from their family home and for those who have more significant disability-related support needs.

In 2022, too many people with a disability are routinely placed in segregate and congregate housing that deny their right to choose where and with whom they live and to participate in the community.

For non-senior adults with a disability, Home First means having a home of one’s own, in the community of their choice (with the appropriate supports), must be the primary, expected goal of government housing and disability support policy.

² Government of New Brunswick. 2019-2022 New Brunswick Action Plan. Retrieved from: <https://www2.gnb.ca/content/dam/gnb/Departments/sd-ds/pdf/Housing/2019-2022NewBrunswickActionPlan.pdf>

Home First must be embedded in program policy or standards. There are over 30 years of research and implementation of **supported living** or **independent living** models that provide access to affordable, inclusive housing and a variety of supports to people with a disability so they can live in a home of their own.

Required Action: The Government of New Brunswick, in collaboration with community stakeholders, develop and adopt a Home First policy to support adults with a disability to live in their own homes within their chosen community.

Housing Inclusivity

According to Inclusion Canada and People First of Canada, housing inclusivity is defined as the degree to which a person's home either contributes or presents barriers to their participation in the broader community. A housing situation may be more or less inclusive, based on the degree to which a person's primary residence, the structure that residence is a part of, and the neighbourhood in which the person lives:

- Presents or eliminates barriers to activities of daily living due to physical or mental conditions or health problems;
- Is a home-by-choice, and not the result of congregation of people in a housing unit, development, or neighbourhood, based on a demographic characteristic;
- Presents barriers or enhances capabilities to, on an equal basis with others in society:
 - Participate in the social and economic life of their community;
 - Be recognized and valued as a full member of their neighbourhood;
 - Realize their rights to liberty, security of the person and equality and non-discrimination, consistent with the Canadian Charter of Rights and Freedoms;
 - Live independently and be included in the community.³

While there are many indicators of housing inclusivity, dispersion is critical to truly inclusive housing and inclusive communities. Over the past several years, concrete recommendations and efforts have been made to move away from designated areas for people with disabilities (and other disadvantaged individuals) towards a diverse and more proportional representation of the population. People with an intellectual or developmental disability should not be forced to live together in a specific area of a structure or community, resulting in their further stigmatization and isolation. Housing development supporting household diversity can facilitate social interaction among groups who might not otherwise interact.

³ Inclusion Canada and People First of Canada (2019). My Home, My Community: Developing an Indicator Model for Inclusive Housing. Retrieved from: <https://static1.squarespace.com/static/57f27c992994ca20330b28ff/t/5e84ba3169ec611a14d083da/1585756722796/MHMC+-+Housing+Inclusivity+Indicators+Framework+-+FINAL.pdf>

Mixed-income housing is another key feature of housing inclusivity. The current NB Housing Strategy and corresponding Action Plans recognize the critical importance of mixed-income communities:

Mixed-income communities will help create inclusive and diverse communities that will allow individuals, families and seniors to thrive and improve their quality of life. A mix of market rents and subsidized rents will create a more stable financial base to meet the province's needs and contribute towards the long-term sustainability of the housing portfolio....

The benefits of adopting a mixed-income approach to housing include social inclusion, revitalized neighbourhoods, cost-neutral or revenue-generating buildings that are sustainable and less reliant on government funding to support housing stock.⁴

Required Action: Organizations involved with housing development (including developers, external funders, and provincial and local governments) must commit to housing inclusivity and mixed-income housing for the development of new housing in New Brunswick. This should include the development of new public housing units recently announced by government.

Housing Affordability

According to Canada's National Housing Strategy, people with disabilities are more than twice as likely to live on a low income when compared to people without disabilities. Access to affordable housing as emphasized in the National Housing Strategy is central to inclusion. Affordability issues such as repair difficulties, dealing with problematic landlords, frequent moves, and the stigma associated with poor housing quality can result in social exclusion.

People with a disability are more likely to be housed in the rental market than the total population.⁵ People with a disability are also more likely than the general population to live in subsidized rental dwellings.⁶ The NB Portable Rent Supplement Program was a significant, innovative measure that has provided people with a disability with increased options of housing choice and opportunities for enhanced inclusion within community.

Recently, housing affordability has become increasingly difficult for people with a disability (and many others). Rent cost supplementation is a key tool to address affordability, but current housing market forces and the lack of supplements have created significant difficulties.

⁴ Supra, Note 2, pp. 16, 22.

⁵ Statistics Canada. Housing Experiences in Canada: Persons with Disabilities (June 2022). Retrieved from: <https://www150.statcan.gc.ca/n1/pub/46-28-0001/2021001/article/00011-eng.htm>.

⁶ Ibid.

The number of out-of-province landlords has increased as investors have targeted New Brunswick's affordable property costs while more people have chosen to live in New Brunswick.

Current rent subsidy programs face significant challenges as the higher cost of rental housing has made rent subsidies less viable options for securing affordable housing. Subsidy market rent calculations do not accurately reflect the current market which has resulted in a significant percentage of vacant units being out-of-reach for individuals who are approved for a subsidy. In addition, the waiting time to have a housing unit approved for a subsidy by government often leads to the loss of opportunity as landlords can quickly fill vacancies. **Rent subsidy programs are vital to housing affordability and social inclusion. New approaches to providing these subsidies must be pursued to ensure that they are an effective tool going forward.**

Housing affordability is a complex issue that requires a number of different measures to address successfully. More people are becoming homeless as a direct result of the inability to afford housing at current market rates. **Recent announcements on building new public housing do not address immediate needs and, in fact, potentially create additional issues of housing exclusion, segregation, and stigmatization (that have been well known for decades).** Other options to address affordability need to be explored and introduced.

Many tools to address housing are available and well known. A rights-based framework and housing inclusivity lens must be applied to address the current crisis and prevent further harm.

Required Action 1: Take specific actions to increase access to affordable housing for persons with a disability, including the following:

- ***Expand the Portable Rent Supplement Program to a minimum of 60 new supplements per year (as recommended in the Premier's Council on Disabilities 2021 Disability Action Plan).***
- ***Create more flexible policies for rent supplements to enhance the value and effectiveness of these supplements so that people are able to secure housing in a competitive rental housing market. This should include:***
 - ***A direct payment of supplement option to eligible individuals;***
 - ***The calculation of rent supplements on the basis of current up-to-date market rental rates or the inclusion of a supplement "top-up" to enable equal access to rental housing in areas with very low vacancy rate; and***
 - ***Incentivizing co-habitation by people with a disability by providing flexible and enhanced subsidy rates for renting two-bedroom units.***
- ***Where direct payment of rent subsidies to individuals is not used, create expedited processes for approval of rent supplement units so that users are not disadvantaged in competitive housing markets (i.e., losing opportunities while awaiting government approvals).***

- ***For people with a disability who earn wages from employment, create a Canada-NB Disability Housing Benefit to help off-set housing costs. This benefit would act as a complement to investments in additional rent supplements that work on a rent-geared-to-income (RGI) basis.***

Required action 2: Explore and adopt a wide range of policies, tools, and strategies –within a rights-based and housing inclusivity framework – to address the immediate and long-term needs for affordable housing in New Brunswick. These may relate to provincial or local government mandates and responsibilities, or both, and should include:

- ***Introduce long-term rent regulation legislation and guidelines to ensure that predictable and sustainable rent increases are in place to avoid rent increase shocks and exacerbating affordability difficulties and increased homelessness. These measures should place either direct limits on rent increases or place the onus on landlords to justify increases above an established annual level.***
- ***Adopt a mandatory inclusionary zoning framework and the legal mechanisms to enable municipalities and communities to require private developers to ensure that a percentage of new housing development is designated as affordable units. Government funding and other measures (such as tax incentives) should support developers to comply with inclusionary zoning requirements. In addition, inclusionary zoning rules should not permit developers to “buy” their way out of affordable housing obligations.***
- ***Adopt the use of “density bonusing” programs to encourage residential property developers to include affordable units in new housing developments.***
- ***Introduce restrictions on short-term rentals to maintain the availability on long-term rental units.***
- ***Make public investments in proven innovations to create affordability housing including community land trusts, housing trust funds, and land banks. These structures create community capacity to address housing affordability beyond the impact of other housing programs and can be tailored to address the housing needs of specific populations – such as persons with a disability (see Appendix A for short descriptions of these strategies).***

Appendix A

Affordable Housing Strategies

Community Land Trusts

Community land trusts are non-profit corporations created to acquire and hold land for a community. The land is perpetually held in trust to help provide access for community uses, such as affordable housing. Land trusts are membership-based organizations, governed by an elected board of directors. They are often made of community members and non-profit organizations. Canadian community land trust development has surged over the past decade in response to the ongoing loss of affordable housing in Canadian cities.⁷ There are currently no community land trusts operating in New Brunswick.

Affordable Housing Trust Funds

Housing trust funds are distinct funds established by local or provincial governments that receive ongoing, dedicated sources of public funding to support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent affordable homes. Housing trust funds systemically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue. While housing trust funds can also be a repository for private donations, they are not public/private partnerships, nor are they endowed funds operating from interest and other earnings.⁸ There are currently no affordable housing trust funds operating in New Brunswick.

Land Banks

Land banks are public authorities or non-profit organizations created to acquire, hold, manage, and sometimes redevelop property in order to return these properties to productive use to meet community goals, such as increasing affordable housing or stabilizing property values.

Land banks can play a number of different roles depending on a community's development goals, including: (a) providing a mechanism for assembling parcels of tax-delinquent or abandoned properties for redevelopment; (b) acquiring and holding strategically valuable properties until the community can develop them as affordable housing, and; c) acquiring properties to convert to other uses such as retail, parks, or open space for flood mitigation. In addition to acquiring and holding land, land banks can maintain, rehabilitate, demolish, and lease or sell property.⁹ The Saint John Land Bank, which currently receives financial support from the province, is an example of a land bank operating in New Brunswick.¹⁰

⁷ CMHC. Critical Success Factors for Community Land Trusts in Canada. Retrieved from: <https://www.cmhc-schl.gc.ca/en/nhs/nhs-project-profiles/2021-nhs-projects/critical-success-factors-community-land-trusts-canada>

⁸ Retrieved from: <https://housingtrustfundproject.org/>

⁹ Retrieved from: <https://localhousingolutions.org/housing-policy-library/land-banks/>

¹⁰ See: <https://www.facebook.com/profile.php?id=100067803039102>



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