



Ontario Undergraduate Student Alliance

The Ontario Undergraduate Student Alliance is a non-partisan advocacy organization that represents the interests of over 140,000 undergraduate and professional, full-time and part-time university students at eight student associations across Ontario.

## POLICY BRIEF: HOUSING, TRANSIT, AND COMMUNITY DEVELOPMENT

This policy paper aims to illustrate what students believe to be underappreciated issues and concerns in their municipalities. Though tensions tend to run high between temporary and permanent residents in cities with post-secondary institutions, universities contribute largely to the growth of local economies. Given the significant impact that universities have on their communities, attention should be paid to maintaining and strengthening relationships between university students and their municipalities.

### THE PROBLEM

#### Inexperienced Tenants

Student tenants are vulnerable to predatory leasing practices and as a result, often struggle to find quality, affordable housing close to their campuses. Students are easily taken advantage of because they are unfamiliar with the rights and responsibilities of landlords and tenants. Moreover, it can be difficult for students to become informed. The provincial government does not put the onus on municipalities to provide adequate information about tenant rights and responsibilities to renters in their cities. Also, legal aid clinics across Ontario are overworked and underfunded, unable to provide services to all those that request it.

#### Lack of Protection & Recourse

Students are facing increasing mistreatment from landlords, such as rental units not being ready on contractually agreed upon move-in dates. Unfortunately, there are few pre-occupancy protections for tenants under provincial law. Seeking recourse and restitution through the Landlord and Tenant Board (LTB) or the Rental Housing Enforcement Unit (RHEU) can be confusing and cumbersome processes for student tenants to undertake. First, there is an unclear relationship between these two bodies. Second, the LTB has refused access to information on its rulings. Lastly, it does not have the authority to enforce its own decisions. In the end, students are deterred from engaging in existing dispute resolution processes.

#### Inadequate Transit Systems

The ability to free move between municipalities has great impact on students' experiences when studying and/or living away from their permanent residence. However, transit routes connecting different municipalities are lacking and the routes that do exist are often uncoordinated. For students with mobility concerns, physical and financial barriers further decrease their transit options.

The lack of active transit infrastructure also decreases student mobility; unfortunately municipalities do not always have the financial capability to invest in active transit infrastructure.

Decision-makers may not appreciate students' concerns, as they do not have adequate representation at critical tables, like on the Metrolinx Board of Directors. Even at the local level, there is little recognition for the impact of transit strikes on access to university campuses.

#### Discriminatory Bylaws

The Ministries of Municipal Affairs' and Housing's Provincial Policy Statement does not address near-campus neighbourhood development. Without adequate planning, students are facing undue barriers and bylaw regulation that other community members do not face. As a result, students are forced out of the neighbourhoods they want to live in by practices that specifically target their demographic. Municipalities are implementing and proactively enforcing bylaws that are specific towards high concentrations of students and that are in close proximity to university campuses. There is little information and evidence of best practices in the development of rental licensing bylaws, which may lead to further discrimination and increased costs for students. The Ontario Human Rights Commission (OHRC) has observed discriminatory practices in this regard.

### RECOMMENDATIONS

#### Plan & Develop Near-campus Neighbourhoods

All student tenants should have access to quality, affordable housing within a reasonable distance from their post-secondary institution. To do this, near-campus neighbourhoods should be consciously planned and developed. The Ministries of Municipal Affairs and Housing should add a section about zoning and

development guidelines for near-campus neighbourhoods to the Provincial Policy Statement. Under the plan's guidance, the province should work with the Association of Municipalities of Ontario to establish an advisory committee on student housing issues.

### **Provide Better Information & Education**

All student tenants must be able to easily access and understand their rights and responsibilities as renters. The provincial government should provide funding for municipalities that house university campuses to adequately promote and reinforce tenant rights and responsibilities. Funding should also be provided for local non-profits and Legal Aid Ontario clinics to target students. The provincial government should also work with student associations to create educational campaigns to aid student tenants in understanding their rights and responsibilities.

### **Amend the Residential Tenancies Act**

All student tenants would be better protected under the Residential Tenancies Act if the Act addressed their specific vulnerabilities. This could be accomplished if the Ministry of Housing reviewed the Act and eliminated gaps in pre-tenancy rights. This ministry should look to create legislation under which landlords are not able to collect rental deposits prior to a building obtaining a Final Occupancy Permit. In the case that construction on a rental unit is not complete on a contractually binding move-in day, legislation should exist to ensure that landlords return tenants' deposits and any rent payments for the period they did not occupy the unit.

### **Strengthen the Landlord Tenant Board of Ontario**

Student tenants should have access to fair and timely dispute resolution when landlords are not meeting their legal obligations. Transparency and access to information are crucial to ensuring integrity while resolving these types of disputes. The Ministries of the Attorney General and Municipal Affairs should establish a single complaints and claims process that integrates the LTB and the RHEU. New process should set maximum wait periods for claims to be heard, in order to expedite students' disputes and also establish transparency requirements for the LTB.

### **Improve Inter-regional Transit Networks**

Inter-regional transit is essential for students who commute to or reside in different municipalities than their post-secondary institution and a lack of inter-regional transit should not be a barrier for them to attend the institution of their choice. The Ministry of Transportation should coordinate with Metrolinx and the Ontario Northland Transportation Commission to develop a sustainable, long-term, inter-regional transit plan that would use universities as transit hubs. This would necessitate a change in the Metrolinx mandate to encourage them to expand transit routes throughout the province, not just in the Greater Toronto Area. Metrolinx should also adopt a seat for student representation on their board of directors to address student concerns and

opportunities for improved service between university transit hubs.

### **Increase Accessibility**

Students' ability to access their university campus is essential. Inter-regional transit should be accessible and subsidized for persons with mobility concerns. The Ministry of Labour should legislate that all local public passenger transportation systems are essential services. The Ministry of Community and Social Services should expand the Ontario Disability Support Program to provide reduced-cost inter-regional transit services for persons with disabilities.

### **Develop Active Transit Routes**

Active transit options provide healthy, environmentally friendly alternatives for commuting students. Active transit also has community benefits, such as reducing traffic congestion. Pedestrian safety should be prioritized when implementing new strategies for active transit. The 8-80 principle offers a guideline for best practice. The provincial government should permanently reintroduce the Community Transportation Pilot Grant Program and expand the terms of reference to include to post-secondary institutions and active transportation within its eligibility criteria.

### **Monitor Bylaw Implementation & Enforcement**

Under the Ontario Human Rights Code (the Code), everyone has the right to equal treatment in housing. The Ministry of Municipal Affairs should develop accountability measures, in consultations with student representatives and the OHRC, to ensure municipalities remain in compliance with the Code and the Municipal Act. The Ministry should consult the OHRC in the regular review of these accountability measures. To better protect student tenants, the Ministry of the Attorney General should issue a statement—for the courts to adhere to—that recognizes student status as a proxy for the Code protect grounds of age, marital status, or receipt of public assistance.

Rental licensing bylaws should be established based on best practices and evidence, as they too must conform to the standards of inclusivity and access set out in the Code. The Ministries of Municipal Affairs and Housing should conduct a feasibility study on the implementation of rental licensing bylaws to ensure evidence of best practices is available.