

For Immediate Release

Housing at Risk Ombudsman Finds Callous Treatment of Seniors

Toronto – JUNE 6th, 2013 The City of Toronto’s Ombudsman, Fiona Crean, says the Toronto Community Housing Corporation (TCHC) is failing to protect its seniors from unfair evictions.

Following an investigation into 79 tenant files of seniors evicted in 2011 and 2012 by Canada’s largest landlord, Fiona Crean found that staff are not following the Corporation’s own guidelines and policy of only using eviction as a “last resort.”

TCHC promised to change its practices regarding the eviction of vulnerable tenants, following Justice Patrick LeSage’s inquiry into the death of Al Gosling. Gosling died only weeks short of his 82nd birthday, five months after his eviction for arrears left him homeless.

Crean says, “My investigation has found TCHC staff did not change their practices. Instead there’s been a pattern of callous and unfair treatment of many seniors, including at least one case in which a tenant died shortly after eviction.”

- Mr. B was late in reporting a change in his income, which resulted in a retroactive increase. He suddenly owed over \$3,000. TCHC provided three different figures over a period of two days. After this, he accumulated further arrears for three years before TCHC evicted him. Mr. B died three weeks later from a heart attack.
- Ms. F, who has developmental disabilities, lived without incident in her unit for 30 years. After receiving noise complaints in 2011, TCHC began eviction proceedings, hoping this would change her behaviour. This use of the eviction process was coercive and contrary to policy. Staff also removed her subsidy due to unverified reports that her boyfriend was living with her. Without subsidy, Ms. F could not afford her rent, and was evicted for arrears. TCHC later admitted it should not have removed her subsidy, or evicted her for arrears.
- Mr. D had run into problems with TCHC over his behaviour, but was not evicted for cause, which staff acknowledge is difficult to prove. Instead, after missing his October rent payment, TCHC applied to evict Mr. D. for rent arrears, stating he owed \$404. Even though he made some payments before the hearing, TCHC evicted him. Staff provided directions to a shelter and offered him a bus ticket.
- Mr. C, an 88 year old, had his subsidy cancelled after he failed to submit his annual income review. Staff discovered that his apartment was abandoned, but continued to withdraw rent until his account was depleted six months later. After eviction, TCHC continued to send letters to his abandoned unit for 8 months.

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“Some of Justice LeSage’s recommendations that have not been implemented are simple and straightforward,” says Crean “with no obvious excuse for three years of delay. As for the policies TCHC has adopted, staff don’t always follow them.”

The Ombudsman found:

- TCHC policy requires “early intervention” and eviction as a “last resort” not a first resort. Neither was happening consistently.
- Contrary to the Eviction Prevention Policy, staff don't usually personally contact seniors who have fallen behind in their rent. The "personal contact" is often through excessive bureaucratic letters, poorly written and confusing.
- There are no standards for how long seniors have to pay back their arrears, or how much TCHC can require them to pay on top of their rent. This results in inconsistency and unfair treatment.
- TCHC made arrears problems worse by freezing evictions after the death of Al Gosling. This let rent arrears for some seniors increase to insurmountable levels. The subsequent return to tough arrears enforcement was harsh and unfair.

The Ombudsman made 30 recommendations, all of which have been accepted by the Toronto Community Housing Corporation.

“I am glad TCHC has acknowledged its failures and committed yet again to improvements” says Crean, “but this investigation speaks to a larger problem. It is clear the people who are paying the price are the most vulnerable in our society, seniors who are poor, many of whom are vulnerable with failing health and mental health challenges.”

“They are the ones that are being hurt,” says Crean, “and I am worried not enough people care.”

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