

Submission to the National Housing Council Review Panel on the Lack of Accessible Housing in Canada

Introduction

We appreciate the opportunity to provide a written submission to the National Housing Council Review Panel on the lack of accessible housing in Canada. Canada is in the midst of a demographic transition. As of July 2025, over 8.1 million Canadians are aged 65 or older (19.5%), and this proportion is projected to reach approximately 24% by the end of the 2030s.¹

Additionally, the proportion of Canadians reporting a disability increases markedly with age. In 2022, 27% of Canadians aged 15 and older reported having one or more disabilities.² Among those aged 65 and older, the proportion of adults having one or more disabilities was 40%, compared to 15.8% among those aged 15 to 24 and 21.1% aged 25 to 64. The most commonly cited disabilities for older Canadians include, pain-related (68%), mobility (63%) and flexibility (59%).³ The statistics demonstrate as individuals age, they are more likely to experience a higher number of concurrent disabilities which can lead to additional accessibility challenges. Nearly half (42%) of older adults with a disability had four or more concurrent disabilities, while youth (43%) and working-age adults (36%) were most likely to have two or three concurrent disabilities.⁴

Older Canadians with disabilities can face the double burden of inaccessible housing and insufficient income. The National Institute on Ageing (NIA)'s 2025 Ageing in Canada Survey found that a substantial proportion of older adults report that their homes do not meet their physical needs and that they cannot afford modifications to make them suitable for ageing.⁵

The convergence of an ageing population and increasing rates of disability means that the need for accessible housing will only intensify. Despite the statutory recognition of the right to adequate housing under the *National Housing Strategy Act* (NHSA), persons with disabilities (PWDs) constitute part of the most acutely affected populations in the accessible housing crisis, yet they remain systematically deprioritized in housing policy, funding allocation, and legal accountability.

Question 1: Our Vision for Accessible Housing in Canada

A Rights-Based Housing System

Our vision is a Canada where every person regardless of age, disability status, or income has access to safe, affordable, and accessible housing that enables them to age with dignity and independence. Without accessible housing, older adults and persons with disabilities are forced into institutional care that is more expensive, less preferred, and often inappropriate. Estimates suggest around 1 in 10 Canadians admitted to long-term care (LTC) homes could have remained in their communities if adequate accessible housing and home care were available.⁶

This vision is operationalized through the “Ageing in the Right Place” (AIRP) framework. AIRP is defined as the process of enabling healthy ageing in the most appropriate setting based on personal preferences, circumstances, and evolving care needs.⁷ As a result, accessible housing should be treated as essential community infrastructure. To achieve the AIRP vision, the NIA identifies four essential pillars, with Pillar 3, “Developing More Accessible and Safer Living Environments,” identifying accessible housing as a critical factor for enabling AIRP. According to the Canadian Mortgage and Housing Corporation (CMHC), 65% of older Canadians have few housing options that meet their financial, medical, or functional needs,⁸ and this dearth of accessible, affordable, and adequate housing contributes to the institutionalization of older Canadians who could have remained in their homes with the appropriate level of home care. Transitioning to universal design principles as a baseline would help alleviate the unnecessary transition and create housing stock that is usable by all people, regardless of age or ability, and importantly without the need for costly adaptation.⁹ Implementation during construction is the most cost-effective path to building accessible housing, as the expense of retrofitting houses to become more accessible as functional need increases can be significant.¹⁰ Additionally, inaccessible design is a leading driver of injury. Half of falls among older adults occur within the home, and environmental hazards such as poor lighting, slippery flooring, and a lack of grab bars nearly triple the risk of injury.¹¹ Therefore, mandating accessible standards is an imperative to protect the rights, safety, and security of ageing Canadians.

Our vision for accessible housing is also reflected and enshrined under the *National Housing Strategy Act* (NHSA)¹² and anchored by the United Nations (UN) *Convention on the Rights of Persons with Disabilities* (CRPD)¹³ the *International Covenant on Economic, Social and Cultural Rights*,¹⁴ which legally bind Canada to ensure older adults and people with disabilities have access to adequate, safe, and accessible housing.¹⁵

The UN definition of the right to adequate housing requires, at a minimum, the following elements:¹⁶

1. Security of tenure – occupants must have legal protection against forced evictions, harassment and other threats.
2. Availability of services – occupants must have access to materials, facilities and infrastructure including safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal.
3. Affordability – housing costs should not threaten or compromise the occupants' enjoyment of other human rights.
4. Habitability – housing should guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards.
5. Accessibility – housing should consider the specific needs of disadvantaged and marginalized groups.
6. Location – housing should not be cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.
7. Cultural adequacy – housing should respect and consider the expression of cultural identity.

To determine a “core housing need”, a definition used to identify populations that may require assistance with certain aspects of their housing, Canada currently only measures affordability and habitability and does not include homeless adults, those in collective housing, and needs related to security of tenure, location, accessibility, and cultural adequacy.¹⁷ A household is in “core housing need” if it spends 30% or more of its income on housing, lives in a dwelling that needs major repairs, or lacks enough bedrooms.¹⁸ This definition of “core housing need” omits a number of the UN elements required to ensure “adequate housing” and effectively erases the experience of persons with disabilities and older adults.¹⁹ The federal government should amend the definition of “core housing need” to reflect its 2019 commitment to the progressive realization of the right to adequate housing.²⁰

The Canadian Human Rights Commission and the Office of the Federal Housing Advocate monitoring framework provides an evidence-based measure of the housing situation of people with disabilities in Canada. Its findings were not promising. People with disabilities experience worse outcomes across all eight elements of adequate housing:

1. Homelessness: People with disabilities were nearly four times more likely to experience homelessness than people without disabilities (3.9% vs 1.1%) and

more than twice as likely to experience hidden homelessness (16.2% vs 6.5%), where they live somewhere temporarily (e.g. couch surfing with family or friends) because they have nowhere else to live. This does not include living in homeless or domestic violence shelters, or in places with rent payments (e.g. hotels or hostels).²¹ According to the most recent data collected between 2020 and 2022, 27% of people experiencing homelessness are over the age of 50, and 4% are over the age of 65, percentages that have doubled since 2009.²² The increasing trend in homelessness amongst older adults is one of the fastest growing in Canada.²³

2. **Accessibility:** Only 38% of people with disabilities in 2021 felt their homes were accessible.²⁴ Less than 1 in 10 publicly owned social and affordable housing units in Canada is accessible. In 2016, about 9.8% of these units were accessible, in 2020, this number went down to 8.9%.²⁵ Accessible housing is often the primary factor in older Canadians being forced into institutional LTC. An overwhelming majority (81%) would prefer to age-in-place but 62% cannot because the homes are structurally adequate.²⁶
3. **Supports and Services:** Many people with disabilities indicated they did not have the supports and services they needed to live independently in their chosen communities. The number of people with disabilities who needed help at home but did not get it increased between 2017 (835,390) and 2022 (1,289,380). In 2021, people with disabilities were more likely to have unsafe drinking water and poor air quality compared to people without disabilities, 4% vs 2% and 12% vs 7%, respectively. The number of people with disabilities who had limited, or no internet access increased between 2017 (1.7%) and 2022 (6%).²⁷ A significant implementation gap also exists for older adults, nearly half (49%) report being unable to access home care services when needed.²⁸
4. **Affordability:** People with disabilities are almost twice as likely to live in core housing need than people without disabilities across a variety of housing types. People with disabilities are more likely to live in unaffordable housing (i.e. housing that costs more than 30% of their income) than people without disabilities. Renters with disabilities are almost three times as likely to live in unaffordable housing compared to owners.²⁹ Financial precarity is pervasive amongst older Canadians, with 1 in 5 (20%) experiencing a poverty-level standard of living, a figure that rises to 36% for older adult renters.³⁰
5. **Security of Tenure:** People with disabilities are less likely to own their homes than people without disabilities. In 2022, 68% of people with disabilities owned their own homes compared to 74% for people without disabilities. In 2021, People with disabilities were more likely to be forced to move for economic reasons compared to people without disabilities (11% vs 7%). People with disabilities are more likely to be forced to move because of conflicts with neighbours, landlords, or other residence homes, than people without disabilities (19% vs 12%).³¹ For

older adults on fixed incomes, eviction can result in homelessness or an involuntary move into unnecessary institutional care.³²

6. Cultural Adequacy: Canada does not currently measure this element, effectively leading to the systemic erasure of the diverse cultural needs of many people, including older adults and persons with disabilities. Indigenous older adults are particularly impacted because of the difficulty in finding culturally appropriate, barrier-free housing. This is manifested in housing that fails to support traditional ways of life such as hunting and fishing.³³ In Northern and rural communities, the lack of culturally appropriate housing frequently forces Elders to move to access health and disability supports.³⁴ Additionally, the lack of 2SLGBTQI+ inclusive housing models may force older adults to conceal their identities in institutional settings to avoid rejection or neglect.³⁵
7. Habitability: In 2022, 9% of people with disabilities lived in housing needing major repairs (versus 5% without disabilities), and 18.3% reported a pest infestation in the past 12 months (versus 11.2% without disabilities).³⁶ Inaccessible housing design is also a primary driver of fall-related injuries amongst older adults, with half (50%) of all fall-related injuries occurring in the home.³⁷

Canadian courts have long recognized that international human rights law informs the interpretation of domestic legislation and rights.³⁸ The CRPD Committee on the Rights of Persons with Disabilities' 2017 Concluding observations on the initial report of Canada called on Canada to adopt comprehensive policies and legislation to ensure accessible housing.³⁹ Despite the 2017 recommendations, the 2026 concluding observations of the UN Human Rights Committee (UNHRC) of the *International Covenant on Civil and Political Rights* (ICCPR) found that persons with disabilities continue to experience significant discrimination in accessing services and fully participating in society.⁴⁰ Furthermore, the Committee situated homelessness and poverty, that disproportionately affects Indigenous persons, within the context of articles 6 (right to life) and 9 (right to liberty and security) of the ICCPR,⁴¹ linking inadequate housing to the high number of deaths related to drug use. The UNHRC identified Canada's continued "reluctance to give full effect" to be a systemic failure in implementing its international human rights obligations.⁴² Canada's continued reluctance to comply with the Concluding observations is evidence of systemic non-compliance that should be addressed.

Question 2: How is the Lack of Accessible Housing Affecting People in Canada?

A. Lack of Accessible Housing

As of 2026, there are at least 4.4 million households in core housing need in Canada.⁴³ Of these, approximately 3 million are very low- or low-income.⁴⁴ The average asking rent in Canada as of February 2026 was \$2,057/month, with considerably higher rents in certain urban centers, almost twice the affordable cost of a low-income household.⁴⁵

Persons with disabilities are overrepresented in every category of housing precarity: core housing need, chronic homelessness, and institutionalization in LTC and group homes. Despite unambiguous evidence of this disproportionality, there are still no clear guidelines, measurements, or targets in Canada's National Housing Strategy relating to accessibility for people with disabilities.⁴⁶

This impact is acutely felt by the 40.4% of Canadians aged 65 and older who live with one or more disabilities. For them, the lack of accessibility is frequently a deciding factor in whether they can remain in their homes or are forced into institutional LTC homes. Evidence shows 81% of older adults prefer to age-in-place, yet 62% have made no structural modifications or plans to do so,⁴⁷ often because the current housing stock is structurally incompatible with ageing-related functional declines without extensive renovations and adaptations. Current housing often overlooks principal elements of good environmental design such as appropriate steps, ramps, railing, lighting, and other safety features, as well as proximity to services that older adults commonly need. Many older adult residences built between the 1960s and 1990s are often unable to accommodate modern independence technologies such as motorized scooters and electric wheelchairs that require charging space.⁴⁸ These homes often have multi-level floorplans, tight corridors, and bathroom layouts that cannot be modified without costly renovations, expenses 62% of older adults have not financially prepared for.⁴⁹ Treating accessibility as an afterthought shifts the financial burden from market-housing organizations to individuals.

The lack of accessible housing is also a primary cause for preventable injury amongst older adults. Approximately 50% of falls suffered by older adults occur within the home, and environmental hazards such as poor lighting, lack of handles and rails, and slippery flooring can nearly triple that risk.⁵⁰ Research also shows that older adults with disabilities who are discharged into inadequate housing face a higher risk of hospital readmission within a year of their initial stay. This elevated risk is closely tied to unmet accessibility needs in their home.⁵¹

Inaccessibility housing also creates physical barriers that render a significant portion (21%) of older adults with disabilities "housebound."⁵² This physical confinement leads directly to a profound social isolation and loneliness, which affect 43% and 57% of older adults, respectively.⁵³ The risk of social isolation and prevalence of loneliness among older adults are not just indicators of well-being, but constitute a public health and mortality risk comparable to smoking or obesity. Social isolation and loneliness are linked to higher rates of depression, anxiety, cognitive decline and dementia, as well as increased cardiovascular disease, weakened immune function and poorer recovery from illness.⁵⁴ Social isolation also creates a higher risk of experiencing elder abuse. When older adults cannot access adequate housing or accessibility modifications, they become dependent on others. This isolation and reliance on others create an environment that increases the risk of neglect, financial exploitation, and physical or psychological abuse.⁵⁵ Older adults suffering abuse at the hands of a trusted person may recede further into isolation because of the dynamics of abuse. Feelings of shame may further cause the victim to withdraw from society and remain silent, reinforcing isolation as part of the cycle of abuse.⁵⁶

B. Intersectionality Compounds Harm

The lack of accessible housing in Canada does not impact all residents equally, it compounds the harms listed above for those at the intersection of disability, age, gender, and Indigeneity. For Canadians aged 65 and older who live with one or more disabilities, housing precarity is rarely the result of a single factor but is the outcome of overlapping systemic failures.

The intersection of gender and disability creates unique social and economic disadvantages that disproportionately compromise the autonomy of older women. The prevalence of disability is higher among women aged 65 and older (41.8%) than among men in the same cohort (38.9%).⁵⁷ These women frequently face a pronounced income gap and higher rates of poverty due to lifelong barriers in education and employment, leaving them financially disempowered and reluctant to leave abusive relationships if they are financially dependent on their partners.⁵⁸ Furthermore, the lack of safe, accessible housing is a primary driver of hidden homelessness among older women, more than half (54.5%) of women with disabilities reported experiencing hidden homelessness due to violence or abuse, a rate significantly higher than their male counterparts.⁵⁹

Indigenous older adults with disabilities comprise up to 90% of the homeless population in some cities and regions as a result of intergenerational harms and systemic discrimination.⁶⁰ In 2017, Indigenous people with disabilities were disproportionately represented on waitlists for subsidized housing compared with Indigenous people without disabilities (4.9% vs 3.3%).⁶¹ Indigenous women with disabilities who were on

subsidized housing waitlists waited almost twice as long (42 months) compared to Indigenous people without (28 months).⁶²

C. Financialization, Evictions, and Displacement

The financialization of rental housing has had a devastating impact on the supply of affordable, accessible homes. The impact of the housing crisis is magnified for older adults with disabilities who exist at the intersection of low income and declining health. Renters with disabilities are three times more likely to live in unaffordable housing than owners (33.7% vs. 13.8%).⁶³ Between 2011 and 2021, this systemic shift contributed to the loss of 552,000 rental homes at \$750 or less per month in Canada. Higher-rent cities like Vancouver, Toronto, Ottawa, and Hamilton have lost much of their stock renting at between \$750 and \$1000.⁶⁴ At the same time, the end of operating agreements with non-profit community housing providers caused a 42% reduction in low-income non-market homes.⁶⁵ These losses disproportionately affect persons with disabilities, who are most dependent on affordable, low-rent stock housing.

Increasing the stock of non-profit housing is also important in addressing financialization. Two thirds (65%) of national evictions are "no-fault", that is, evictions by the landlord mostly for the purpose of selling the property, using it for themselves, renoviction, or demoviction.⁶⁶ Evidence confirms that people with disabilities are at a heightened risk of displacement, with "no-fault" evictions accounting for approximately 64% of all forced moves among this population.⁶⁷ In 2021, 7,590 people under the age of 55 were living in nursing and seniors homes primarily designed for older adults. A further 61,710 people with disabilities lived in group homes.⁶⁸ For many, this institutionalization is not a choice, for an older adult on a fixed income, a "no-fault" eviction can result in homelessness or a premature transition into institutional care, as they cannot compete for the negligible 3.5% of new units that are affordable to low-income households.⁶⁹

Question 3: What System-Wide Gaps and Government Actions or Inactions Are Getting in the Way of Canada's Progress?

A. The Voluntary Approaches are Insufficient.

While the NHSA establishes a federal housing policy and accountability tools such as the Federal Housing Advocate and the National Housing Council,⁷⁰ it does not create an enforceable right to housing, is not constitutionally entrenched, and does not impose a legal obligation on provincial, territorial, or municipal governments.⁷¹ Canada's

commitments under international treaties also do not, by their mere existence, transform the NHSA into a binding instrument for non-federal levels of government. Accordingly, there is no statutory duty requiring provinces, territories, or municipalities to adopt or respond to the Federal Housing Advocate's recommendations. This gap is significant, housing policy and implementation depend on coordinated intergovernmental action, and absent binding obligations or enforcement mechanisms the federal policy for a right to adequate housing is at risk of being undermined by inconsistent jurisdictional implementation.⁷²

Recent peer-reviewed research involving cross-sectoral professionals with expertise in accessible housing, including people with disabilities, and policy advocates identified a systemic failure to prioritize accessibility among housing developers and policymakers, a common theme in the perpetual dearth of accessible homes in Canada.⁷³ Participants indicated economic factors incentivized technical compliance over proactive accessibility builds. One developer noted: "from a profitability standpoint, generally, we try to do only the minimum that is required."⁷⁴ A municipal accessibility advisor with a disability was of the opinion: "that unless it's legislated in some way, change will not happen."⁷⁵ This led the authors to conclude "the efficacy of public policy measures has shown that reliance on voluntary approaches rarely succeeds in reaching the intended performance outcomes."⁷⁶

B. Inadequate Building Codes

Canada's building codes are one of the most significant drivers of the shortage in accessible housing. This includes the National Building Code (NBC), which the Federal Housing Advocate has noted serves as a model code that provincial and territorial governments adopt in full or in part. The NBC currently exempts a wide swath of small-scale housing, such as detached and semi-detached homes, from accessibility requirements.⁷⁷ These exemptions from accessibility requirements are incompatible with Canada's international and national human rights obligations, as stipulated under the NHSA, the Canadian *Charter of Rights and Freedoms*, and the CRPD. With respect to the *Charter*, these exemptions could constitute discriminatory state action under sections 7 and 15.⁷⁸ As the Federal Housing Advocate stated:⁷⁹ "The fact that the state systematically permits the construction of inaccessible housing, which can be both physically dangerous to PWD and detrimental to their well-being and autonomy, clearly violates these rights." While two new national standards for accessible housing have been developed, their application remains voluntary, resulting in unsatisfactory adoption of increased accessibility.⁸⁰

The NBC exempts a large swath of small-scale housing (detached, semi-detached, duplexes, and triplexes) from any accessibility requirements (NBC, s. 3.8.1.1).⁸¹ For larger multi-unit buildings, the NBC accessibility requirements apply only to suites designated as being "for use by persons with physical disabilities" (NBC, s 3.8.2.3(2)).⁸²

Accessibility was added as a standalone objective to the NBC only in 2005, as such, a majority of Canada's existing homes have been built with no accessibility requirements and require renovations or retrofitting to meet these standards.⁸³

C. Insufficient Funding and the Collapse of Non-Market Housing

Canada has experienced a precipitous decline in non-market housing development since 1996 when the federal government withdrew funding.⁸⁴ People with disabilities are disproportionately dependent on non-market housing as their incomes are commonly inadequate to afford market housing.⁸⁵ People with disabilities are almost twice as likely to live in core housing need as people without disabilities, and this disparity is worse for renters.⁸⁶ For older Canadians, the collapse in the non-market sector has eliminated the primary defense against the "leaky bucket" of financialization, where deeply affordable units are lost to the private market at a rate of 15 for every new one created.⁸⁷ The lack of non-market supply can create an untenable choice for older Canadians, where the absence of community-based accessible housing funnels them into LTC homes.⁸⁸ At present, non-market housing comprises only 3.5% of Canada's rental stock, approximately half of comparable OECD countries,⁸⁹ which spend on average 0.5-1.5% of GDP on social housing compared to Canada's 0.1-0.2%.⁹⁰ The Federal Housing Advocate has therefore recommended an immediate short-term increase in non-market stock to 7%, with a long-term objective of 20%.⁹¹

Along with the "leaky bucket" effect, the market-based housing development system fails to prioritize universal design.⁹² The NHS has been criticized for allocating a majority of its \$110 billion in financing to market developers, combined with weak affordability and accessibility criteria, resulting in a negligible share of (only 3.6%) of new units affordable to low-income households.⁹³ Meanwhile, affordable units from non-market providers who commonly provided accessible units under a statutory mandate are unavailable because of decades-long waitlists.⁹⁴ These systemic deficiencies materially undermine the availability, affordability, accessibility, and durability of housing for persons with disabilities.

D. Discrimination and the Failure of Access to Justice

The persistent lack of prioritization of accessibility, rooted in negative attitudes towards the value and capabilities of older adults (ageism) and people with disability (ableism) and the belief that people with disabilities are "not useful" and not worth the investment in the housing and financial sectors.⁹⁵ This mindset that treats housing as a commodity rather than a human right, leads developers to meet minimum legislated accessibility standards, which in many provinces applies to only 5% to 20% of units in multi-unit buildings.⁹⁶

While the NHSA recognizes housing as a human right, it lacks enforceable mechanisms to compel private landlords or subnational governments to comply with rights-based standards. Tenants with disabilities who faced "no-fault" evictions initiated by the landlord for their own use, renovation, or sale of the property, accounted for approximately 64% of forced moves.⁹⁷

Question 4: What Can the Government of Canada Do to Fulfill the Right to Housing for People with Disabilities?

To fulfill the right to housing for people with disabilities, we recommend that the federal government execute comprehensive policy reforms centered on the reality that housing is a fundamental human right recognized under the NHSA and the CRPD. The current Canadian landscape represents a systemic failure in housing, as people with disabilities are four times more likely to experience homelessness, twice as likely to live in core housing need, and disproportionately subject to "no-fault" evictions, compared to those without disabilities.

Canada's constitutional framework does not explicitly assign specific responsibility for housing to any level of government. This jurisdictional ambiguity has allowed all levels of government to treat housing as someone else's responsibility, resulting in a patchwork of policies and lack of accountability.⁹⁸ To address this gap, the federal government should move beyond voluntary guidelines to a mandatory, outcomes-focused regulatory and fiscal regime. Research has confirmed that "the efficacy of public policy measures has shown that reliance on voluntary approaches rarely succeeds in reaching the intended performance outcomes."⁹⁹

The *Canada Health Act*¹⁰⁰ (CHA) provides a policy and legal precedent for this approach. The CHA demonstrates how conditions tied to federal transfers can generate compliance across jurisdictions, despite the absence of constitutional obligation. While health care, like housing, is not explicitly assigned to a jurisdiction in the Constitution, the federal government has successfully used its spending power to shape national policy through the CHA. The CHA demonstrates how tying conditions and negotiated agreements to federal transfers can ensure compliance across jurisdictions, despite the absence of a jurisdictional obligation.¹⁰¹ Similarly, the federal government can successfully enforce national housing standards in provincial and territorial housing policy by utilizing its spending power to make financial transfers contingent on adherence to federal housing principles.¹⁰² Under this framework the housing and infrastructure contributions would be governed by shared, enforceable contracts rather than being discretionary. Shifting away from a strategy of political persuasion to one of

fiscal enforcement can close the jurisdictional policy gap and ensure consistent human rights-based housing decisions.¹⁰³

A. Mandate Universal Design through the National Building Code

To fulfill its obligations under the NHTSA and the CRPD, the federal government should undertake comprehensive reform of the NBC to mandate all new housing construction incorporate universal design standards. At present, the NBC violates Canadian human rights obligations, allowing for the creation of housing that continues to exclude individuals with disabilities and other physical and cognitive needs. The national and provincial human rights codes¹⁰⁴ prohibit discrimination on multiple grounds including disability and age and require housing providers to accommodate tenants to the point of “undue hardship.” A building code that allows for new housing to be constructed with standards of being minimally accessible creates barriers and financial burdens when individuals seek out costly renovations to make homes work for them.

The issue is further compounded by the way the NBC explicitly exempts small-scale housing from accessibility requirements. In particular, the government should amend section 3.8.1.1 of the NBC, which explicitly exempts small-scale housing from accessibility requirements facilitating the exclusion of people with disabilities and older adults from the vast majority of the housing market. This makes it more difficult for older adults to age at home and limits the availability of accessible housing in the communities where people already live. Each new home built under the current NBC represents a decades-long commitment to current housing practices, risking normalizing systemic discrimination by permitting a continuous cycle of inaccessible housing.

The NBC accessibility requirements for larger multi-unit buildings (s. 3.8.2.3(2)) should be extended to apply to all units, not only those designated for use by persons with physical disabilities. The provinces and territories look to the NBC as a model code, making it crucial in harmonizing accessibility standards across the country. Accessibility should not be treated as an option with a “minimum” to be met, but a duty to accommodate. This reform is imperative, and Canada’s continued permission for the construction of inaccessible housing could constitute a violation of Sections 7 and 15 of the *Charter*.

The NBC reform should be accompanied by binding intergovernmental agreements that require provincial and territorial adoption of the NBC accessibility standards as a condition for receiving federal housing and infrastructure transfers modelled on the conditional funding approach of the CHA.¹⁰⁵ Update the Definition of Core Housing Need to Include All Elements of Adequate Housing

Canada's current definition of "core housing need" measures only affordability and habitability, omitting the five remaining UN elements of adequate housing: security of tenure, accessibility, availability of services, location, and cultural adequacy.¹⁰⁶ This definitional gap leads to significant data gaps that leaves persons with disabilities and older adults effectively invisible in housing policy and funding decisions. Effective decision making is contingent on accurate and representative data collection. The NHS should adopt a standard set of indicators to track the elements of adequate housing that are reliable, comprehensive, repeatable, and comparable. Data collection should also include people living in institutions, those experiencing hidden homelessness, and First Nations members living on reserves. A standard set of indicators can also establish agreement conditions with other levels of government, akin to the 1984 *Canada Health Act* set of standards and targets that were linked to federal transfer payments.¹⁰⁷

We agrees with Dr. Carolyn Whitzman, the National Housing Strategy should adopt a strong set of indicators to track the elements of accessible housing consistent with the monitoring framework developed by the UN Special Rapporteur on the Right to Adequate Housing and adopted by Canadian Human Rights Commission and the Office of the Federal Housing Advocate.¹⁰⁸

B. Expand the Supply of Accessible Non-Market Housing

Canada has had declining non-market housing over the last four decades. Currently the non-market housing sector only represents 3.5% of rental stock, half of what is available in comparable OECD countries, and a proportion that is shrinking. We agree with Dr. Carolyn Whitzman, the National Housing Council, and the Federal Housing Advocate that the federal government must prioritize a binding target of at least 20% of all housing stock be non-market and affordable, have security of tenure, be well located, accessible, habitable, culturally adequate, and with access to essential services to serve everyone in Canada by 2060.¹⁰⁹

To achieve the 2060 target, the federal government should focus investment on scaling up to at least 150,000 non-market homes per year that are affordable to very low- to median-income households.¹¹⁰ This target should be tracked, linked to federal housing and infrastructure transfers, and enforced through binding intergovernmental agreements modelled on the CHA.¹¹¹

C. Protect Existing Affordable and Accessible Housing Stock from Financialization and "No-Fault" Eviction

The financialization of housing has resulted in a dramatic loss of affordable rental housing between 2011-2021, while with the end of operating agreements has contributed to a 42% reduction in low-income non-market homes. This loss of affordable housing disproportionately harms persons with disabilities. Additionally, renters with

disabilities are also disproportionately subject to “no-fault” evictions, which account for approximately 64% of forced moves.

To reverse this trend, the federal government should preserve the existing affordable housing stock by increasing the Canada Rental Protection Fund. The Fund would provide stable long-term funding to community housing providers to secure affordable rental units that are at-risk of being financialized and to buy, repair, and operate existing affordable properties and convert them into permanently affordable non-market assets.¹¹²

To provide protection from unreasonable rent increases, bad-faith evictions, and legal aid for renters when their rights are threatened, the federal government should implement a national Renters’ Bill of Rights that provides strong enforcement mechanisms to hold landlords accountable.¹¹³

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