



CHRA Indigenous Caucus

Recommendations for an Urban and Rural Indigenous Housing Strategy

With CHRA's Indigenous Housing Advisory Caucus was established in 2013 in recognition of the large number of Indigenous-led and Indigenous-serving organizations who are CHRA members and wanted to work together for better housing for Indigenous peoples across the country. Indigenous housing and homelessness service providers across Canada face a number of challenges to which they are responding with resourcefulness, good management and innovation. The Indigenous Housing Advisory Caucus is tackling these challenges collectively, providing policy advice to CHRA, and working on solutions.

June 2017

In March 2017, the federal government unveiled a Budget that contained over \$15 billion in funding commitments for social and affordable housing over the next 11 years. The Budget furthermore stated that a National Housing Strategy will be unveiled in autumn 2017.

However, it is imperative that an Indigenous Housing Strategy, particularly one focused on the needs of urban and rural Indigenous peoples, be developed in conjunction with the National Housing Strategy. The Canadian Housing and Renewal Association (CHRA) recommended in October 2016 that a distinct urban and rural Indigenous housing strategy be unveiled in conjunction with the overall National Housing Strategy. The October 2016 submission outlined the significant challenges facing urban and rural Indigenous housing providers, and why a distinct Strategy was so urgently required. These challenges include:

- The incidence of housing need among the non-reserve Indigenous population is over 20%, compared to 12.4% among non-Indigenous people.
- 23% of Indigenous households live in unsuitable dwellings, compared to 14% of non-Indigenous households.
- 22% of non-reserve Indigenous households live in homes that did not meet adequacy or suitability standards, compared to 13% of all households across Canada.
- 1 in 15 Indigenous people in urban centers will experience homelessness, compared to 1 in 128 for the general population. Urban Indigenous peoples are 8 times more likely to experience homelessness than the non-Indigenous population.
- Indigenous people suffer from much higher rates of housing discrimination (ie, being denied adequate housing options by housing gatekeepers such as landlords, subletting tenants, or property managers).
- Many urban Indigenous peoples are not living in housing that is culturally sensitive.
- Home ownership rates among Indigenous people living in urban and rural settings are approximately 54% compared to 69% for the general population.

Given these realities, CHRA strongly believes that there cannot be a National Housing Strategy without an Indigenous Housing Strategy. An Indigenous Housing Strategy, particularly one that focuses on the needs of urban and rural Indigenous peoples in Canada, is a necessary complement to the final report of the 2015 Truth and Reconciliation Commission of Canada. It should have as an overarching objective the goal of raising the standard of Indigenous housing to that of the non-Indigenous population in Canada.

An Indigenous Strategy must also be developed, led, governed, and implemented by Indigenous peoples themselves. As part of the overall reconciliation theme, it is imperative that non-Indigenous peoples or organizations dictate strategies or policies to Indigenous peoples. Representation is a key component of the process moving forward.

An Indigenous Housing Strategy is long overdue. Urban and rural Indigenous housing is facing crisis now. With Operating Agreements already expiring, and with Indigenous affordable housing units disappearing, the time is now to announce and implement a Strategy.

An Indigenous Housing Strategy also needs to be developed in partnership with the provinces, territories, and of course, Indigenous people themselves. Although the ideas in this paper are seen from the perspective of the federal government role, there is no question that a national Indigenous housing strategy needs to be developed and implemented in close cooperation with the provinces and territories.

An Indigenous Housing Policy Framework

The 2017 Budget included \$225 million over the next 11 years for “Indigenous peoples not living on reserve”. Although these funds are welcome, they are insufficient to address the pressing and unique challenges facing the urban and rural Indigenous housing sector.

In early 2017, CHRA commissioned a paper produced by Vink Consulting to review and identify recommendations for a distinct urban and rural Indigenous housing strategy. In May 2017, 120 members of the CHRA Indigenous Caucus met to review these ideas and provide their feedback. The following policy recommendations directly reflect the ideas and input provided by the Caucus members, and are intended to provide the federal government with Indigenous housing providers views on the framework for an Indigenous housing strategy.

The following framework is divided into 3 components: Principles, Desired Outcomes, and Proposed Policies.

Principles of an Urban and Rural Indigenous Housing Strategy

CHRA believes that the following core principles should underlie an urban and rural Indigenous housing strategy:

- **First Nations, Métis, and Inuit peoples have inherent, Indigenous, and treaty rights to housing:**
The right to housing for all Indigenous people is rooted in the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly of the United Nations on December 16, 1966 and the Universal Declaration of Human Rights (United Nations, 1948) and the conventions of the International Labour Organization that express social and economic rights, including a right to housing.
- **The federal government has a fiduciary responsibility for Indigenous people, regardless of whether they live on or off reserve and regardless of ancestry (First Nations, Métis or Inuit):**
Indigenous peoples in urban and rural Canada should not have to forego the special relationship that historic rights have conveyed upon Indigenous peoples and the associated funding obligations of the federal government. The federal government also needs to respect the April 14, 2016 Supreme Court decision taken in the Daniels case that confirmed the federal government’s fiduciary responsibilities towards Metis and non-status Indians, particularly as it relates to housing.
- **Federal housing policy should advance the process of reconciliation:**
To act on the federal government’s commitment to implement the recommendations of the Truth and Reconciliation Commission, federal Indigenous housing policy should be designed to advance the process of reconciliation. This means that federal Indigenous housing policy should close the gaps and remove barriers in access to affordable housing, support Indigenous culture, and reconcile relationships with Indigenous peoples.
- **Meaningful accountability must be given to the urban and rural Indigenous community, and Indigenous people must be involved in the planning, administration, governance, delivery and evaluation of housing and related services for Indigenous people:**
Indigenous people have a special status recognized in law, and therefore must be active participants in any discussions of government policies. There have been consistent calls for Indigenous governance, coordination and delivery of housing and homelessness services, and, in fact, solutions to address issues of housing and homelessness among Indigenous peoples have been found to be more effective with direct involvement and management by the Indigenous community. The Indigenous community must be responsible for the delivery and management of its housing services. In some cases, this will require assistance in developing appropriate infrastructure supports such as regional umbrella or support organizations. In other cases, it will require recognition of the delivery and management capabilities of existing housing providers. Respecting Indigenous governance structures is important to address the disparity in socio-economic circumstances between Indigenous and mainstream society.

The federal government has committed to “nation-to-nation” negotiations about Indigenous housing. However, Indigenous governance in Canada is complex, with different governance structures, responsibilities and peoples to represent. The government’s “nation-to-nation” negotiations must find a way to engage and negotiate with urban and rural Indigenous peoples and urban and rural Indigenous housing providers.

- Housing and homelessness programs for Indigenous people must be culturally sensitive and facilitate the integration of culturally appropriate and sensitive management styles and services, as well as flexibility in how culturally appropriate tenant supports are provided:**

Housing and homelessness programs for Indigenous people must be reflective of Indigenous values, beliefs and practices. Housing and related services must be integrated and holistic, supporting physical, mental, emotional, and spiritual wellbeing. Programs should see all Indigenous people as being part of a family and a wider kin group. Consideration in housing design and layout must take into account Indigenous cultural realities, such as intergenerational living conditions whereby several generations live in the same housing unit; and that even in an urban and rural setting, Indigenous peoples have a close connection to their land base. Although housing related services should be integrated with housing, this is not to say that they must be project-specific. Housing related services in Indigenous housing may involve partnerships with Indigenous organizations providing services in the community.
- Indigenous people are not a homogeneous group; programs must respect the differing needs of First Nations, Métis, and Inuit:**

First Nations, Métis and Inuit cultures and needs are unique. Programs designed for Indigenous people of one culture may not meet the needs of Indigenous people of another culture. Likewise, Indigenous people of one culture do not necessarily connect with housing and services targeted at another culture. Program designs must respect the differing needs of First Nations, Métis, and Inuit.
- Financial investments must be consistent and long term, and funding must provide adequate resources to urban and rural Indigenous communities to address the current disparities and on-going need for appropriate, affordable housing and related services:**

Long-term funding must be provided in a way that goes beyond supporting housing and services for a handful of years. Funding must be provided to address the current disparities in housing need and must invest in community supports for the long term.
- Solutions should promote sustainability as well as sound, efficient management:**

Housing policies and programs should promote long-term, sustainable solutions and promote sound, efficient property and service management regimes.
- Coordination and collaboration is required across stakeholders:**

Coordination and collaboration is needed within the federal government, between all levels of government, with Indigenous communities and mainstream organizations to effectively address Indigenous housing needs.

Desired Outcomes

The following represent the desired outcomes that the CHRA Indigenous Caucus wishes to realize as a result of a comprehensive dedicated Indigenous housing strategy:

- Decisions and governance for Indigenous housing is embedded within the Indigenous community
- Maintain affordability in the Indigenous housing stock; No net loss in the number of units with rent-geared-to-income assistance, thereby avoiding contributing further to Indigenous homelessness
- Build a more efficient, self-sustaining, Indigenous housing sector
- Safety and good physical condition of Indigenous social housing
- Prevent further growth in housing need
- Reduce and equalize core housing need
- Increase the urban and rural Indigenous home-ownership rate
- Reduce and ultimately prevent and eliminate Indigenous homelessness

Proposed Policies

A distinct Indigenous housing strategy must be supported by policies, programs, and funding that will address the principles and outcomes identified above. Some of the policy and program frameworks have been announced as part of Budget 2017, and would need to be implemented in such a way as to reflect the needs of the urban and rural Indigenous housing sector. Other policies and programs will need to be unveiled as part of a broader Indigenous Housing Strategy.

The CHRA Indigenous Caucus is recommending that the following 8 policy elements should be incorporated into a distinct Indigenous Housing Strategy:

1) Provide capital funding to address capital repair requirements and support regeneration of Indigenous housing.

There is no greater concern for urban and rural Indigenous providers than to protect the existing stock of social housing, and ideally, to grow that stock. As Operating Agreements expire and the existing capital stock ages, it is imperative that one of the core policy objectives of an Indigenous Housing Strategy be that there be no net loss in the number of Indigenous housing units. Rather, the Strategy should seek to increase the supply of urban and rural Indigenous housing units.

In order to accomplish this goal, CHRA is recommending the following policy measures:

- a) Provide dedicated capital funding to address capital repair requirements and support regeneration of Indigenous housing. It is proposed that the federal government provide capital funding to address capital repair requirements and support regeneration of the housing stock. Criteria for accessing capital funding should include effective operations and strategically managed assets. Funding for such a program could come from the \$225 million allocated in Budget 2017 for “Indigenous peoples not living on reserve”, new financing mechanisms that should be funded through Budget 2017’s commitment to maintain baseline funding of Operating Agreements, (estimated to value \$4-5 billion), and new funding sources not yet necessarily announced. This mechanism could take the form of a dedicated Urban and Rural Indigenous Housing Trust, which CHRA recommended in its October 2016 NHS submission, and that would serve as a dedicated funding source specifically for urban and rural Indigenous housing. The concept of a Trust was recommended in 2009 by the National Aboriginal Housing Association, and would be modeled on the Off-Reserve Housing Trust that was in place from 2006-2009.

Funding through this Trust could take the form of both preferential loans and grants, depending on the financial status of the individual housing provider.

- b) For those housing providers who remain under Operating Agreements, CMHC needs to remove restrictive barriers that prevent housing providers from being able to innovate, become more entrepreneurial, and change their operating model. Given that Indigenous housing providers face unique challenges in transforming their operations once Operating Agreements expire, many housing organizations would like to implement new operational models; however they are prevented from doing so given the restrictions in Operating Agreements. The CEO of CMHC has expressed his support for removing such restrictions; a policy announcement reinforcing this direction is required.

2) Provide a dedicated tenant support in order to maintain affordability.

One of the unique features of urban and rural Indigenous housing is the fact that almost 100% of Indigenous housing units are Rent Geared to Income (RGI) in nature. The loss of subsidies to these units will put affordability out of reach for many urban and rural Indigenous tenants, putting into question whether these tenants will be able to maintain a roof over their heads. In order to provide appropriate support to tenants and maintain the affordability of these units, CHRA is recommending the following:

- a) Provide rental assistance to support no net loss of RGI units, that can be stacked on project rents set at either breakeven or some other more realistic level, and allow this assistance to be reallocated within the provider’s portfolio. The vast majority of households living in Indigenous housing stock will require some form of ongoing rental assistance funding to maintain affordability. It is proposed that the federal government provide ongoing rental assistance to maintain affordability. The rental assistance should permit stacking on project rents set at either breakeven or some other more realistic level. Flexibility should be incorporated into the assistance to allow the subsidy to be moved to other buildings as part of asset rationalization and redevelopment processes. Funding for rental subsidies could come from Budget 2017’s commitment to maintain baseline funding of Operating Agreements, as well as new funding sources. Assistance needs to be targeted to those who are most in need, including Elders, women, and youth.

- b) Review and reform the current rent and RGI subsidy structure, so that rents better cover providers' operating costs and disincentives to employment are reduced. The current rents for social assistance beneficiaries, which many provinces have set at minimum rents, must be removed and set at maximum shelter allowances for social assistance to better cover provider's operating and capital maintenance costs. The current very low rents and rental assistance based on 30% of income can also act as a disincentive to find employment. The federal government should encourage provinces to use maximum shelter allowances rather than minimum rents. The rent structure should also be changed to reduce disincentives to work, for example, by replacing the RGI model with low, tiered rents that remain the same for incomes in a pre-determined range.

3) Expand the Indigenous component of the Homelessness Partnering Strategy (HPS).

There is a strong need for more culturally appropriate housing outreach to Indigenous persons experiencing homelessness and further development and implementation to effective culturally appropriate rapid rehousing and Housing First programs. More particularly, strategies are required for urban integration education for Indigenous people as they migrate from their community to urban centers, transitional supports available in smaller centers for Indigenous people transitioning from reserve, and specific strategies to prevent homelessness among youth and Elders.

Budget 2017 committed \$2.1 billion over the next 11 years to expand funding for the Homelessness Partnering Strategy (HPS). In order to ensure that HPS addresses the objectives identified above regarding Indigenous homelessness, CHRA is recommending:

- a) The Indigenous component of HPS should be earmarked to receive additional funding through the Budget 2017 investments. Funds delivered under this stream should explicitly require culturally sensitive and appropriate interventions for the services targeted to Indigenous peoples. Where funding is provided to non-Indigenous service providers, policy should state that preference is for the service provider to have a dedicated Indigenous homelessness program, the program be designed and supervised by Indigenous people, and be a partnership with an Indigenous organization with experience in service delivery.
- b) Establish and fund strategies to prevent homelessness. Such strategies would need to be developed in conjunction with Indigenous providers, but could include such initiatives as improving transitional planning for people leaving the correctional facilities and youth leaving the child intervention system; urban integration education for Indigenous people as they migrate from their community to urban centers; transitional supports in smaller centers for Indigenous people transitioning from reserve; transitional income or rent supports for Indigenous people transitioning from reserves; and, services to assist Indigenous people to overcome barriers related to education, training, employment.

4) Broaden the federal commitment to expand the Surplus Federal Real Property for Homelessness Initiative to partner with provinces and municipalities in order to increase the supply of available land.

The 2017 Budget announced \$202 million in new money to expand the Surplus Federal Real Property for Homelessness Initiative (SFRPHI) over the next 11 years. This is a welcome announcement that will help social housing providers acquire land. However, many urban Indigenous providers operate in regions with little or no federal land available; a situation that is more acute in smaller urban or rural centers where many Indigenous providers are located. As a result, they will not stand to benefit from the budget announcement.

As a result, the Indigenous Caucus is recommending two policy measures be taken:

- a) Many provinces, territories, and municipalities have already committed to making land owned by these jurisdictions available for social housing purposes, and it is hoped that more provinces, territories, and municipalities will follow suit. It is recommended that the federal government and housing providers work with provinces, territories, and municipalities to encourage those governments to follow the federal example and increase lands that could be transferred for social housing purposes. SFRPHI could act as a clearinghouse for lands that all orders of government are willing to make available.
- b) In smaller urban or rural centers, where Indigenous housing providers would like to acquire surplus provincial or municipal lands but the province or municipal governments are not willing to cede the lands, introduce an envelope within the new SFRPHI funding whereby the federal government can acquire the land on behalf of the Indigenous provider, and turn that land over to the provider. Such a program design would serve as a "back-up" where provinces or municipalities are unable or unwilling to make their surplus lands available. This may require additional funding to be added to SFRPHI.

5) Dedicate a portion of the new funding for housing research to Indigenous-related housing issues.

In Budget 2017, the government announced \$241 million over the next 11 years for housing research. The CHRA Indigenous Caucus recommends that the federal government fill data and knowledge gaps that undermine our ability to understand and act upon Indigenous housing conditions and need by introducing dedicated funding within the research envelope for Indigenous related issues. This could include a combination of conducting research through CMHC, or funding to academic researchers, consultants, and non-governmental organizations to conduct research.

A subset of this research funding should be used to establish a national clearing house on Indigenous homelessness. An Indigenous-specific homelessness clearinghouse would help build on existing strengths of communities. It would help communities and service providers to organize, plan and implement strategies to address Indigenous homelessness in a coordinated, measurable and impactful way. A clearing house could ensure regular exchange of information and experience, and would facilitate meetings of stakeholders to discuss developments and best practices. This clearing house could maintain a website with links to stakeholders and partners, downloadable research and policy documents, and bring attention to new developments. This clearing house could undertake research of its own on a project-by-project funded basis and build community capacity to address Indigenous homelessness issues. Consideration should be given to the feasibility of this being an arm's length, apolitical Indigenous agency.

6) Allow “stacking”, whereby Indigenous housing providers are eligible for multiple public programs.

With the suite of new tools that an Indigenous housing strategy and the National Housing Strategy will introduce, it is important that Indigenous housing providers are eligible and able to seek funding or support from multiple sources, and not restricted to just one. Policies stating that housing providers are only able to receive funding from one government source and no others need to be avoided. For instance, if an Indigenous housing provider is provided lands under the expanded SFRPHI program, they should also be eligible to seek funding under a Housing Trust program, and an expanded rent subsidy program.

7) Provide resources to strengthen the Indigenous housing provider network, including supporting the establishment of a broad group affiliation structure that would provide centralized support services.

Smaller Indigenous housing providers require a range of knowledge, skills and capacity to effectively manage their housing and transition to more sustainable portfolios. Indigenous housing providers also require resources to effectively position the Indigenous housing provider network to expand its portfolio. It is proposed that the federal government provide resources to support the Indigenous housing provider network. Specifically, it is recommended that Indigenous housing providers be supported to establish a broad group affiliation structure that would provide centralized support services to Indigenous housing providers on a regional basis. The central support organization would provide capacity building supports, centralized services (such as business management systems and asset planning), centralized governance, and support for amalgamation. A central support organization would also centralize supports for future affordable housing development.

There are existing Indigenous housing organizations in some of the provinces with the largest Indigenous populations that could potentially take on this role. However, to date they have not been provided with the resources to carry out these functions. Given that these organizations already have structures and processes in place, they are ideally placed to provide quick, established service to existing providers.

Central support organization(s) could be funded by redirecting current administration funding related to the existing Indigenous housing portfolio to a central support organization(s) that provides administration for Indigenous specific program funding, or it could be funded through the monies allocated in Budget 2017 for the Sector Transformation Fund and Technical Resource Centre.

8) Implement these programs using Indigenous delivery mechanisms; and include Indigenous representation on housing governance bodies.

One comment heard repeatedly by Indigenous housing providers is they want a say in how the programs and policies impacting them are being decided; as one Indigenous provider has said, “An Indigenous strategy needs to be Indigenous led”. As a result, it is recommended:

- a) Members of the CHRA Indigenous Caucus be invited to participate in all consultative processes leading up to the Indigenous and National Housing Strategy launch.
- b) Any oversight, consultative, operational, and/or governance bodies set up in the wake of the National Housing Strategy include Indigenous representatives.

- c) In its 2016 NHS submission, CHRA recommended that a seat on the CMHC Board be dedicated to an Indigenous representative. CHRA repeats that recommendation.
- d) In all future federal/provincial/territorial meetings on housing, whether at the bureaucratic or political level, invite representatives of the Indigenous housing community so that FPT-level coordination is being conducted with the input of Indigenous peoples.

Conclusion

It is important to point out the primary message in this submission – there can be no National Housing Strategy without an Indigenous housing strategy. The principles, outcomes and policy framework identified in this submission are intended to represent the ideas provided by the urban and rural Indigenous housing sector to the federal government as it finalizes and refines an Indigenous housing strategy.

There can be no waiting. The needs of the urban and rural Indigenous sector are simply too great. The federal government must begin to work with provinces, territories, and the Indigenous community now to implement such a Strategy. The CHRA Indigenous Caucus commits to working with the federal government to implement this strategy as quickly as possible.



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