



FOR IMMEDIATE RELEASE
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New Human Rights Decision finds landlord was not justified in refusing to rent to person on income assistance

Last week, the Manitoba Human Rights Adjudication Panel found that a Winnipeg landlord discriminated against thirty-five year old A.B., because she was on income assistance.

A.B. saw the one-bedroom suite advertised online and the next day was the first person to put in an application along with the requested damage deposit. She provided the landlord with references and indicated that the full amount of rent could be payable directly to them from the Employment and Income Assistance - Disability program. She followed up a few weeks later and was told the suite had been rented. When she pressed further, the landlord told her that he does not rent to people on EIA without someone to co-sign their lease. A.B. had never been advised that she should or could get a co-signer.

The Commission investigated the complaint and when the parties could not resolve it, referred it to the Adjudication Panel for a final decision. At the hearing, the Commission argued that access to housing is a human right of all citizens and that the right to be treated on the basis of one's own merit is protected by provincial human rights law. Screening out applicants whose stated income is less than 30 or 40% of the cost of rent, without taking into account other indicators of their ability to pay, imposes an unreasonable barrier on people who receive EIA, often including persons with disabilities, newcomers and those who are otherwise marginalized.

Adjudicator Dan Manning confirmed that landlords must be cautious in applying rent-to-income ratios to assess a potential tenant's ability to pay rent. "A landlord cannot be obliged to rent to someone who does not have enough income to pay the rent. However, a landlord cannot rely on expedient and abstract criteria, such as the rent-to-income ratio, to justify refusal. Instead, a landlord must select or reject prospective tenants based on non-discriminatory criteria on an individualized basis using application forms, interviews and reference checks".

A.B. is hoping for change. "Rent-to-income ratios are meant to be budgeting guidelines. If your budget is small (single people on general EIA assistance receive \$820 a month for all needs, including rent) and you use that guideline harshly, you'll soon find there are very few accommodations for that price, and what little is available is derelict. In a market where there are few vacancies and you have a minuscule budget, you either spend more, or you'll be without a home. When landlords use these ratios strictly, it's no longer a suggestion, but a rule that locks people out", said A.B.

Reliance on rent-to-income ratios has been found to be discriminatory by human rights tribunals in other provinces, including Quebec and Ontario.

“This case reminds us that prejudice and stereotyping can have devastating effects on rights as basic as accessing shelter for ourselves and our families. Engaging landlords, condominium and other housing providers to learn more about their responsibilities under The Human Rights Code continues to be a priority for us,” said John Burchill, Vice Chairperson of the Manitoba Human Rights Commission.

Anyone is welcome to register to attend the Commission’s Human Rights Basics for Housing Providers free course, which is offered next on April 10. The Commission’s guideline, Human Rights in Housing is also available at www.manitobahumanrights.ca.

For an interview with the Commission or with A.B., please contact us at hrcgov.mb.ca or (204) 945-5815.

Read the complete decision:

<http://www.manitobahumanrights.ca/v1/decisions/index.html>

Read our Guideline on Human Rights Considerations in Housing:

www.manitobahumanrights.ca/v1/education-resources/guidelines.html