

FACT SHEET: Discrimination in Housing

Duty to Accommodate

ABOUT CERA

The Centre for Equality Rights in Accommodation was founded in 1987. CERA is a charitable not for profit organization that promotes human rights in housing.

DISCRIMINATION

A person may experience discrimination under the Code when they are treated unfairly, denied a benefit or excluded because of a prohibited ground under the Code.

The prohibited grounds related to housing under the Code are: race, ancestry, place of origin, citizenship, ethnic origin, creed (religion), receipt of public assistance, sexual orientation, sex (includes being pregnant, breastfeeding), gender identity, gender expression, marital status, family status, age and disability.

THE HUMAN RIGHTS CODE

The Code is one of the most important pieces of legislation in Ontario. In most cases, it overrules any other law in the province. You cannot contract out of your rights under the Code.

The Code applies to most types of rental housing including private market units, public subsidized units, condominiums, and co-ops. The Code does not apply if you are required to share a bathroom or a kitchen with your landlord or the landlord's family member.

THE DUTY TO ACCOMMODATE

What is the Duty to Accommodate?

If you are a person protected by the Code, the landlord's structures, rules, and policies may have to be changed to ensure you can fully enjoy equality and dignity with respect to your housing. For example, if you use a mobility device because of a disability, your landlord may have to install a ramp or an automatic door opener to accommodate you.

What is Undue Hardship?

A landlord must provide accommodation up to the point of *undue hardship*. In order to show that accommodation would create undue hardship, the landlord must show that the accommodation is so costly that it threatens the survival of the organization, that no outside sources of funding are available, and/or that it presents serious health and safety risks.

Principles of Accommodation

The three general principles of accommodation are: 1) Dignity, 2) Individualized Accommodation, and 3) Integration and full participation.

The Accommodation Process

Landlords and tenants have an obligation to work together to find accommodation solutions. If you have made an accommodation request, you should talk to your landlord about what solutions are right for you! Landlords must bear the cost of the accommodation and the cost of any medical documentation or information that you require to support your accommodation request.

IF YOU EXPERIENCE DISCRIMINATION

Act now! Write everything down including the date, time, what was said, and who was there.

When you are looking for an apartment, bring a friend. Now you have a witness if you experience discrimination. Be sure to fill out the rental application form completely and keep a copy if possible. Remember to write down the apartment address, telephone number, landlord's contact information and details about the rent charged.



**If you've experienced discrimination in housing call CERA!
Our services are free.
We can talk to the landlord and help stop the discrimination.**

**In Toronto:
416-944-0087**

**Outside of Toronto:
1-800-263-1139**

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