

Ontario's New Human Rights System

How to Stand Up For Your Rights in Housing

Ontario's Human Rights Code

The *Human Rights Code* sets out the rights of everyone in Ontario. It says that we all have the right to be free from discrimination.

The *Code* protects you from discrimination in a number of areas, including:

- Your workplace
- Public areas such as restaurants and movie theatres
- When looking for a job
- When looking for an apartment
- When dealing with your landlord
- When using government services such as healthcare or educational services

Discrimination does not have to be intentional. Someone can discriminate against you without even knowing it.

Discrimination can take many forms. It is against the law for a landlord, employer, or service provider to treat you unfairly, deny you a benefit, or otherwise disadvantage you because of your:

- Age
- Citizenship or place of origin
- Marital or family status
- Sex, gender, or sexual orientation
- Disability
- Religion
- Race, colour, ethnicity or ancestry
- Receipt of public assistance (housing only)
- Record of offences (employment only)

Examples of Discrimination in Housing

Age: a landlord refuses to rent to you because you are a student and he is worried that students will be noisy.

Citizenship or Place of Origin: a landlord has different application requirements for you because you are a recent immigrant. For example, she requires you to have a co-signor.

Family Status: an apartment is advertised as “for adults only.” This discriminates against people who have children.

Marital Status: You are a recently divorced woman and a landlord refuses you because you have no credit history.

Sex or Gender: an landlord refuses to give you a rental application because you are pregnant.

Disability: a landlord refuses to accommodate your physical or mental disabilities. For example, she refuses to install bathroom fixtures that you need because you are in a wheelchair.

Receipt of Public Assistance: a landlord advertises that he prefers “working people.” He also has different application requirements for people on social assistance, such as requiring direct payment or a co-signor.

The New Human Rights System

As of June 30, 2008, residents of Ontario have a new way to challenge discrimination. There are three parts to this new system:

Human Rights Tribunal of Ontario

If you believe you have experienced discrimination, you can file an application **directly** with the Human Rights Tribunal of Ontario. To request forms or receive more information, contact the Tribunal:

Tel: 416-314-1312

Toll Free: 1-866-598-0322

www.hrto.on.ca

Human Rights Legal Support Centre

A publicly funded Human Rights Legal Support Centre has been set up to provide free legal assistance to individuals who want to file an application with the Tribunal. For free legal assistance contact the Centre:

Tel: 416-314-6266

Toll Free: 1-866-625-5179

www.hrlsc.on.ca

Ontario Human Rights Commission

The Ontario Human Rights Commission will promote human rights through research, public education and general human rights advocacy. Contact:

Tel: 416-326-9511

Toll-free 1-800 387-9080

www.ohrc.on.ca

The New Application Process

The Tribunal has developed new rules to help people who believe their rights have been violated.

Stage 1: Submitting an Application

You can submit an application **up to one year** after you experienced discrimination.

You can also ask an organization to submit an application on your behalf.

Your application should describe your experience in your own words.

Your application should include reference to any documents showing the discrimination, including the names of possible witnesses.

Stage 2: The Response

The person or company that discriminated against you will be able to respond in their own words.

Stage 3: The Human Rights Tribunal

The Tribunal will help you work out a **solution** to the discrimination.

It will offer you the option of **mediation**. A human rights expert can help you try to work out an agreement with the landlord or employer.

It may ask you to attend a **hearing** to explain your experiences.

Stage 4: The Tribunal's decision

If the mediation is not successful, there will be a hearing. As a result of either mediation or a hearing, if the Tribunal decides that your rights have been violated, you could get:

Money that compensates you for experiencing discrimination.

Money for "special damages" for money you lost, such as from unfairly increased rent

An order from the Tribunal that the landlord will have to organize anti-discrimination training

An order from the Tribunal that makes sure the person who discriminated will not break the law in the future.

Financial Compensation

The new system also makes it possible to get **more financial compensation** than before.

How Long Does the Process Take?

It should take **less than a year** for the Tribunal to decide your case. However, you may be able to resolve it faster through mediation.

CERA and the HRLSC can help.

If you feel you have experienced discrimination related to **finding or keeping housing**, the Centre for Equality Rights in Accommodation (CERA) can help. The HRLSC can help with all human rights matters.

CERA can:

- Answer questions about your legal rights and discuss your options
- Provide you with educational materials
- Talk to the landlord about your concerns and try to negotiate a solution
- Help you file an application with the Human Rights Tribunal of Ontario.

1-800-263-1139 ext. 22
ALL OUR SERVICES ARE FREE
It's Your Home.
Stand up for
your rights!
It's the only way to stop discrimination.

The Centre for Equality Rights in Accommodation was founded in 1987. It is a charitable non-governmental organization that promotes human rights in housing.

The Human Rights Legal Support Centre opened on June 30, 2008 to provide free legal services across Ontario for people filing human rights applications to the Ontario Human Rights Tribunal.

Human Rights Legal Support Centre
400 University Avenue, 7th Floor
Toronto Ontario M7A 1X8
1-866-625-5179
In Toronto: 416-314-6266
TTY 416-314-6651
TTY toll free 1-866-612-8627

Centre for Equality Rights in Accommodation

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