

Fighting for the right to a roof over your head

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Jennifer Tanudjaja with her children at their home in Toronto's Jane-Finch area.

One major obstacle stands between Jennifer Tanudjaja and her goal of becoming a successful career woman rather than a burden on the social welfare system – paying the rent.

Struggling to stay in school, the 19-year-old mother of two children plows most of her child welfare benefits and student assistance loan into a \$998 per month tenement apartment in Toronto's Jane-Finch neighbourhood. Meanwhile, she is mired at the bottom of a 10-year wait list for public housing.

Ms. Tanudjaja's plight lies at the heart of a Charter of Rights challenge being filed on Wednesday in an attempt to persuade the judiciary to force governments to create low-cost public housing.

A coalition of social welfare groups that is launching the challenge seeks to compel the federal and Ontario governments to provide affordable housing for those who are homeless or impoverished by the cost of putting a roof over their heads.

One of the case histories the coalition is furnishing is that of Ms. Tanudjaja, a social work student who aims to be a probation officer. Just 13 years old when her mother handed her over to child welfare authorities, Ms. Tanudjaja ran away from a group home at 15 and then spent more than a year "couch-surfing" from one friend's home to another.

Now, she can barely eke out her rent cheque after paying for food and public transit to college. "It is honestly not worth what I'm paying at all," Ms. Tanjudjaja said. "There are bedbugs and tiles popping out of my walls, and my pipes leak really bad."

The legal challenge harks back to the early, heady days when activists saw the Charter as a sweeping document that could induce reluctant governments to spend money on social programs.

Tracy Heffernan, a lawyer for the Advocacy Centre for Tenants Ontario, conceded that judges have become wary of poking their noses into expenditures of public money. "But 25 years after we got the Charter, it is time to bring it back to the people," she said. "To allow this crisis of homelessness and inadequate housing to expand and grow and further deepen that crisis is not a good thing for the country."

The challenge is rooted in the Charter right to equality and to life, liberty and security. A legal brief prepared by Ms. Heffernan and lawyers Peter Rosenthal and Fay Faraday notes that the federal government once played a dominant role in providing public housing. They said that it later pushed public housing onto the provinces, which off-loaded it to municipalities, which lack the tax base to shoulder it.

The brief alleges that homelessness reduces life expectancy, causes single mothers to lose custody of their children and forces victims of domestic violence to return to abusive spouses. Cuts to social assistance have steadily added to the ranks of homeless people, it added.

“The result is that those in receipt of social assistance are often unable to obtain adequate housing, many become homeless, and many more are inadequately housed,” it said. “People who are homeless are perhaps the most marginalized, disempowered, precariously situated and vulnerable group in Canadian society.”

Ms. Heffernan said that a recent study conducted for the Senate found that, over a 10-year period, the homeless could be housed for half of what it will cost to treat the medical and social problems caused by homelessness.

The documents supporting the challenge also include an affidavit from Miloon Kothari, an Indian housing expert who served as the UN Special Rapporteur on Adequate Housing from 2000-2008.

“The most striking feature of my mission to Canada was the contrast between the abundance of resources available and the dire living conditions facing the most vulnerable in society,” Mr. Kothari said.

In another affidavit, Linda Chamberlain, a Toronto woman who is mentally ill, describes 30 years living in hostels or on the streets.

“Sometimes police would pick me up and take me to a shelter,” Ms. Chamberlain said in an interview. “You can’t imagine living in places infested with bed bugs and cockroaches or in a plastic bag, scared to death of being violated. I didn’t want to wake up because I was in such pain.

“You walk around like a zombie,” she said. “There is no hope there. You lose everything. If no one helps people get into a safe place to live, how can they turn their lives around?”

< <http://www.theglobeandmail.com/news/national/charter-challenge-aims-to-force-governments-to-create-public-housing/article1580971/> >

