

# Toronto homeless launch charter challenge

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Single mother Jennifer Tanudjaja's two-bedroom apartment near Kipling and Finch Aves. costs \$997 a month. But her monthly welfare cheque is just \$935.

That means she is forced to live on children's benefits she receives for her two young sons, amounting to less than \$800 a month.

Brian Dubourdieu, 48, who became homeless after a cancer diagnosis five years ago, lived in a shack by the Don River for four years until it burned down last spring. The cheapest apartment he could find in newspaper ads Wednesday was renting for \$680 a month — almost twice the shelter allowance of \$364 he would get on welfare.

Tanudjaja and Dubourdieu are among four homeless and formerly homeless Torontonians who say Ottawa and Queen's Park are violating the Canadian Charter of Rights by "creating and maintaining conditions that lead to and sustain homelessness and inadequate housing."

Their legal challenge, launched Wednesday, calls on Ontario Superior Court to order the federal and provincial governments to implement effective housing strategies to reduce homelessness and substandard living conditions.

"Homeless people should not have to go to court to get governments to protect their human rights," said Leilani Farha, of the Canadian Centre for Equality Rights in Accommodation, which is supporting the legal challenge.

"But when governments refuse to listen . . . courts are the only option left," she told reporters.

Tanudjaja, 19, who has just completed her first year of college and has dreams of going to university and becoming a parole officer, became homeless at age 14 when she ran away from her Children's Aid Society group home.

But since becoming a mother three years ago, she is determined to turn her life around.

"It's very tight," she said. "Every month I fear that I won't be able to pay the rent and that my sons and I will end up in a homeless shelter."

The court challenge claims that homelessness and inadequate housing violate human rights under sections of the charter that guarantee "security of the person" and the right to equality.

A 2009 study by St. Michael's Hospital researcher Stephen Hwang found that precariously housed people have higher mortality rates than those with stable housing. And Canada Mortgage and Housing data show that single parents, aboriginals and seniors have a higher risk of living in inadequate housing than the average Canadian household, said Peter Rosenthal, one of three lawyers who will argue the case.

Ontario is expected to release its affordable housing strategy next month.

Several United Nations reports have urged Ottawa to draft plans to address homelessness and inadequate housing in Canada.

An NDP private member's bill directing Ottawa to develop a national housing strategy with measurable goals and timetables has passed second reading in the House of Commons. But it is likely doomed without the Conservative government's support, said Farha.

A spokesperson for Human Resources Minister Diane Finley said the government would not comment on the court case or the private member's bill.

However, the government is spending \$7.8 billion in tax relief to help stimulate the housing sector, improve housing, and create jobs across Canada, said Ryan Sparrow.

#### Homelessness and inadequate housing in Canada

- Up to 300,000 people are homeless
- 1.5 million tenant households pay more than 30 per cent of pre-tax income on shelter
- Aboriginal Canadians are more than 10 times more likely to be homeless than other Canadians
- Recent immigrants are three times more likely to live in inadequate housing
- Life expectancy for men living in precarious housing is 10 years shorter than average
- Life expectancy for women in precarious housing is seven years shorter
- Almost 142,000 Ontario households are waiting for subsidized housing — an increase of almost 10 per cent since 2009