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The Elizabeth Fry Society is a national organization dedicated to assisting women who are or have been in conflict with the justice system, with 26 member chapters across the country. Elizabeth Fry Society Yukon (EFSY) was formed in 2005 to fill an identified gap in services available to women who are incarcerated, recently released from jail, or otherwise involved with the criminal justice system.

As is the case with some of the other NGOs, we find that our clients frequently come to us for assistance finding and maintaining housing. While EFSY recognizes that these women often need supportive or subsidized housing, and that the shortage of this type of accommodation is beyond the scope of the current review, certain changes to the *Landlord and Tenant Act* could have considerable impact on the housing situation of at least some of our clients. It is a trite and common observation that housing is a basic need, but the importance of secure housing is brought home every day to us by EFSY's clients, who, if unhoused, often start on a path that takes them back to court or into jail.

EFSY's submissions to this process echo many of the suggestions that have already been made:

1. Plain language, clear layout

The language used in the *Act* is legalistic and hard to understand, especially in Parts 1 through 3, and especially for people with low literacy. EFSY believes that redrafting the whole *Act* in plain language would make the legislation and its processes more accessible. As well, the *Act* is very broad in scope, and it is not immediately clear which provisions in Parts 1-3 apply to residential tenancies. EFSY supports the recommendation made in other submissions that would see either separate legislation for residential versus commercial tenancies, or distinct and better compartmentalized Parts to the *Act*.

2. Dispute resolution outside of the courts

The prospect of going to court is particularly stressful for EFSY's clients, given their experiences with the justice system. EFSY would like to see informal dispute resolution services, now offered through the Rentals Officer, retained and strengthened in any new legislation.

3. Caps on rent increases

The lack of any legislated limit to the amount rent can be raised from one rental contract to the next puts tenants in a precarious position. EFSY suggests that the government use O.I.C.s to set annual limits on rent increases. These increases could take inflation and any across-the-board increases in costs (i.e. fuel, utilities) into account. A separate process

could be created for landlords who have unusual rental-related expenses that are not adequately addressed by the guideline increase.

4. Maintenance

EFSY supports the passage of regulation under the *Act* that set out specific standards for the maintenance and upkeep of rental premises. As suggested by Dan Cable in his submission, EFSY agrees that there would be value in having a housing (or health and safety) inspector available to independently evaluate premises where a landlord or tenant has concerns about the condition of a residence.

As well, EFSY suggests that there be provision made in the *Act* to address situations in which emergency repairs are required and the tenant is not able to contact the landlord. Tenants sometimes find themselves needing something done urgently – e.g. repairs to broken furnaces, severe plumbing problems, broken locks and immediate security concerns – and take steps themselves to get the work done, only to learn that the landlord will not reimburse them reasonably incurred expenses. EFSY notes that s. 33 of British Columbia's *Residential Tenancy Act* is drafted with this situation in mind, and submits that an equivalent provision would be valuable here.

5. Eviction grounds and process

A major problem with legislation that allows for eviction without cause is that it creates a situation where tenants are afraid to complain about health, safety or maintenance concerns, as an unscrupulous landlord could simply evict them rather than deal with the problem.

EFSY suggests that new legislation set out when eviction or early termination of a rental agreement is an appropriate course of action, and a process, particularly for less serious concerns, whereby tenants get notice of a situation and the opportunity to address an issue before a tenancy is ended over it.

6. Protection for hotel tenants

The local shortage of affordable rental accommodation means that EFSY's clients often end up housed in hotels for months at a time. EFSY submits that the *Act* should provide some protection for these individuals, particularly in setting notice requirements for eviction of long-term residents.

7. Human rights concerns

As noted by the Yukon Human Rights Commission in its submission, women often face greater obstacles finding housing, especially when they have children. As well, some of EFSY's clients have indicated that a criminal record has impacted their ability to secure rental housing. EFSY supports the recommendation made by the HRC to explicitly note within the *Landlord and Tenant Act* that the *Yukon Human Rights Act* applies to its provisions.

Thank you for the opportunity to participate in this process.