Systemic Discrimination in the Quebec Rental Market:

When Searching for Housing Becomes an Obstacle Course

Survey on discriminatory practices experienced by tenant households when looking for housing, from openly discriminatory listings for rental units, to illegal practices when signing a lease.



Tenants Facing Systemic Discrimination

Tenants Facing Systemic Discrimination

In the midst of the housing crisis currently raging in Quebec, searching for housing has become a real obstacle course for tenant households. The real estate frenzy, skyrocketing rents and very low vacancy rates in several cities of the province are having a serious impact on landlord practices in the rental market. This year, many housing committees have been receiving calls for support for several months from tenants who are unable to sign a new lease due to illegal discrimination perpetrated by landlords. Several of these tenants have had to relocate following their eviction (repossession, renovation, etc.), an increasingly common phenomenon this year.

Cases of discrimination are far from isolated. On the ground, tenants are at risk of facing discrimination at every step of the rental process, from finding rental listings to signing a lease. And more often than not, there are multiple grounds for discrimination. For example, a tenant is at risk of discrimination not only for having children, but also because of their social status (source of income), gender expression, ethnicity and sexual orientation. Thus, the Coalition of Housing Committees and Tenant Associations of Quebec (RCLALQ) notes that, in the absence of real consequences against offending landlords, current rental practices encourage the perpetuation of a discriminatory system that impacts many tenant households.

<u>Methodology</u>

The testimonials presented in this survey are the result of a collection process carried out in collaboration with the RCLALQ's housing committee members as well as on social media since the beginning of April 2021. Rental ads were collected on Kijiji and on Facebook Marketplace from the start of 2021. **Discrimination experienced by tenants is not always visible and its scope is underestimated due to the lack of data that can illustrate it.** Tenants who face discrimination often don't file complaints, because this process yields few results and ultimately does not affect their access to housing. In order to increase the visibility of this occurrence, each year the RCLALQ publishes openly discriminatory rental advertisements and collects testimonials from tenants who have experienced discrimination in its investigative report.

Our Demands

To put an end to these illegal practices, which are increasingly present in the rental market, the RCLALQ demands that the Administrative Housing Tribunal (TAL) have full jurisdiction over the entire rental process. The Coalition also asks that the Commission des droits de la personne et de la jeunesse (CDPDJ), the agency currently mandated to intervene in case of discrimination in housing, have access to additional means of intervention to fight this problem which is intensifying the problem of lack of access to housing, compounded by the repercussions of the current housing crisis.

Finding Housing: A Real Obstacle Course



Access to Rental Listings

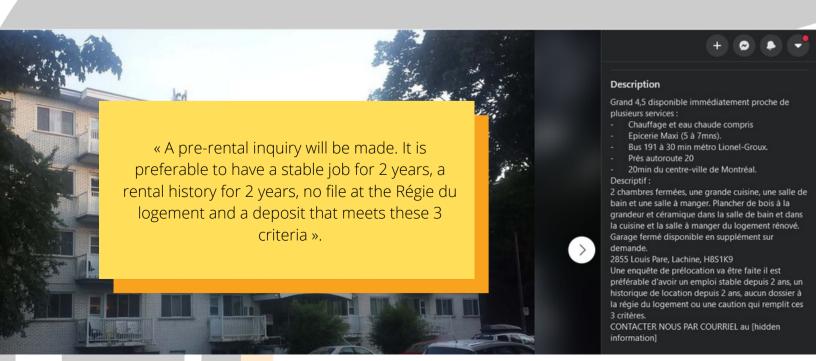
To find a new home, you **must first have access to rental listings**. However, the majority of advertisements are now on the internet and fewer are posted directly on the street. This already implies **having certain skills** (mastery of the language of the advertisement, both in reading and in writing), in addition to **having access to the internet**, as well as to a computer or a smartphone.

"When I was searching through listings in Montreal on Kijiji, I came across an ad that stated that only " Asian or white skin people " were accepted. I responded to the ad saying it wasn't normal to say that. The person responded by saying that it was his father's requirements".

Noemi, tenant in Montreal

Openly Discriminatory Listings

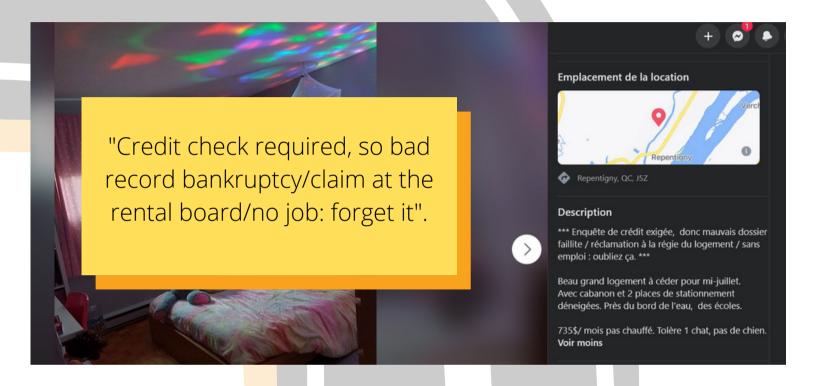
Before even getting in touch with a prospective landlord, some tenants are immediately excluded upon reading a housing ad. It is indeed not uncommon to come across **openly discriminatory listings** which, for example, do not accept children or refuse those who are unemployed.

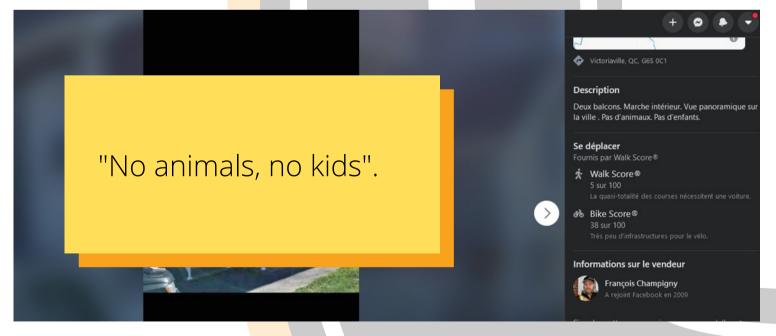


Description

On a 5 et demi sur querbes prêt de Bernard.3 étage de triplex Ilya 3 chambres fermez très éclairé.. On cherche des clients tranquilles et propre. Pas des enfants. Le logement et disponible maintenant mais en accepte des applications pour plus tard. Pour info appelez après 1300

"We are looking for quiet and clean clients. No kids".







A Landlord's First "Filter" : The Pre-Selection Interview

Before authorizing a visit of the rental unit, landlords often have a habit of asking a few questions in order to supposedly get to know the prospective tenants better. However, these improvised questionnaires more often than not make it possible to "filter" the candidates and eliminate those who do not meet their criteria.

It is often at this stage that people who have **children**, or who have a **name that does not sound Quebecois** for example, are turned away for discriminatory reasons. **Women choosing to live alone** or those who are **not in a heterosexual relationship** may also be "filtered out" at this step. Finally, if the interview is conducted over the telephone, people with a **foreign accent** may also be discriminated against and be refused a visit.

"I have worked in a Montreal hospital for 30 years, so my income is stable. I have been refused rentals because I am a single person. I was told half-heartedly that I couldn't afford to pay \$ 800 rent on my own".

Martine, tenant in Montreal

"I was surprised to find that many owners refused us a visit on the pretext that they did not want 4 young workers to occupy their 8 and a half. They are looking for couples who work from home and who would use the rooms as offices. We have been refused 3 times in the space of 2 months for this reason".

Tenants in Montreal

"I was refused accommodations because I had a 3 year old child with me. The owner clearly told me that he didn't want to rent me because of my daughter".

A tenant in Montreal

"A landlord once asked me if I was planning to have children. [...] Another asked me if I had a boyfriend. I prefer not to answer since I identify as pansexual. I have an annual income of 41,000\$ and I haven't been able to find housing for months".

Sophie G., tenant in Montreal

"Landlords do not respond to you when your first and last names are not Quebec names. But you notice that the apartment is still for rent" .

An Indigenous tenant in the Trois-Rivières region

"I was refused several appartments because I am on social assistance. Now, I rent Airbnbs and it's getting expensive".

A tenant in Montreal

"I am a high school teacher in my thirties. Last spring, when I was looking for a small 3 and a half in Montreal, a landlord contacted me on the phone for an "interview" to determine if I could come and visit his apartment or not. As soon as I told him that I wanted to live in the apartment alone, he asked me if I had a spouse. Since I was single, he refused to consider me. He said that it was "less reliable to rent to a single woman if she doesn't have a boyfriend to help pay for it". I explained to him that I had no scarcity of work in the context of a teacher shortage and that I could give a deposit. Nothing helped. Some candidates who corresponded more to the profile wanted to visit the house. It ended there".

Sarah H., tenant in Québec City

"We tried for over 6 months to move to Gaspé. My husband had found a high-paying job that gave him time to find us a place to stay before starting it. We couldn't buy, so we were looking for rentals. We heard everything: too small for 2 adults and 1 child, denied because my husband had not started his job, my IVAC benefits were not considered income even though I was receiving over \$1500 a month or asked questions about why I was receiving IVAC benefits. We were also denied housing because we were from Montreal or because we had a dog. We didn't move after all".

Suzie Paquette., ten<mark>ant in</mark> Montreal

"Two years ago, I was looking for an apartment on the South Shore because I am the manager of a Tim Hortons in St-Bruno. I found a nice 5 and a half with a yard that was about 1100\$. A little expensive, but I could afford it. I wrote to the owner who answered me within the hour. He tells me that no one has visited the unit yet, but that visits are scheduled for the following weekend. I tell him that I am interested in visiting, but I make the mistake of telling him that I have children. He asks me how many I have. I told him I had 3 children, but that I had excellent references and good credit. He never answered me again".

A tenant in Montreal

"I am from France (audible minority) and I have seen several landlords raise the price of housing "because there are too many French people on the Plateau and they are able to pay". I have been refused housing "because the French party too much", or "because the French are dirty"...

A tenant in Montreal

"I was rejected several times because I was not white and had the misfortune of having children". A tenant in Montreal



Visiting a home that is suddenly "already rented"

At the time of the visit, prospective tenants may again encounter discrimination and leave empty-handed, even if the rental unit is suitable for them. This is the case for people with **physical disabilities**, who may not even be able to access the unit upon arrival. It can also be the case for **people of colour** who come for a visit, but are met with a landlord who has suddenly "already rented the place".

"I helped my mother, who has a physical disability, with her housing search. We were looking for housing on the first floor or in buildings with elevators. She was blatantly turned down in the 55+ buildings because she was too young. We found several apartments on the first floor, but we were always told "no" because of possible problems. As a result, we found an apartment in a poorly maintained building in the basement with stairs, nothing good for her condition. We searched and searched and after 2 years we finally found a coop".

Andrew G. Brisson, Québec

"Wheelchair accessible apartments are almost nonexistent in Montreal. And by that I mean just apartments I can physically get into. Ground level apartments are incredibly expensive and landlords refuse us anyway because they don't want me to scuff up their nice floors or install ramps. We were forced to buy a condo just to have a ground level entrance and elevator but even that was a nightmare to find. I cannot go through OMHM because our family income is greater than \$30k. We had no other options".

The state of the s

A tenant in Villeray

"During my last apartment search, I was pregnant and visiting with children. On two occasions, they wouldn't let me visit the apartment under the pretext that it was already rented. I had made an appointment half an hour before without mentioning that I was a mother. Out of curiosity, I checked the following days and the apartment was still for rent. Several other landlords had already written me off in contact calls because they had heard the children in our conversation. I was once told that a 5 1/2 was not suitable for a family, but was suitable for a single person or couple. I am very afraid to move now with the high cost of rent and the fact that I now have 3 children".

Ève Boillard, tenant in Montreal

The Pre-rental Survey: An Uphill Battle

Assuming all went well in the previous steps, landlords often ask prospective tenants to fill out a pre-rental survey, and at this point things can become even more complicated. These surveys frequently include illegal requests for personal information such as social insurance numbers, health insurance numbers, driver's license numbers, bank account numbers, etc. At this point, landlords may also ask for employment records, bank statements or questions about the tenant's personal life (sexual orientation, gender identity, marital status, etc.). The tenant may refuse to answer these questions, but their application may be quickly rejected by the landlord, or a refusal to rent on discriminatory grounds can also occur at this step, depending on the answers given.

"A month ago, I found a vacant apartment, owned by Shiller Lavy. The rent was \$985, an amount I could easily cover with my QPIP benefits. I filled out the pre-rental form, honestly admitting that my credit rating was not fantastic. The leasing agent offered to move forward with the process, but with a deposit. I accepted and provided the information of a family member who worked for the Canadian Army and had an excellent credit rating. The agent told me that I had to provide my federal and provincial notices of assessment for the last two years and my bank statement for the last three months. After mentioning that I was not comfortable providing these documents, which I considered very private, the agent offered to put me in touch with the director. In a show of good faith, I offered to pay three months' rent in advance, but she demanded that I hand over all the documents that had been previously requested, in addition to my Hydro Quebec bills. I did not respond. I've been looking for a place to live for over a year".

A tenant in Montreal

Votre banque :	
Transit : No No compte :	
Votre employeur: Fonction: Depuis quand : Tél. : Salaire :	An example of a pre- rental form that requests illegal information.
Tél. : Lien : Lien :	

J'AUTORISE LE PROPRIÉTAIRE OU SA FIRME DE CRÉDIT À SE PROCURER TOUS LES RENSEIGNEMENTS FINANCIERS ET RÉFÉRENCES D'EMPLOIS QU'IL JUGERA NÉCESSAIRE ET TOUTES PERSONNES SONT AUTORISÉES, PAR LA PRÉSENTE, À LUI

FOURNIR LES RENSEIGNEMENTS.



Signing a Lease and Getting a Place to Live: Is this Really the End of the Road?

Once all of these steps have been completed, the prospective tenant can finally hope to have access to a home. But this last step is not a given. Before signing a lease, some landlords will illegally demand a **security deposit** or ask successful applicants to **overbid** on the cost of rent. Again, these are additional barriers for tenants, especially low-income tenants who cannot afford to meet these criteria.

"On multiple occasions, while searching for housing 2 years ago, we were told that we were too young to be reliable since we are 4 students in our 20s. Several ads for large apartments (4 or 5 bedrooms) specified looking for couples only. We finally signed a lease, but only if we could all be guaranteed by an older person. The lease was filled with illegal clauses such as no one could come in who was not a signatory to the lease, no subletting, and no assignment of the lease. When we informed the landlord that we would be subletting a vacant room, she told us that she would only accept if we agreed to a \$300 per month increase. She also told us that she would never have agreed to rent the apartment to us if she had known that people who were not signatories to the lease would visit us".

A tenant in Montreal

"We had to change neighborhoods to find a place to live. We are a family of three (two adults and one child). We were often hung up on when we answered the question "how many people will live in the apartment", others were more "polite" and told us that it was already rented. We roamed the streets, spent hours making calls, scanning the classified ads and we almost didn't find anything. We rushed to leave several times to visit an apartment in case it was rented by someone faster than us. We finally found a suitable accommodation at a reasonable price, but we were not the only ones. The owner asked us how much more we were willing to pay.... This was already a strain on our budget. The other candidate offered more than us and got the place".

A tenant in Montreal

Not Being Poorly-housed: A Question of Privilege?

Even if a tenant makes it through this obstacle course and signs a lease, it does not mean that their new home is a good fit. In the midst of this housing crisis, tenant households are often forced to settle for dwellings that are too small or in substandard condition, if they cannot find something better. If they have been repeatedly refused housing on discriminatory grounds, these households will be all the more inclined to sign the first lease that is offered to them, for fear of finding themselves homeless. In the end, the discrimination that is freely practiced in the rental market, without fear of retaliation for landlords, plunges many tenants into situations of precarious housing.

"When I moved in with my partner, we were a blended family with 4 children. I was pregnant so we started looking for a bigger place to move before I gave birth. We both had stable jobs, no financial problems and good references, but each time we were turned down after a visit because of the children. We lived in a 2 bedroom unit with 4 children ages 2-14 for over 2 years before we finally found a landlord who would accept families. Most of the large units we visited had been converted by the landlord to offices rather than bedrooms and were intended for "quiet tenants"".

A tenant in Montreal

"Even though I have a good salary and good credit, I can't find housing. I get very few responses when I answer an ad because of my name. When I visit in person, I am turned down because of my race or because I am alone. The landlords often tell me the same thing: are you able to pay the rent by yourself? If not for those reasons, I'm also turned down because I have two cats. After a year and a half of searching, I have to forcibly leave Montreal, my hometown, and not by choice, because I have been living in a cockroach-infested apartment for a year..

THE RESERVE OF THE PERSON OF T

Rania, Tenant in Montreal

" My partner and I are fortunate enough to become homeowners soon and when I offered to help my new landlord find a new tenant for my unit, he told me that he didn't want children and asked me not to say what price I am paying right now because he plans to raise the rent much higher. It's a big place and I was really shocked by what he said because there are a lot of families that are struggling to find housing".

A new home-owner

"What saved us was seeing an ad early one morning that had just been posted online. In the pictures, we saw cribs and toys so that gave us a clue that we would not be turned down because of our child. We called and jumped in the car to visit the unit. I called the landlord twice during the day to make sure we didn't lose this opportunity. The block is old, the walls had to be repainted, repaired and the openings had to be plugged because there were mice. We also did some other small repairs in the other apartments for the owner".

A tenant in Montreal

There Are Existing Resources that can Help

The 14 prohibited grounds for discrimination and harrassment recognized by the *Charter of Human Rights and Freedoms* are the following:

- Race, ethnic or national origin
- Sex, gender identity, or gender expression;
- Pregnancy;
- Sexual orientation;
- Civil status, in other words your family status. (being single, married, divorced or in a common-law relationship and whether or not you have children);
- Age;
- Religion;
- Political convictions;
- Language;
- Social condition, in other words your occupation and income (being registered in a social assistance program, a student, or retired). A landlord has the right to verify your ability to pay rent, but cannot discriminate based on the source of your income;
- Disability or the means used in support of a disability, such as a wheelchair or using a guide dog.

How do I file a complaint?

The Commission des droits de la personne et de la jeunesse is the agency that can receive your complaint. Before contacting them, you must collect as much evidence as possible, including

- The listing for the rental unit (screenshot, newspaper clipping);
- Copy of the completed pre-rental form, email or text message exchanges with the landlord that demonstrate their refusal;
- Date and time of telephone contact or visit to the ;
- Name and contact information of the landlord or the person mandated by the landlord;
- If possible, at least 1 proof (witness, picture of the sign, text message, friend who called after us and was offered a visit) that the unit is still available.

To contact the Commission: 1-800-361-6477

After your call, the Commission's agents can intervene quickly (within 24 to 48 hours) by contacting the offending landlord to remind them of their obligations under the Charter. For many people, this approach works. For others, a formal complaint must be filed in order for an investigation to be conducted. The Commission can provide support throughout this process.

Do you have questions about your rights as a tenant?

Contact the housing committee or tenant association nearest to you by visiting our website:

www.rclalq.qc.ca.



Regroupement des comités logement et associations de locataires du Québec 6839, rue Drolet
Montréal, Québec, H2S 2T1
514.521.7114 | 1.800.521.7114
www.rclalq.qc.ca | rclalq@rclalq.qc.ca