

National Housing Strategy Act

Enactment of Act

Enactment

313 The *National Housing Strategy Act* is enacted as follows:

An Act respecting a national housing strategy

Preamble

Whereas housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities as well as a strong national economy in which the people of Canada can prosper and thrive;

Whereas access to affordable housing contributes to achieving beneficial social, economic, health and environmental outcomes;

Whereas improved housing outcomes are best achieved through cooperation between governments and civil society as well as the meaningful involvement of local communities;

Whereas national goals, timelines and initiatives relating to housing and homelessness are essential to improving the quality of life of the people of Canada, particularly persons in greatest need;

Whereas a national housing strategy would support a common vision, key principles and a coordinated approach to achieving improved housing outcomes;

Whereas a national housing strategy would contribute to meeting the Sustainable Development Goals of the United Nations;

And whereas a national housing strategy would support the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights, to which Canada is a party;

Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short title

1 This Act may be cited as the *National Housing Strategy Act*.

Interpretation

Definition of *Minister*

2 In this Act, *Minister* means the Minister designated under section 3.

Designation of Minister

Order

3 The Governor in Council may, by order, designate a member of the Queen's Privy Council for Canada as the Minister for the purposes of this Act.

Housing Policy Declaration

Declaration

4 It is declared to be the housing policy of the Government of Canada to

(a) recognize that the right to adequate housing is a fundamental human right affirmed in international law;

(b) recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities;

(c) support improved housing outcomes for the people of Canada; and

(d) further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.

National Housing Strategy

Development and maintenance

5 (1) The Minister must develop and maintain a national housing strategy to further the housing policy, taking into account key principles of a human rights-based approach to housing.

Content

(2) The National Housing Strategy is to, among other things,

(a) set out a long-term vision for housing in Canada that recognizes the importance of housing in achieving social, economic, health and environmental goals;

(b) establish national goals relating to housing and homelessness and identify related priorities, initiatives, timelines and desired outcomes;

(c) focus on improving housing outcomes for persons in greatest need; and

(d) provide for participatory processes to ensure the ongoing inclusion and engagement of civil society, stakeholders, vulnerable groups and persons with lived experience of housing need, as well as those with lived experience of homelessness.

National Housing Council

Duties and functions

6 (1) A council, to be known as the National Housing Council, is established for the purpose of furthering the housing policy and the National Housing Strategy by

(a) providing advice to the Minister, on its own initiative or at the request of the Minister, including, among other things, on the effectiveness of the National Housing Strategy; and

(b) undertaking any other activity that the Minister specifies.

Membership

(2) The Council is composed of two co-chairpersons and not fewer than 9, but not more than 15, other members.

***Ex officio* members**

7 The *ex officio* members of the National Housing Council are

(a) the Federal Housing Advocate, appointed under section 14;

(b) the Deputy Minister of the department for which the Minister is responsible;

(c) the Deputy Minister of Indigenous Services; and

(d) the President of the Canada Mortgage and Housing Corporation, appointed under subsection 7(1) of the *Canada Mortgage and Housing Corporation Act*.

Appointment of other members

8 (1) The other members of the National Housing Council are to be appointed by the Minister to hold office during pleasure for a term, not exceeding three years, that will ensure, as far as possible, the expiry in any one year of the terms of office of not more than one half of the members who are appointed by the Minister.

Further term

(2) The members of the Council who are appointed by the Minister are eligible to be reappointed for one further term.

Factors to consider

(3) In appointing members, the Minister is to take into consideration the importance of representation on the Council of

(a) persons who are members of vulnerable groups;

(b) persons with lived experience of housing need, as well as those with lived experience of homelessness;

(c) persons who reflect the diversity of Canadian society; and

(d) persons who have expertise in human rights.

Part-time

(4) The members of the Council who are appointed by the Minister perform their duties and functions on the Council on a part-time basis.

Remuneration and other expenses

(5) The members of the Council who are appointed by the Minister are to be paid the remuneration that may be fixed by the Minister and are entitled to be reimbursed, in accordance with Treasury Board directives, for the travel, living and other expenses incurred in connection with their work while absent from their ordinary place of residence.

Federal public administration

(6) The members of the Council who are appointed by the Minister are deemed to be employed in the federal public administration for the purposes of the *Government Employees Compensation Act* and for the purposes of any regulations made under section 9 of the *Aeronautics Act*.

***Ex officio* co-chairperson**

9 (1) The President of the Canada Mortgage and Housing Corporation is the *ex officio* co-chairperson of the National Housing Council.

Designation of other co-chairperson

(2) The Minister must designate the other co-chairperson from among the members of the Council who are appointed by the Minister.

Co-chairperson absent or unable to act

(3) If the co-chairperson designated under subsection (2) is absent or unable to act, the Minister may designate another person from among the members of the Council who are appointed by the Minister to act as that co-chairperson.

Duties of co-chairpersons

(4) The co-chairpersons have supervision over and direction of the work of the Council.

Alternate *ex officio* co-chairperson

10 (1) The President of the Canada Mortgage and Housing Corporation may designate in writing an alternate to perform his or her duties and functions in respect of the National Housing Council and that alternate is considered to be a co-chairperson of the Council.

Alternate *ex officio* member

(2) Each *ex officio* member, other than the Federal Housing Advocate, may designate an alternate to perform his or her duties and functions in respect of the Council. That alternate is considered to be a member of the Council.

Meetings

11 (1) The National Housing Council must meet four times each year or as the Minister may specify.

Means of telecommunication

(2) A meeting may be held by any means of telecommunication that allows the members to communicate with each other during the meeting.

Administrative support

12 The Canada Mortgage and Housing Corporation is to provide the National Housing Council with any administrative services and facilities that are necessary to assist the Council in performing its duties and functions.

Federal Housing Advocate

Duties and functions

13 There is to be a Federal Housing Advocate whose mandate is to

- (a)** monitor the implementation of the housing policy and assess its impact on persons who are members of vulnerable groups, persons with lived experience of housing need and persons with lived experience of homelessness;
- (b)** monitor progress in meeting the goals and timelines — and in achieving the desired outcomes — set out in the National Housing Strategy;
- (c)** analyze and conduct research, as the Advocate sees fit, on systemic housing issues, including barriers faced by persons referred to in paragraph (a);
- (d)** initiate studies, as the Advocate sees fit, into economic, institutional or industry conditions — respecting matters over which Parliament has jurisdiction — that affect the housing system;
- (e)** consult with persons referred to in paragraph (a) and civil society organizations with respect to systemic housing issues;
- (f)** receive submissions with respect to systemic housing issues;
- (g)** provide advice to the Minister;
- (h)** submit a report to the Minister on the Advocate's findings and any recommendations to take measures respecting matters over which Parliament has jurisdiction, to further the housing policy, including the progressive realization of the right to adequate housing, and the National Housing Strategy; and
- (i)** participate in the work of the National Housing Council as an *ex officio* member.

Submissions – power to review issues

13.1 (1) The Federal Housing Advocate may conduct a review of any systemic housing issue that is raised in a submission received under paragraph 13(f).

Submissions – power to request establishment of review panel

(2) The Federal Housing Advocate may request that the National Housing Council establish a review panel to hold a hearing to review any systemic housing issue within the jurisdiction of Parliament that is raised in a submission received under paragraph 13(f).

Notice

(3) The Federal Housing Advocate must inform the person or group that presented the submission whether or not any action will be taken under subsection (1) or (2).

Report

(4) If the Federal Housing Advocate conducts a review of the systemic housing issue, he or she must, at the conclusion of the review, provide the Minister and the person or group that presented the submission with a report setting out the Advocate's opinion on the issue and any recommendation to take measures — respecting matters over which Parliament has jurisdiction — to further the housing policy, including the progressive realization of the right to adequate housing, or the National Housing Strategy.

Power to request establishment of review panel

13.2 (1) If the Federal Housing Advocate, at any time, identifies a systemic housing issue that is within the jurisdiction of Parliament and that is not the subject of a submission, he or she may request that the National Housing Council establish a review panel to hold a hearing to review the issue.

Summary of information

(2) The Federal Housing Advocate must provide a review panel with a summary of the information that formed the Advocate's basis for identifying the systemic housing issue.

Appointment

14 (1) The Federal Housing Advocate is to be appointed by the Governor in Council to hold office during pleasure for a term of not more than three years.

Further term

(2) The term may be renewed for one further term.

Advocate absent or unable to act

(3) If the Federal Housing Advocate is absent or unable to act, the Minister may designate another person to act as the Federal Housing Advocate, but that person may act for a period of more than 90 days only with the approval of the Governor in Council.

Full-time

(4) The Federal Housing Advocate performs his or her duties and functions on a full-time basis.

Remuneration and other expenses

(5) The Federal Housing Advocate is to be paid the remuneration fixed by the Governor in Council and is entitled to be reimbursed in accordance with Treasury Board directives for the travel, living and other expenses incurred in connection with his or her work while absent from his or her ordinary place of work.

Federal public administration

(6) The Federal Housing Advocate is deemed to be employed in the public service for the purposes of the *Public Service Superannuation Act* and to be employed in the federal public administration for the purposes of the *Government Employees Compensation Act* and for the purposes of any regulations made under section 9 of the *Aeronautics Act*.

Administrative support

15 (1) The Canadian Human Rights Commission is to provide the Federal Housing Advocate with any administrative services and facilities that are necessary to assist the Advocate in performing his or her duties and functions.

Contractual assistance

(2) The Commission may, for the purposes of subsection (1), enter into contracts for the services of persons to assist the Advocate in performing his or her duties and functions.

Annual report

16 (1) The Federal Housing Advocate must, within 30 days after the end of each fiscal year, submit a report to the Minister for that year that

(a) provides a summary of his or her activities, any submissions received, the results of the consultations and of any analysis, research and study; and

(b) contains recommended measures — respecting matters over which Parliament has jurisdiction and that take into account the housing policy — to address systemic housing issues.

Tabling in Parliament

(2) The Minister must cause the report to be laid before each House of Parliament on any of the first 30 days after the Minister receives the report or, if either House is not sitting on the last day of that period, on any of the first 15 days on which that House of Parliament is sitting.

Publication

(3) The Federal Housing Advocate may publish the report only after the report is laid before each House of Parliament.

Review Panels

Obligation to establish review panel

16.1 The National Housing Council must establish a review panel if requested to do so by the Federal Housing Advocate.

Membership

16.2 (1) A review panel is to consist of three members of the National Housing Council, other than *ex officio* members, to be appointed by the National Housing Council.

Factors to consider

(2) In appointing members to a review panel, the National Housing Council is to take into consideration the importance of representation on the review panel of

(a) persons who are members of vulnerable groups;

(b) persons with lived experience of housing need, as well as those with lived experience of homelessness; and

(c) persons who have expertise in human rights.

Duties

16.3 A review panel must

(a) hold a hearing to review the systemic housing issue in respect of which it was established;

(b) hold the hearing in a manner that offers the public, particularly members of communities that are affected by the issue and groups that have expertise in human rights and housing, an opportunity to participate;

(c) prepare a report that sets out the panel's opinion on the issue and any recommendation to take measures— respecting matters over which Parliament has jurisdiction — to address the issue; and

(d) submit the report to the Minister.

Representations

16.4 The Federal Housing Advocate is entitled to make representations and present proposals for recommendations to a review panel and may, for the purpose of doing so, work with communities that are affected by the issue that is before the review panel and with experts.

Accountability

Minister's response

17 (1) The Minister must respond to the annual report of the Federal Housing Advocate.

Tabling of response

(2) The Minister must cause the response to be tabled in each House of Parliament on any of the first 120 days after the Minister has caused the annual report to be tabled in both Houses of Parliament or, if either House is not sitting on the last day of that period, on any of the first 15 days on which that House of Parliament is sitting.

Minister's response to Advocate's reports

17.1 The Minister must respond to each report provided by the Federal Housing Advocate under paragraph 13(h) and subsection 13.1(4) within 120 days after the day on which it is received.

Minister's response to review panel reports

17.2 (1) The Minister must respond to a report submitted by a review panel under paragraph 16.3(d) within 120 days after the day on which it is received.

Tabling in Parliament

(2) The Minister must cause the response to be laid before each House of Parliament on any of the first 30 days after the day on which it is provided to the review panel or, if either House is not sitting on the last day of that period, on any of the first 15 days on which that House of Parliament is sitting.

Triennial report

18 (1) The Minister must, before March 31, 2021 and within every three years after that date, cause a report to be made on the effectiveness of the National Housing Strategy, with respect to the achievement of the desired outcomes, and the initiatives related to its implementation.

Tabling in Parliament

(2) The Minister must cause the report to be laid before each House of Parliament on any of the first 30 days on which that House is sitting after the report is made.

Coming into Force

Order in council

314 This Division comes into force on a day to be fixed by order of the Governor in Council.