

Ontario Human
Rights Commission

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To: Operators of rental housing websites

Re.: Spreading the message about human rights in housing

Discrimination in housing is a very real problem for many people. In Ontario, landlord, tenant and human rights organizations are working to raise awareness about discrimination in all aspects of housing. One such area is advertising for rental accommodation, where we commonly see discriminatory statements. This is an area where you can help.

Many tenants and landlords aren't aware of their human rights and responsibilities in housing. Since most are not members of any group or association, they can be hard to reach directly. However, websites are a popular way to advertise and look for housing. These websites can also provide information to increase awareness and help reduce discrimination.

A number of organizations (see the list at the bottom) are asking operators of rental housing websites to help spread the human rights message by:

- Posting information about discrimination and human rights in housing on their websites where all site users can see it
- Finding or improving ways to identify and get rid of discriminatory ads.

Taking these steps can help you provide better service to your website users and can actively prevent discrimination in housing.

Human rights in housing

Ontario's *Human Rights Code* prohibits discrimination in housing based on 14 grounds:

- family status
- marital status
- age
- receipt of public assistance
- sex (including gender identity and pregnancy)
- disability
- race
- colour
- sexual orientation
- ancestry
- citizenship
- ethnic origin
- place of origin
- creed (religion)

The problem

Individuals and housing advocates have raised a number of concerns about discriminatory online ads. In response, the Ontario Human Rights Commission (the OHRC) has worked with community organizations to get a clear sense of the problem, see what best practices are already in use, and come up with recommendations on how websites can best prevent and address discriminatory ads on their sites.

The Centre for Equality Rights in Accommodation, the Housing Help Centre of Hamilton and the OHRC looked at four of the largest websites that provide rental housing listings for Ontario. On these sites, as many as 20% of ads for smaller rental housing units (bachelor, 1-bedroom and 2-bedroom units) had statements that were directly or potentially discriminatory.

Ads were most likely to include inappropriate statements relating to family or marital status, age, sex, disability and source of income (public assistance), although sometimes other grounds were mentioned.

Some common examples are:

- Ideal for quiet couple or professional single
- Perfect for female student
- Looking for mature individual or couple
- Suitable for single professional
- Working folks or students
- Must provide proof of employment
- Not suitable for children.

Some of these statements show a clear intention to discriminate. Others may reflect landlords' honest efforts to attract people they think would be most interested in the rental unit. However, even if these landlords don't intend to discriminate, their ads still suggest that others may be unfairly screened out.

A note about “No Pets” rules: Under Ontario's *Code*, people with disabilities who use service animals, such as guide dogs, can not be denied housing based on a “no pets” rule.

Best practices currently in use and suggested opportunities for improvement

Of 28 websites that provide Ontario listings, we found several that provide helpful information about tenant rights, discrimination and fair housing, and/or had ways to review and remove offensive ads.

Here are examples of what some sites are currently doing, with suggested opportunities for how to improve on these examples, so your site can help users understand their rights and responsibilities.

1. **Non-discrimination statements and information about human rights in housing:**

Some sites put these in user agreements, or send users to them via hyperlinks stating “a discriminatory preference in housing posts is illegal.”

- **Problem:** Most of these statements refer to U.S. Fair Housing legislation, while protections in Ontario and elsewhere in Canada are broader (see list on page 1). Sending Canadian site users to these U.S.-based links will give them a false impression of their actual rights and responsibilities.
 - Although some terminology varies between the provinces, human rights protections in housing are fairly consistent across Canada, with the exception of protection of political belief and criminal record. See [Human rights and rental housing in Ontario: Background paper, Appendix B](#).
- **Opportunity:** Add statements or links that provide the full list of protected grounds in housing for Ontario/Canadian jurisdictions.
- **Problem:** Most sites with non-discrimination statements post them in hard-to-locate areas, where users are unlikely to see them.
- **Opportunity:** Add the non-discrimination statement and information to your site in such a way that all users will see it. For example:
 - On a page or pop-up box that site users see before searching or posting ads
 - Attached to clearly visible link that appears on every housing page.
 - On the form that landlords complete to post an ad

2. **Links to information about legislation, boards or tribunals:** listed under “Information” tabs, “resources” sections or “landlord advice.”

- **Problem:** Some sites provide landlord-tenant information, but very few provide relevant information about human rights in housing.
- **Opportunity:** Add references or links to the relevant human rights organizations. In Ontario, these are:
 - Ontario Human Rights Commission (www.ohrc.on.ca)
 - Human Rights Tribunal of Ontario (www.hrto.ca)
 - Human Rights Legal Support Centre (www.hrlsc.on.ca)
- **Opportunity:** Provide links to human rights resources relevant to housing in Ontario/other Canadian contexts, such as the OHRC’s factsheets:
 - [Writing a fair rental housing ad](#)
 - Fact sheets for [tenants](#) and [landlords](#)
 - [Human Rights and Housing e-learning program](#) and many documents on [housing](#) are also available at www.ohrc.on.ca

- Other human rights organizations across Canada have also produced publications relating to housing rights in their jurisdictions.
- **Opportunity:** If your site does not already include it, add a link to Ontario's Landlord and Tenant Board (www.ltb.gov.on.ca)

3. Monitoring and/or complaint systems: Some sites review ads before posting them, or have systems through which users can complain about ad content. A few have automatic or user-based systems to flag ads, which can be reviewed by a site monitor. A couple of sites log the IP addresses of all users who post ads.

- **Problem:** Housing workers tell us that, on some sites, they report discriminatory ads, but do not receive a response or see any evidence that the complaint has been addressed.
- **Opportunity:** Depending on the size and nature of the site and your organization, consider how you may be able to:
 - Review ads for discriminatory content before they are posted
 - Create or improve complaint/monitoring systems to effectively address any discriminatory content
 - Increase user awareness of new/existing systems.

Housing is a human right. Ending discrimination in housing is a shared responsibility. We invite you to join us in sending a strong message that discrimination is illegal, both in housing and in on-line housing advertising. We welcome any opportunity to work together with you to advance human rights for tenants everywhere.

Please adopt these suggestions to your website and let us know of the positive steps you have taken. For more information or assistance, and to update us on your actions, please contact Jacquelin Pegg, Inquiry Analyst with the OHRC, by e-mail at Jacquelin.Pegg@ohrc.on.ca, or by telephone at 416-326-9501.

The project has been coordinated by The Ontario Human Rights Commission with the support and advice of:

Federation of Rental-housing Providers of Ontario, Centre for Equality Rights in Accommodation, Housing Help Association of Ontario, Advocacy Centre for Tenants Ontario, Housing Help Centre, Hamilton, and the Human Rights Legal Support Centre

