

RIGHT TO HOUSING



DISCRIMINATION AND DISCRIMINATORY HARASSMENT ARE FORBIDDEN

In Québec, it is forbidden to discriminate with respect to housing or to harass tenants.

The Charter of Human Rights and Freedoms forbids distinctions based on one or more of the following personal characteristics: race, colour, sex, pregnancy, sexual orientation, civil status, age (except as provided by law), disability and social condition.

Thus, an owner or landlord cannot refuse to rent an apartment based on ethnic origin or race or because a person has children, receives welfare benefits, or uses a wheelchair.

How to file a complaint before the Commission des droits de la personne et des droits de la jeunesse?

If you believe you have been the victim of discrimination or discriminatory harassment based on one of the grounds under the charter, you may file a complaint with the Commission des droits de la personne et des droits de la jeunesse.

It is important that you file your complaint as soon as possible after having been subjected to the situation in question.

Complaints based on discrimination with respect to housing are the subject of rapid initial processing. If your complaint cannot be resolved at this stage, Commission staff will inform you of the various avenues available to process your request. Mediation or a formal investigation could be held in order to determine whether your complaint should be brought before a tribunal.

In any case, the main purpose is to put an end to the discrimination and discriminatory harassment and, if applicable, to compensate the victim.

To file a complaint, contact the Commission des droits de la personne et des droits de la jeunesse at 1-800-361-6477 or (514) 873-5146 (Montréal).

All services offered by the Commission are free of charge.

Documenting your complaint

If you believe you have been the victim of discrimination, it is important that your complaint be well-documented.

First, you can ask the landlord or owner the reason for his refusal. It may be that he will explicitly refer to one of the prohibited discriminatory grounds. For example, if he implies that he cannot rent the apartment to you because you are a single parent, you are the victim of discrimination.

If the landlord or owner tells you that an apartment has already been rented but the “for rent” sign is still up, you can also ask a friend to call and check if the apartment has indeed been rented.

In all cases, you can ask someone to accompany you as a witness when you visit an apartment.

Checklist

Record the following information:

- √ Reason for refusal
- √ Name and title of the person to whom you were speaking
- √ Address of the apartment
- √ Telephone number
- √ Date and time of visit
- √ Amount of rent, number of rooms, heated/unheated, and availability
- √ Any other relevant information



Discriminatory grounds under the Charter of Human Rights and Freedoms

- Race;
- Colour;
- Ethnic or national origin;
- Sex;
- Pregnancy;
- Sexual orientation;
- Civil status; for example, if you are a single parent or if you have children;
- Age (except as provided by law);
- Religion;
- Political convictions;
- Language;
- Social condition; for example, low income, precarious employment, receiving welfare benefits or employment insurance;
- Disability, or the use of any means to palliate a disability; for example, the use of a wheelchair or a seeing-eye dog.

A few tips

If you are interested in the apartment, clearly state that you want to rent it. The owner then has the right to verify whether you pay your rent regularly. You can prove your ability to pay by providing references or paid hydro and telephone bills.

An owner has the right to verify your ability to pay. However, the landlord may not refuse to rent an apartment on the basis of prejudices. Precarious employment or receiving welfare benefits is not synonymous with inability to pay rent.

You are not required to provide personal information (bank account number or Social Insurance Number) beyond what is necessary for the management and rental of an apartment.

Discriminatory harassment is forbidden

You have signed your lease, but your landlord or your neighbour is harassing you.

Inappropriate comments or behaviour, insults and offensive remarks regarding your sexual orientation, social condition, ethnic or national origin or your colour are considered discriminatory harassment.

Harassment infringes the right to dignity, inviolability and equality under the Charter of Human Rights and Freedoms.

If you believe you have been the victim of discriminatory harassment, you may file a complaint before the Commission des droits de la personne et des droits de la jeunesse.

La Commission des droits de la personne et des droits de la jeunesse

Telephone: (514) 873-5146
or 1-800-361-6477

TTY: (514) 873-2648

Head office:

360 rue Saint-Jacques, 2nd Floor
Montréal (Québec) H2Y 1P5



The Commission des droits de la personne et des droits de la jeunesse (human rights and youth rights commission) is an independent body whose mission is to promote and uphold the principles set out in the Québec Charter of Human Rights and Freedoms.

The mission of the Commission is also to ensure that the interests of children are protected and that their rights as recognized by the Youth Protection Act and the Youth Criminal Justice Act are respected.

In addition, the Commission is responsible for applying the Act respecting equal access to employment in public bodies.

www.cdpdj.qc.ca

