



Ontario Alliance to
End Homelessness

Feedback on Proposed New Regulations under the *Measures Respecting Premises with Illegal Drug Activity Act, 2025 (MRPIDAA)*

From: Ontario Alliance to End Homelessness

The Ontario Alliance to End Homelessness appreciates the opportunity to provide input on regulations under the *Measures Respecting Premises with Illegal Drug Activity Act, 2025*. Our network works across the province to advance solutions that prevent and end homelessness while supporting safe, healthy communities.

Recognition of progress

We appreciate the government's acknowledgment of the need to create exemptions for the non-profit sector. This is an important and constructive step that reflects an understanding of how the Act could make it very difficult to provide non-profit housing and to find private landlords willing to take tenants exiting homelessness.

Ongoing and structural concerns

While exemptions are an important improvement, significant structural concerns remain. These concerns may not be fully mitigated through regulation alone.

As currently proposed, this section of the Act will likely still create a chilling effect among residential and commercial landlords by increasing perceived risk and uncertainty.

Commercial leasing risks

The absence of a clear exemption for commercial landlords is particularly concerning, as many shelters, warming centres, and social service provider agencies across the province operate in leased space within commercial buildings. Without a clear exemption, landlords may be less willing to lease to social service providers or to businesses operating in areas where drug use is more prevalent. This could reduce the availability of essential community-based supports.

Impact on housing access

Homelessness and drug use have become conflated in public discourse, reinforcing stigma and increasing perceived risk among landlords. While the proposed framework includes an exemption for landlords renting to tenants who receive rent supplements, there are currently no new rent supplements available in many regions for individuals exiting

homelessness. As a result, many people attempting to move from shelters or encampments into housing will not be covered by that exemption.

In a context where housing access already depends on scarce incentives and relationships, layering additional perceived risk onto the private rental market risks slowing movement out of homelessness even further. The result would be increased pressure on shelters and emergency services, rather than improved pathways to stable housing, at a time when expanded access is urgently needed.

Potential unintended outcomes

Reduced access to both housing and service locations may contribute to more unsheltered homelessness, increased public drug use, and increased strain on emergency and enforcement systems – outcomes that run counter to shared public safety and health objectives.

Questions regarding implementation and enforceability

These questions require clear answers before the proposed regulatory framework can be operationalized and enforced:

Enforcement and Monitoring

The Act implicitly requires landlords to detect and respond to tenant or third-party conduct occurring within private leased premises. It remains unclear how landlords could do so without:

- Violating privacy laws,
 - Breaching lease agreements,
 - Engaging in discriminatory screening practices, or
 - Assuming monitoring functions for which they are neither trained nor authorized.
1. How does the government propose landlords actively monitor tenant or third-party conduct within private leased premises without violating privacy laws or lease agreements?
 2. What specific monitoring practices does the government consider acceptable, and how will it ensure those practices comply with existing privacy and human rights legislation?
 3. What investigative steps will the government require landlords to take before it considers them “non-compliant”?
 4. How will the government determine whether a landlord exercised “due diligence”? What evidence must a landlord produce to avoid penalties?
 5. How will the government distinguish between a landlord who knowingly facilitates illegal activity and one who had no knowledge or reasonable ability to intervene?

6. What reporting obligations will the government impose on landlords, and to which authority must landlords report suspected activity?
7. What penalties will the government apply where landlords report suspicions that later prove unfounded?

Knowledge, Control, and Liability

The legislation risks assigning liability for independent criminal conduct that landlords may have no knowledge of and no reasonable ability to prevent.

8. How will the government assign liability where alleged activity occurs without the landlord's knowledge?
9. How will the government treat situations in which tenants actively conceal activity from landlords?
10. How will the government assess a landlord's "control" in multi-unit residential buildings where individual units are legally exclusive spaces?
11. In multi-tenant buildings, how will the government determine responsibility for conduct occurring in common areas?
12. How will the government prevent the transfer of liability to landlords for the independent criminal conduct of tenants or their guests?
13. How will the government address situations in which a landlord initiates eviction proceedings but faces procedural delays at the Landlord and Tenant Board?

Interaction with Existing Law

Ontario already has mechanisms to address nuisance properties, criminal activity, and property standards violations. It is unclear what enforcement gap Section 8 fills that cannot be addressed through existing tools.

14. How will the proposed regulations interact with existing nuisance, property standards, and criminal enforcement mechanisms?
15. What specific enforcement gap does the government believe current law fails to address?
16. How will the government avoid duplicative or conflicting enforcement actions between municipal by-law officers, police services, and provincial regulators?

Human Rights, Housing Access, and Market Impact

In an extremely tight rental market, increased liability exposure is likely to result in:

- Heightened screening,
- Exclusion of tenants perceived as "higher risk", and
- Reduces willingness to rent to individuals exiting homelessness.

18. How will the government ensure that landlords do not adopt exclusionary screening practices in response to increased liability exposure?
19. How will the government monitor and mitigate discriminatory impacts on tenants who are exiting homelessness, receiving social assistance, or perceived as “higher risk”?
20. How will the government measure whether the legislation reduces housing supply for individuals with complex needs?
21. What safeguards will the government implement to prevent pre-emptive evictions based on suspicion rather than evidence?
22. How will the government protect tenants’ rights under provincial human rights legislation when landlords act defensively to avoid liability?

Administrative Burden and Costs

23. What new compliance costs does the government anticipate for landlords?
24. How will the government calculate the economic impact of these regulations on small-scale housing providers?
25. Will the government provide indemnification, guidance, or financial support to landlords expected to take on quasi-enforcement functions?
26. What training or compliance infrastructure will the government fund to support implementation?
27. How will the government measure success, and what metrics will trigger review or repeal if the framework produces unintended consequences?

Requested actions

The concerns outlined in this submission point to significant implementation challenges and unintended consequences that could undermine efforts to move people from homelessness into housing. As such, we recommend that **Schedule 8 not proceed in its current form**, and that the government consider the following actions:

1. Withdraw Schedule 8 of Bill 10 and undertake further consultation with the housing and homelessness sector to develop a workable approach; or
2. Introduce significant amendments that address the concerns outlined in this submission.

Commitment

The Ontario Alliance to End Homelessness remains committed to working collaboratively with the government to advance balanced, evidence-informed approaches that support both community safety and housing stability. We would welcome the opportunity to engage further on practical solutions that avoid unintended barriers to housing and essential services.