

Discrimination in Housing for Indigenous Peoples

From Application to Eviction: Applying for housing, maintaining housing, harassment, Bill 10 and people who use drugs



Housing discrimination does not end at refusal

- Housing discrimination against Indigenous peoples does not only happen at the moment of refusal
- It is built into how landlords, housing systems, neighbours, institutions and legal frameworks define:
 - Risk
 - Suitability
 - Disorder
 - Good tenancy
- For Indigenous tenants, these judgements are shaped by colonial stereotypes, poverty governance, and ongoing displacement from land, culture, and community.

Why this matters: discrimination is a pathway to homelessness

- Discrimination can block access to housing
- It can also make housing impossible to keep
- For Indigenous peoples, this happens within a broader history of displacement, colonial governance, and unequal access to safe, affordable, and culturally appropriate housing

What the law says: housing is protected under the Ontario Human Rights Code

- In Ontario, people have the right to equal treatment in housing without discrimination or harassment
- For Indigenous peoples, this matters at every stage:
 - Applying for housing
 - Being screened or selected as a tenant
 - Rules and conditions of tenancy
 - Repairs and maintenance
 - Harassment by landlords or other tenants
 - Eviction and loss of housing

Application Stage Discrimination

- For Indigenous applicants, discrimination can appear as:
 - “The unit is already rented”
 - Distrust of income, employment, or assistance
 - Extra documents or references
 - Illegal or unreasonable screening
 - Assumptions about income, children, guests, or family size
 - Stereotypes about substance use, criminality, or property damage
 - Treating lack of credit or rental history as a tenant risk

The “Good tenant” is not neutral

- Housing systems often reward people who can appear:
 - Financially stable
 - Administratively organized
 - Professionally employed
 - Quiet and “low-risk”
 - Easy to manage
 - Familiar to landlords
- Indigenous applicants may be judged against standards that already reflect unequal access to income, credit, documentation, and housing history

Indigenous concepts of home are broader than housing

- For many Indigenous peoples, “home” cannot be reduced to a private unit or address
- Home may include relationships to:
 - Land
 - Family and kinship
 - Community
 - Culture
 - Safety
 - Belonging
- When housing systems define home only as a unit, they miss what has actually been disrupted.

Indigenous housing discrimination is connected to colonial displacement

- For Indigenous peoples, housing discrimination sits within a longer history of:
 - Displacement from land
 - Disruption of kinship and community relations
 - Forced movement into colonial housing systems
 - Underfunded Indigenous housing responses
 - Institutional definitions of home that do not reflect Indigenous realities

Maintaining Housing: Indigenous tenancy insecurity after move in

- Discrimination can continue after Indigenous tenants are housed through:
 - Uneven enforcement of building rules
 - Faster escalation to warnings or eviction
 - Surveillance of guests and family
 - Poor response to repair requests
 - Failure to address harassment
 - Treating complaints from Indigenous tenants as less credible

Racialized harassment can become displacement pressure

- Harassment is more than just interpersonal conflict
- For Indigenous tenants, harassment can make a unit unsafe, unstable, or impossible to remain in
- This may include racism from neighbours, landlord intimidation, repeated complaints, threats, humiliation, or failure to intervene when harassment is reported .

Discrimination through “risk”

- Terms like *risk*, *safety*, *disorder* and *nuisance* can be necessary in some situations
- But they can also become pathways for discrimination when they are applied through stereotypes
- For Indigenous tenants, “risk” may be attached to poverty, guests, family networks, substance use, past homelessness, or police contact, or simply being seen as out of place.

Indigenous tenants, substance use stigma and housing exclusion

- Indigenous people who use drugs, or are perceived to use drugs, may face housing barriers through:
 - Stigma
 - Surveillance
 - Assumptions of danger
 - Refusal to rent
 - Eviction pressure
 - Lack of harm reduction informed housing practices
- Discrimination can also occur when someone is perceived to have an addiction related disability

Bill 10: Why suspicion matters for Indigenous tenants

- Bill 10 includes Schedule 8, the ***Measures Respecting Premises with Illegal Drug Activity, 2025***
- The Act creates potential consequences where landlords knowingly permit premises to be used for drug production or trafficking.
- The concern is not only what the law says
- The concern is how housing providers may respond in practice: Through increased screening, surveillance, reporting, or eviction pressure against tenants already treated as risky

Bill 10 and Indigenous Tenants: Safety laws can reproduce housing insecurity

- A law framed around safety can still have discriminatory effects if it encourages suspicion-based decisions
- For Indigenous tenants, this can intensify stereotypes around:
 - Disorder
 - Criminality
 - Substance use
 - Guests
 - Family networks
 - Neighbourhood safety

The Pattern: How Indigenous people move from Refusal to removal

- Housing discrimination can move through a sequence
 - **Screening:** Who is allowed in?
 - **Surveillance:** Who is watched after they move in?
 - **Harassment:** Whose presence is made uncomfortable?
 - **Enforcement:** Who is disciplined or evicted?
 - **Displacement:** Who is pushed back into housing insecurity?

Friendship Centres as housing supports

- Friendship Centres support urban Indigenous people navigating housing systems that are often not built for them
- This work can include:
 - Housing navigation
 - Eviction prevention and LTB supports
 - Advocacy with landlords
 - Referrals to legal, income, health, and cultural supports
 - Support with applications, documents, and follow-ups
 - Culturally grounded care before, during, and after housing loss



What housing providers need to do differently for Indigenous tenants

- A rights based and harm reduction informed response means:
 - Consistent, lawful screening
 - Decisions based on evidence, not stereotypes
 - Serious responses to racialized harassment
 - Documentation without relying on assumptions
 - Eviction prevention wherever possible
 - Protection from stigma-based exclusion
 - Work with Indigenous-led supports

Indigenous housing discrimination is not always visible, but it is often organized

- Housing discrimination is not only about open refusal
- It is also about ordinary decisions that determine who is seen as suitable, who is treated as risky, who is watched, who is believed, and who is removed
- For Indigenous peoples, housing justice requires more than access to units. It requires confronting the colonial and institutional conditions that continue to make Indigenous housing unstable.

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