

Appendix F – Housing

Submission to the National Inquiry into Missing and Murdered Women and Girls
Office of Housing and Construction Standards
Ministry of Municipal Affairs and Housing
Government of British Columbia

Introduction

Housing is one of the most important Indigenous issues of our times. Perhaps the easiest impacts to observe, yet the hardest to measure, are the effects of poor housing on the social cohesion of Indigenous communities. Poverty, poor health, loss of children to residential schools, the Sixties Scoop, foster care and adoption, low educational attainment, violence, family disruption, shame and stigma are some of the problems that can be linked to substandard housing.

European-style housing and family makeup were imposed in a manner that disrupted Indigenous women's place in kinship relationships, introduced unequal gender and power relations between Indigenous women and men, and reinforced inequities between Indigenous women and settler societies. The transition to European-style housing not only ignored Indigenous architectural forms, such as longhouses and appropriate building practices based on climate, geography, work activities and extended family relations, but disregarded Indigenous needs and aspirations.

This overview details the current housing context from the perspective of colonial legacies related to the *Indian Act* of 1876.¹² A clear understanding of the links between housing, the safety of Indigenous women and girls and prosperous Indigenous communities will help us to redress our colonialist past, enable us to better understand our present struggles and emerge into the best possible future.

Colonial Legacies: Housing Homogenization, Inequity and Illiteracy

The Indian Act of 1876

Through the *Indian Act* of 1876 (the "Act"), the federal government gained jurisdiction over on-reserve housing. Although the *Act* made no direct reference to housing, five sections consolidated European-style family relations and affected the way housing would be designed, delivered and maintained for almost 100 years. Consequently, Indigenous Peoples were stripped of the opportunity to develop the necessary skills to build adequate housing and to create and manage their own housing system.

¹ The terms: Indian, Aboriginal and Indigenous are used, variously, to reflect the legal or public documents under consideration.

² *An Act to amend and consolidate the laws respecting Indians*, S.C. 1876, c. 18

- Under **Section 1 (3)** Indians and Indian bands do not own the land reserved for them; they only have occupancy to their reserves. This has resulted in confusion over who is responsible for improvements on the land and houses.
- **Section 30** gave Parliament the authority to determine who is permitted to live in the houses and even in some cases the authority to restrict access to reserve land.
- **Sections 61 and 62** restricts Indians from managing their own financial affairs, including control over community revenues earned through the sale of reserve lands and resources. This impacts the ability of bands to invest in the construction of durable dwellings using high-quality materials.
- **Section 89 (1)** denies access to the financial mechanisms that other Canadians use to finance housing construction. This restriction has the effect of preventing reserve residents from using the equity in their homes to help finance businesses or other wealth-generating activities.

Gender discrimination in the *Indian Act* severely undermined First Nations women's autonomy in all aspects of life, from marriage to sexuality and from land ownership to political decision-making. The subordination of Indigenous women is exemplified by **Section 12 (1) (b)** of the *Act*, which mandated that upon marrying men who did not have Status, women and their children lost their Status. Women who married non-Indians lost their Indian Status and were forced off-reserve. Indigenous men could marry non-Indigenous women and did not have to leave the reserve or lose their Status. Consequently, many Indigenous women migrated to urban areas, which contributed greatly to their overrepresentation and subsequent marginalization there. Although in 1985, **Bill C-31**³ overturned this legal restriction and opened the way for women to return to their home communities, many bands continued to maintain restrictions over band residency by giving housing priority to members who had lived on the reserve without interruption for generations.

Housing Homogenization

The *Indian Act* established the parameters for the government's early engagement with Indigenous housing issues. Restrictions on the use of band revenues and lack of stable funding resulted in a one-size-fits-all approach to on-reserve housing. Government-issued houses were often small, unimaginative, one-room dwellings constructed using poor quality materials that were ill-suited to local conditions. Consequently, many reserve houses soon became unsuitable for human habitation.

Housing Inequity

Many Indigenous Peoples were reduced to living in tiny rudimentary government-issued houses that were unable to accommodate basic needs. On-reserve housing production could not keep up with a fast-growing population. Many families with adult children, who had no homes of

³ Bill C-31, *An Act to Amend the Indian Act*, 1st sess., 33rd Parliament, SC 1985.

their own, doubled and tripled-up with parents and siblings, a habit which resulted in extreme overcrowding and accelerated deterioration of the housing stock.

By mid-century, the disparity between mainstream housing and on-reserve housing conditions was pronounced. The average life of on-reserve housing was only about 10 years compared to a national average of 35 years. Moreover, when compared to 3% in these categories for Canadians:

- 10% of homes on reserves lacked electricity;
- 55% lacked sewage systems;
- 50% lacked running water;
- 62% of houses needed repairs; and
- 38% needed major repairs.

Reserve housing did not include any of the benefits of home ownership enjoyed in mainstream society such as accumulation of wealth and equity or the capacity to buy and sell their houses. This had the social effect of stigmatizing on-reserve housing and those who lived in them.

Housing Illiteracy

With loss of control over housing transactions where reserve residents had no ability to buy or sell houses and no experience with property management or housing finance, housing illiteracy became widespread among Indigenous Peoples and communities. This was especially true in the field of mainstream construction and building standards. Reserve residents had little say in the design or plan of their houses and the houses that were built lacked modern building technologies and materials. Consequently, reserve residents had no opportunity to learn modern building practices or practical skills such as installing domestic equipment like heating and plumbing.

Impact of the Colonial Housing System on Indigenous Communities and Social Cohesion

While we have no hard data on the role that inadequate or insufficient housing played in creating family violence and fueling addictions, there have been real life repercussions to colonial housing decisions. With the lack of privacy due to overcrowding and no facilities for cooking, bathing or sleeping, children could not be fit for the demands of school, nor adults fit for the requirements of a job. Some suggest that, for almost 100 years, decisions to remove children from their families to Residential Schools were often justified because on-reserve houses were crowded and unsuitable. Similarly, some argue that by mid-century the on-reserve housing problem had also become a child welfare problem. Between 1960 and 1980 thousands of Indigenous children from across the country were taken from their families and put into foster care in what has become known as the Sixties Scoop. Although it is hard to determine the extent to which substandard housing conditions were responsible for the loss of children to the Residential School and foster care systems, linkages between poor housing and poor life chances are well-established.

Urbanization: Indigenous Women, Housing Mobility and the Disruption of Social Bonds

Since the 1960s, Indigenous urbanization in Canada has increased dramatically from 13% to over 50%. Indigenous urban migration is very complex. In 2016, 75% of non-Status First Nations and 69% of Métis Peoples lived in urban areas, while these proportions were just 40% among Status First Nations and 37% among Inuit.

There are also important gender differences in urban migration. Indigenous women are overrepresented in urban areas compared to Indigenous men. Presently, 55% of Indigenous women live in urban areas compared to 51% of men. Indigenous urbanization is also characterized by high levels of mobility both residential within urban areas and migration between urban and reserve areas. Roughly, 21% of Indigenous Peoples changed residences between 2011 and 2016 compared with 16% of non-Indigenous people. Rates of migration are highest among First Nations youths aged 19-25 and Indigenous women with older women more likely to return to the reserve.

High levels of housing mobility, or “churn”, has implications for human capital formation and skills-building, making it difficult for some Indigenous women to maintain stable attachment to the labour market. It also impacts the ability of many Indigenous women to form and sustain social bonds both within their urban communities or with their home communities.

B.C. Context: Indigenous Women, Mobility and Core Housing Need

The marginalization of Indigenous Peoples in Canada is well documented. While research into the social and economic conditions of Indigenous Peoples has been on-going for over 30 years, similar statistical and comparative research that focuses exclusively on Indigenous women has been insufficient. Part of the reason for this is that empirical research has often failed to include a comprehensive gender-based analysis and that even when research does focus on Indigenous women, it is largely contained to the fields of justice, health and education.

Indigenous people are over-represented in all areas of housing need. Indigenous Peoples’ historic and systemic exclusion from safe, adequate and affordable housing is particularly acute for community members in high-risk environments such as women and children escaping violence, victims of trafficking, LGBTQ2S people, youth transitioning out of care, and those experiencing mental health and addictions challenges. The housing needs of Indigenous women, particularly those living off-reserve, is a complex and multi-faceted issue.

Indigenous Women: Population, Family Structure and Location

- According to the 2016 census, there were 136,425 First Nations, 48,880 Métis and 855 Inuk women in British Columbia.
- 55% of the province’s total population of Indigenous women live in urban areas.
- Vancouver has the largest urban Indigenous female population in Canada, where 29,505 Indigenous women live.
- Indigenous women are less likely to be legally married and more likely to live in common-law relationships, to have more children, to be a lone parent and to be living with either immediate or extended family members when compared to non-Indigenous women.

- 86% of Indigenous lone-parent families are headed by females.
- Indigenous families residing off-reserve are more likely than other Canadian households to be headed by a female lone parent, they tend to live in cities and towns and 35.7% are in serious core housing need.

Indigenous Women: Migration and Urban Housing Mobility Patterns

- 50% of the Indigenous female population moved between 2011 and 2016.
- This was slightly higher than the mobility rate among the non-Indigenous female population (41%).
- The difference is greater when we compare the proportions of the Registered Indian females off-reserve (58%) who reported moving compared to Indigenous females living on-reserve (24%) in the five years between 2011 and 2016.
- Significantly more off-reserve Registered Indian females moved, across all age groups when compared to females living on-reserve.
- Among all Indigenous females living off-reserve, approximately 56% were local movers and almost 44% had moved from a different area.
- Among Registered Indian females from 20 to 24 years of age living off-reserve, about 78% moved between 2011 and 2016 and more than 53% were local movers.
- Among females from 20-34 years of age, the proportion of movers increased to about 63%, with about 55% being local movers and 45% migrating from a different area.
- After the age of 45 urban mobility declined, reaching their lowest rates among Indigenous females over the age of 65+ years.

The reasons for such high mobility rates for the off-reserve Registered Indian female population are most likely attributed to a host of interrelated factors, such as low-income, employment opportunities, inadequate housing and housing affordability and childcare as well as access to various social services and networks of care.

According to the 2016 Census, a disproportionate number of Indigenous families and individuals are in core housing need:

- 20.4% of Indigenous households live in core housing need, compared with 14.6% of non-Indigenous households.
- 1 in 5 Indigenous people live in a dwelling in need of major repairs.
- The on-reserve population is more likely to live in a dwelling in need of major repairs.
- 1 in 10 Indigenous families live in a dwelling with a one-bedroom shortfall.
- 25% of First Nations people live in crowded housing.

Commitments to Indigenous Peoples and the Indigenous Housing Sector

The Office of Housing and Construction Standards (OHCS) supports all government commitments to Indigenous Peoples, especially where they relate to the Indigenous Housing Sector. These commitments are being achieved in collaboration with Indigenous leaders,

government agencies, industry, local government and the public. The following Statements, Accords and Agreements inform and guide OHCS' work:

- [10 Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples](#) (2018).
- [Minister of Municipal Affairs and Housing mandate letter](#) (2017).
 - Directs the Minister to fully adopt and implement [UNDRIP](#) and to move forward on the TRC [Calls to Action](#).
- [Métis Nation Relationship Accord II between the Government of British Columbia and the Métis Nation of British Columbia](#) (2016).
- [British Columbia – First Nations Proposed Commitment Document](#) (2015).
- [Memorandum of Understanding between the Government of British Columbia and Union of British Columbia Municipalities on local participation in the New Relationship with First Nations](#) (2015).
- [Truth and Reconciliation Commission \(TRC\) Calls to Action](#) (2012).
 - Specifically, Article #57 which recommends training for public servants based in intercultural competency and anti-racism.
- [First Nations Housing Memorandum of Understanding between First Nations, the Government of Canada and the Government of British Columbia](#) (2008).
- [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP, 2007).
 - Particularly, where Indigenous Peoples have the right to: participate in decision-making (Article #18); be consulted in good faith (Article #19); improve their socio-economic conditions (Article #21); and, be actively involved in socio-economic programs (Article #23).
- [The Transformative Change Accord between the Government of British Columbia, the First Nation Leadership Council and the Government of Canada](#) (2005).
- [The New Relationship Vision Statement](#) (2005).

Further to these commitments, the [Ministry of Municipal Affairs and Housing Service Plan, 2018/19-2020/21](#), *Leadership and Access: Making B.C. Communities Great Places to Live*, provides a comprehensive road map to support local governments, not-for-profits organizations and residents to build vibrant and healthy communities that are well-governed, livable, safe, economically resilient and socially and environmentally responsible. OHCS is committed to providing British Columbians with access to more affordable, safe and functional housing through policy and programs, technical codes and standards and services for landlords and tenants.

The Ministry, through [BC Housing's 2018/19 – 2020/21 Service Plan](#), commits to enhancing Indigenous partnerships and increasing community self-reliance for building affordable housing solutions that respect cultural and historic conditions. BC Housing has prioritized facilitating opportunities that increase a self-reliant Indigenous housing sector through partnering with the [Aboriginal Housing Management Association](#), Indigenous organizations, and First Nations communities in building new housing and increasing capacity in maintenance and capital asset management.

Current Priorities: Self-Reliance, Closing the Gap and Creating Opportunities

The Office of Housing and Construction Standards and BC Housing have taken important steps towards increasing Indigenous self-reliance in the Indigenous housing sector, closing the gap between Indigenous housing both on- and off-reserve and mainstream housing conditions and creating opportunities for Indigenous communities to build capacity.

To these ends, current strategic priorities include:

- Creating more housing options for Indigenous Peoples by maximizing the number of affordable housing units created for Indigenous Peoples through provincial programs and partnerships.
- Helping to improve housing conditions on First Nation reserves through partnerships on asset management, capital planning and homeowner education.
- Providing \$750,000 over three years (2015 - 2018) to Safe Homes and Transition Houses in northern and rural/remote communities to assist primarily Indigenous women and children to access safe shelter or other support services they may require as part of the Provincial Office of Domestic Violence 3-year [Action Plan](#).
- Leveraging opportunities to promote employment, skills training and business development for Indigenous Peoples through the delivery of housing programs and business activities.
- Helping to build a strong Indigenous housing sector through a range of initiatives including existing development programs, supporting the Aboriginal Housing Management Association, and partnerships for the delivery of education and training to Indigenous housing providers and First Nations.
- Aligning with UNDRIP and continuing to support the self-administration of Indigenous housing programs and units where possible, including support for the Aboriginal Housing Management Association.
- Consulting with Treaty First Nations regarding legislative proposals such as the [Building Act](#) and [Safety Standards Act](#).
- Through BC Safety Authority (operating as Technical Safety BC), ensuring that safety standards such as the BC Electrical and Gas Codes are adopted on-reserve.

Provincial Programs and Services

There are a wide range of programs administered by BC Housing and projects that are underway or planned that support Indigenous Peoples and communities, including women and children:

- [Homeless Prevention Program](#) (HPP): designed to support individuals of both Indigenous and non-Indigenous descent, youth transitioning out of foster care, women who have experienced violence or are at risk of violence, and people leaving the correctional and hospital systems.
- [Aboriginal Homeless Outreach Program](#) (AHOP): this program is designed to specifically address the disproportionate number of Indigenous people who are homeless or at risk of homelessness. The outreach workers come from Indigenous, community-based

organizations and assist people 19 years and older as well as connect individuals under 19 with appropriate social programs and services.

- [Women's Transition Housing and Supports Program](#): provides space for women and children fleeing violence through safe homes, transition houses and second stage housing. These programs are encouraged to shelter and support young women under 19 by having a protocol with the Ministry of Children and Family Development. These programs will sometimes bring in young women that have *Agreements with Young Adults* and work to find space for them. This is especially true in northern communities where many of the women accessing the services are Indigenous.
- In addition, six of the transition houses and one safe home have either Indigenous focus or are operated by an Indigenous agency supporting Indigenous women.

New Funding and Partnerships: Providing Transformative Leadership on Indigenous Housing

British Columbia became the first province in Canada to transfer the management of Indigenous social housing to Indigenous Peoples. In 2004, the non-profit [Aboriginal Housing Management Association](#) (AHMA) became responsible for the administration of subsidy payments and operating agreements for all Indigenous social housing programs and services, including emergency shelters and the Aboriginal Homeless Outreach Program. In 2012, The Province transferred the administration of subsidized Aboriginal housing units and its Aboriginal housing programs over to AHMA.

In recognition of the need for better programs and supports that serve Indigenous women, children and families, the Province announced in June 2018 that a new \$550 million [Building BC: Indigenous Housing Fund](#) will be open to Indigenous organizations and First Nations to build and operate 1,750 units of social housing both on- and off- reserve. This will be the first provincial fund in the country that includes on-reserve housing.

The province also announced that all *Building BC* programs will be open to Indigenous organizations and First Nations for housing both on- and off-reserve. These programs include:

- [Building BC: Community Housing Fund](#) – \$1.9 billion over 10 years to deliver 14,350 affordable rental homes, built through partnerships and municipalities, non-profit housing providers, housing co-operatives and Indigenous organizations.
- [Building BC: Women's Transition Housing Fund](#) - \$734 million over 10 years to build and operate 1,500 new units of housing including transition housing, safe homes, second-state and long-term housing.
- [Building BC: Supportive Housing Fund](#) - \$1.2 billion over 10 years to build and operate 2,500 units of supportive housing for those who are homeless or at risk of homelessness.

In addition to these new initiatives, there are currently more than 4,600 subsidized housing units that are specifically designated for Indigenous Peoples in British Columbia, more than 700 Indigenous housing units are in development or under construction throughout the province,

and there are 19 housing projects currently under development through existing programs, totaling over 600 units both on- and off-reserve.

A New Housing Strategy:

In February, the Government launched [Homes for BC: A 30-Point Plan for Housing Affordability in British Columbia](#) as part of Budget 2018. Together, the Budget Update 2017 and Budget 2018 make an investment of over \$7 billion over the next 10 years to improve the housing conditions for all British Columbians in every corner of the province – urban, suburban and rural, including Indigenous Peoples. This is the biggest commitment to housing in the province’s history.

The government’s *30-Point Plan* addresses concerns about security for renters and housing stability for seniors, youth, and families as well as those experiencing homelessness. Budget 2018 invests \$116 million over 3 years to increase the average benefit under the Rental Assistance Program for working families and the Shelter Aid for Elderly Renters program. Due to these enhancements, more than 35,000 households become eligible for increased monthly benefits, including 3,200 newly eligible seniors and families. Indigenous women are not excluded from accessing these programs, services and housing options.

Success Stories

The government is celebrating innovative housing solutions for Indigenous women and children across the province.

Kamloops: *Kikékyelc: A Place of Belonging* is a 31-unit housing project for elders and youth from care that has begun construction in 2018. *Kikékyelc* is a landmark in breaking down silos between service providers and government ministries. It is also the first housing project in B.C. run by a Métis child welfare agency.

Victoria: The Government of British Columbia is partnering with the City of Victoria, Atira Women’s Resource Society and the Aboriginal Coalition to End Homelessness, to build new modular housing for Indigenous women, with 24/7 support services. Construction will begin in fall 2018 and be completed by spring 2019. Once operational, each of the 21 homes will include a bathroom and kitchen. Residents will also benefit from:

- 24/7 on-site staff support, including daily meal services, employment training, and culturally specific and life-skills programming;
- Health and wellness services, including mental-health and addictions treatment;
- A shared amenity space and access to laundry facilities; and
- Custodial and maintenance services.

Burns Lake: BC Housing is working with Carrier-Sekani Family Services and the Lake Babine Nation to build a safe house for women and children fleeing violence. The provincial government through BC Housing has already provided \$80,000 in a capital grant and will potentially provide an additional \$300,000 to support the project.

Kitimat: In partnership with the Haisla Nation and Tamitik Status of Women to develop a new mixed-use building including up to 12 transition house beds and up to 10 beds of second-stage housing for women and children. The project will also include up to 20 new affordable rental homes, including 10 accessible units for women and families in need.

Vancouver: BC Housing is working with the Aboriginal Women’s Centre in building and supporting a project for a 16 unit, second stage housing/transition house project for women and children. BC Housing has also provided governance, operational and leadership support for the past 15 years.

Nanaimo: BC Housing is working with the Snuneymuxw First Nation to develop a 10-bed transition house that will provide safe shelter and culturally accessible, appropriate and safe support services to Indigenous women and children at risk of violence and to those who have experienced violence.

Housing Projects Currently Under Development, 2018

PROJECT NAME	LOCATION_NAME	Additional Information	HOUSING_PROVIDER	TOTAL_UNITS
7561 140th Street, Surrey (Phase 1)	Fraser	7561 140th Street	Kekinow Native Housing Society	40
The Waterstone	Fraser		Mamele'awt Qweesome Housing Society	80
Rosewood - FRAFCA Youth Units (PRHC 8 UNITS)	Fraser	9687, 9677, 9671 - 137th Street	Fraser Region Aboriginal Friendship Centre Association	8
MQHS Abbotsford	Fraser	Fuller and Old Yale Road	Mamele'awt Qweesome Housing Society	60
Nissen Crossing: (1170 Highway 33 West)	Interior	1170 HIGHWAY 33 W	Okanagan Metis & Aboriginal Housing Society	78
1759 Highway 33 E Margaret's	Interior		Ki-Low-Na Friendship Society	48

Landing				
1811 Spruce Street, Prince George	Northern	1811 Spruce Street, Prince George	Aboriginal Housing Society of Prince George	27
The McLean Apartments	Northern	McLean Apartments, 424 McLean St	Dakelh & Quesnel Community Housing Society	30
1600 Park Ave., Prince Rupert Renovation	Northern		Prince Rupert Indigenous Housing Society	0
Kitkatla First Nation (Prince Rupert Blvd)	Northern	Prince Rupert Blvd, Prince Rupert	Prince Rupert Indigenous Housing Society	30
Lax Kw'alaams First Nation 8	Northern	Port Simpson, Lax Kw'alaams	Lax Kw'alaams Band	8
Lax Kw'alaams First Nation 10	Northern	Port Simpson, Lax Kw'alaams	Lax Kw'alaams Band	10
Kwayatsut/Mount Pleasant	Vancouver Coastal		Vancouver Native Housing Society	99
M'akola Braidwood Rd	Vancouver Island		M'akola Housing Society	25
340 Island Highway S., Campbell River	Vancouver Island		M'akola Housing Society	40
Rainbow Garden Expansion	Vancouver Island	6151 Russell Place	The Westcoast Native Health Care Society	10
Tsawaayuus (Rainbow Gardens)	Vancouver Island	5350 Russell St	The Westcoast Native Health Care Society	20

TBD, Akisqnuq Nation			Akisqnuq First Nation	0
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The Way Forward: Housing Choice, Opportunities and Control

The Office of Housing and Construction Standards recognizes the profound impact that the *Indian Act* has had on traditional Indigenous dwellings, family makeup and community social cohesion. Generations of Indigenous Peoples living in substandard housing conditions has affected their public reputations and sense of self and ability to live respectfully. Many Indigenous women were forced off their reserves and face barriers to returning. The Canadian public has expected Indigenous Peoples to produce the same housing results as in the mainstream but without the same opportunities. While we have identified several programs, policies and initiatives that are currently in place for Indigenous Peoples - and women – OHCS is also taking actions to improve our policy-making, programs and services by:

- Developing strategic housing partnerships with BC First Nations, Métis leadership and Indigenous housing providers to:
 - Identify priorities and research
 - Improve housing conditions and affordability on- and off-reserve
 - Leverage assets and resources
 - Align housing plans and strategies and support the self-administration of Indigenous housing
- Providing OCHS and BC Housing staff with opportunities to gain a stronger understanding of the cultural aspects related to Indigenous partnerships and housing, including educational training that provides an understanding of our colonial history.
- Recognizing new partnering with Indigenous groups through BC Housing’s [Progressive Aboriginal Relations Certificate](#).
- Preparing an OHCS Indigenous Relations Policy and Practice Guidelines that will guide staff on consultation and engagement procedures.
- Supporting the adoption of BC Building, Fire and Plumbing Code and Energy Step Code on-reserve through partnering with federal government departments, BC Housing and others to provide educational materials on building codes and standards on-reserve.

OHCS is committed not only to addressing the factors that contribute to the overrepresentation of all Indigenous people – including women – in core housing need and high rates of housing mobility, but also to work with Indigenous Peoples to ensure that housing programs and services are culturally informed, offer choice and opportunities for capacity-building and to control the Indigenous housing sector. Self-determination is critically important for achieving comparable housing on- and off-reserves that follows the styles and standards found in mainstream society.

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