

Homelessness Advocates Take City Back to Court over COVID-19 Shelter Crisis

TORONTO, July 6, 2020 — Homelessness advocates are taking the City of Toronto back to court, to enforce the City's compliance with its commitments regarding shelter conditions during the COVID-19 pandemic. The enforcement motion, brought by a public interest coalition including Sanctuary Ministries of Toronto, Aboriginal Legal Services, Advocacy Centre for Tenants Ontario, Black Legal Action Centre, Canadian Civil Liberties Association and HIV & AIDS Legal Clinic Ontario, is scheduled to be heard on 24 July 2020 by Justice Lorne Sossin of the Superior Court of Justice.

On 15 May 2020, in response to a lawsuit filed by the coalition in late April, the City entered into an Interim Settlement Agreement. This settlement applies to all shelters, respites, drop-ins and COVID-19 homelessness response hotel rooms that are operated or funded by the City of Toronto. Under the terms of this agreement, the City agreed to certain enforceable commitments about conditions in the shelter system.

In particular, the City committed to use its best efforts to achieve and thereafter sustain two metres of distance between all shelter beds, to end the use of bunk beds, and to provide a bed for anyone who has used the shelter system since 11 March 2020, even if they were forced to leave for any reason including due to fears of COVID-19. The City also agreed to provide regular reports to the coalition regarding its efforts to achieve physical distancing across the shelter system, and to answer questions from the coalition about those reports.

On 15 June 2020, the City asserted that it had reached full compliance with its obligations under the Interim Settlement Agreement. However, the coalition's enforcement motion raises serious complaints indicating that the City has not in fact reached compliance with its obligations. The coalition also has concerns with the City's lack of transparency and refusal to provide basic information about how it has purportedly verified that physical distancing standards have been achieved across all sites in the shelter system.

"Despite the City's claims of compliance, the City's Central Intake line continues on a daily basis to turn away individuals who are entitled to a shelter bed under the Settlement Agreement. This is not an occasional or unusual occurrence. Hundreds of people remain in encampments or are still sleeping rough due to difficulty finding shelter spaces, and the City's own data shows that the capacity of the shelter system has declined substantially since the start of the COVID-19 crisis" said Jessica Orkin, a lawyer at Goldblatt Partners representing the coalition.

"The City's lack of transparency, lack of accountability, failure to provide safe beds, and failure to increase the numbers of hotel rooms and alternatives to congregate shelter amounts to an ongoing failure to protect its vulnerable residents," said Greg Cook, outreach worker at Sanctuary Ministries of Toronto.

Since mid-March, over 617 people in the shelter system have tested positive for COVID-19, 4 have died and there have been 38 outbreaks in shelters sites. COVID-19 remains a serious problem for people experiencing homelessness in Toronto. The coalition is committed to

ensuring that the City complies fully with its legal obligations, to protect the lives of shelter residents but also the health of shelter employees and the public at large.

More information about the lawsuit against the City of Toronto can be found here:

<https://ccla.org/toronto-must-defend-homeless/>

Anyone who has information regarding inadequate physical distancing or unavailability of shelter beds in the Toronto shelter system is encouraged to fill out the form at COVIDShelterRights.ca. You do not have to give your name, and any information you provide about conditions in the Toronto shelter system is confidential and protected by legal privilege.

- 30 -

Quotes from the coalition members

“The COVID crisis has not ended for the most vulnerable residents of Toronto. Ensuring City shelters are safe and adequate is not only a commitment that the City promised to fulfill, it is a moral, legal, and humanitarian duty as well.”

- Noa Mendelsohn Aviv, Canadian Civil Liberties Association

For media inquiries, please reach out directly to each coalition member to set up an interview.

Jessica Orkin
416-979-4381
Goldblatt Partners LLP
jorkin@goldblattpartners.com

Greg Cook
416-457-9258
Sanctuary Ministries of Toronto
gregc@sanctuarytoronto.ca

Christa Big Canoe
416-697-5467
Aboriginal Legal Services
canoecd@lao.on.ca

Kenneth Hale
416-834-9645
Advocacy Centre for Tenants Ontario
shadpob@lao.on.ca

Ruth Goba
647-294-8480
Executive Director, Black Legal Action Centre
gobar@lao.on.ca

Noa Mendelsohn Aviv
647-780-9802
Equality Program Director, Canadian Civil Liberties Association
mendelsohnnaviv@ccla.org

Ryan Peck
416.340.7790 ext. 4047
HIV & AIDS Legal Clinic Ontario
peckr@lao.on.ca