

Domestic Violence:

Roles of Landlords and Property Managers

Final Report

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A Research Project by:

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Public
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Alberta

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Acknowledgements

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Domestic Violence in Rental Accommodation: An All Too Common Scenario

Jim, Maria, and their two children moved into their two bedroom apartment three years ago, shortly after the birth of their second child. The lease was in both Jim's and Maria's name and the family seemed to have settled in well. Jim always paid the rent on time and the property manager, Joanne, can recall no complaints of noise or misbehaviour of the young children.

But when the recession hit Alberta, Jim's hours of work were reduced and Jim's rent cheques started bouncing. Joanne chatted with Jim about the problem. He assured her that he had things under control and that, in the future, the rent would get paid on time. But after two more cheques bounced, Joanne decided to serve an eviction notice. She couldn't seem to catch Jim so she posted the notice on the door of the unit. That brought Maria to the office to say she would be leaving with the children because Jim had been getting increasingly violent when he was drinking. In fact, that night, Maria called the police because she was afraid Jim would hurt her or the children. The next morning, the young woman living in the unit adjacent to Jim and Maria stopped by the office and complained to Joanne about the angry noises she heard next door. She had even been afraid to go out for her groceries. Joanne did her best to reassure the young woman that steps were being taken to deal with the situation but Joanne is not at all confident herself about what is going on and what she should do.

- Does she have grounds to evict Jim and Maria? Should she give them a 24 hour eviction notice?
- What would happen to Maria and the kids? Should she call someone? Who?
- Where was Jim now? In police custody? Would he show up again? If so, would he be dangerous? Should she do something to protect Maria and the kids? Other tenants? Her staff?
- How would she collect the unpaid rent? What if he had damaged the unit? Should she go in to inspect it? How would she collect the money for repairs if there is damage?

Sadly Joanne's predicament is all too common. Her sister was once in an abusive relationship so she knows how hard it will be for Maria to deal with all the issues she is now facing. How can she help Maria without neglecting her duties to her other tenants and the company she works for?

Executive Summary

In November 2015, the Legal Resource Centre of Alberta Ltd. (operating as the Centre for Public Legal Education Alberta – CPLEA) received funding from Homeward Trust Edmonton to undertake research into the roles that landlords can play to support victims of domestic violence. In particular, CPLEA sought to determine the legal information that landlords would need to assist them in playing those roles effectively. This research forms part of a larger project to mobilize landlords, property managers, and their staff in supporting tenants experiencing domestic violence.

Our research was enriched by several other events and conversations that occurred during the period of our research. In particular, on hearing of our research, Ms Gudrum Helevuo-Burnet, Churchill Memorial Trust Fellow with Peabody in the United Kingdom, included a visit to Edmonton as part of her international research project to identify promising practices of housing providers in responding to domestic violence. Homeward Trust Edmonton took advantage of her visit to convene a round table to advance the discussion of these issues locally.

Although our research was confined to the Edmonton area, Mr Gerry Baxter, Executive Director of the Calgary Residential Rental Association has monitored our progress and contributed insights into how we might best work with the apartment owners sector. We have also validated our findings and recommendations with representatives of owners of large apartment complexes.

The Centre for Public Legal Education Alberta in partnership with both domestic violence agencies and residential apartment associations in Edmonton and Calgary are pursuing additional funding to enable them to improve the capacity of landlords to support victims of domestic violence. This work is expected to help end homelessness of vulnerable sub-populations in Alberta.

Research Questions

The broad questions addressed in this study are:

- What roles can landlords play in reducing homelessness of victims of domestic violence?
- What resources are needed to support landlords in effectively playing those roles?

Research Method

- A review of the literature and resources addressing the roles, strategies, and resources for landlords in addressing domestic violence on their premises. (See Appendix A)
- A list of educational resources dealing with domestic violence that might be suitable for use by landlords and property managers (See Appendix B)
- Interviews with six property managers representing five providers of rental properties including both market and social housing to identify common scenarios they encounter in dealing with domestic violence on their premises. (See Appendix C for interview protocol)

- Analysis by the research team of the scenarios provided by participants and identification of corresponding roles and responses. (See Appendix D)
- Follow up feedback from research participants on the usefulness of selected resources in addressing incidents of domestic violence on their premises. (See Appendix E)
- Identification of legal issues raised by research participants. (See Appendix F)

Key Findings

Both the recruitment process and the small number of research participants limit the nature and scope of the conclusions that can be drawn from this study. In particular, it was clear that participants were strongly motivated to help improve the circumstances of victims of domestic violence and were keen to provide whatever assistance they could. As a result, our findings likely reflect some of the best practices currently being followed by property managers. However, they do not reflect the full range of responses that might be more representative of the current state of understanding about the roles landlords and property managers can play in preventing and addressing incidents on their premises.

1. Roles of landlords and property managers

The most salient and encouraging finding of our research is that some property managers and the landlords they represent go to considerable lengths to prevent, intervene, and support victims of domestic violence as much as they can.

The most common scenario reported by research participants is that they only become involved with a tenant when the violence reaches the point where someone calls the police. However while the particulars of cases varied considerably, the research team discerned a pattern in the approaches taken by property managers in addressing the variety of situations they dealt with. A table capturing that pattern and identifying the corresponding roles that property managers and staff can play in preventing, intervening, and supporting victims, other tenants, and their staff in domestic violence on their premises is presented in Appendix D.

2. Educational resources and services

Research participants indicated that neither they nor their staff are aware of many of the resources and services available to assist victims of domestic violence. Nor are they adequately trained and supported in the roles they can play in preventing, recognizing, and addressing domestic violence on their premises.

Our scan of current resources to assist landlords and property managers revealed that there are a number of publically available resources on domestic violence that may be suitable for use in residential premises and some training resources that can be adapted for use for orienting front-line staff in recognizing and responding to suspected domestic violence. (See Appendix C) Research participants were asked to comment on a selection of these. Their comments are included in Appendix E.

3. Legal Issues

Interviews with research participants disclosed a number of legal issues about which there was lack of clarity or where reform of the law or legal practices might enable them to better assist their tenants. These relate primarily to the following topics:

- Reporting abuse to other emergency contacts, guarantors, other family members, service agencies
- Rights and responsibilities of tenants, residents, and guests
- Rights and responsibilities of landlords
- Legal processes
- Recovering costs of repairing damages to property

These topics are discussed in Appendix F. They need to be more fully explored and addressed to enable the legal environment to be more supportive of victims of domestic violence. Resources need to be developed to assist landlords and property managers to better understand the implications of the law in the context of tenants experiencing domestic violence.

NOTE: Bill 204 came into force during the period in which we conducted our research. However, research participants indicated that they had little or no direct experience with the legislation. Some indicated that they already make the equivalent arrangements available to victims.

4. Practice Issues

Although not originally anticipated in the research design, a number of practices of landlords were identified that influenced how they addressed issues of domestic violence.

- Screening of potential tenants
- Naming of tenants on the lease
- Difficulty in identifying potential and actual abuse
- Discretion in responding to incidents of violence

Conclusions

Property managers and their staff are often the first non-family members to become aware that violence is taking place in one of their units. Research participants demonstrated sincere compassion for those victims and welcomed suggestions and resources for preventing violence and assisting victims when it occurs. However there appears to be little recognition of the range of roles they could play and the resources and services available to assist them in those roles. Property managers may also be unaware of the risk factors and signs of abuse that are most likely to be apparent in multi-unit residential settings. They are also unclear about the application of the law to some situations they encounter and would welcome assistance in better understanding police and other legal procedures.

Recommendations

1. THAT landlords and property managers be recognized and supported as a front-line service in preventing and responding to domestic violence.
2. THAT domestic violence service agencies invite property managers to agency and interagency events that will assist them in better understanding domestic violence and in making effective referrals to resources and services of benefit to their tenants.
3. THAT a province-wide campaign be directed to housing providers to encourage them to make resources regarding domestic violence available to their staff and tenants.
4. THAT organizations representing residential landlords and major landlords make existing resources regarding domestic violence known to their members through events, newsletters, displays, and other outreach activities.
5. THAT landlords and property managers make existing resources regarding domestic violence known to their staff through staff manuals, meetings, bulletins, and other forms of in-house communication.
6. THAT landlords and property managers make information about domestic violence available to tenants on site by locating posters in common areas, distributing flyers to tenants, and making information regarding help-line services available as needed.
7. THAT resources for property managers and staff be adapted or developed to address the common patterns of intervention in domestic violence that occur in residential premises.
8. THAT self-care resources for property managers and staff be adapted or developed to assist them in dealing with the trauma they may experience in addressing incidents of domestic violence on their premises.
9. THAT training programs be provided to property managers through existing associations and other in-service opportunities where available. An outline of the suggested components of a training program are provided in Appendix G.
10. THAT further consideration should be given to ways that the law impedes or assists landlords in accommodating the needs of their tenants who are experiencing domestic violence.

Domestic Violence: Roles of Landlords and Property Managers Initiative

Domestic violence occurs in homes without regard to location, socio-economic status, gender, race, or age. Much of it is hidden and goes unreported to police so it is difficult to know how prevalent it actually is or how many people are affected directly and indirectly by the violence. However, Statistics Canada reports that in 2013, there were approximately 252.9 victims of domestic violence per 100,000 population in Alberta or 0.25% of the population.¹ According to a provincial government report, in 2012 a woman was a victim of some form of violence by an ex-spouse or ex-partner every hour of every day.²

According to Statistic Canada, in 2011 approximately 90,000 people in Alberta lived in apartments of over five stories³ and almost a million more lived in other forms of rental accommodation. Those figures suggest that at least 2500 incidents of domestic violence that were reported to police that year occurred in rented premises of some sort.⁴

Whether those figures accurately reflect the frequency of incidents, landlords and property managers of large apartment complexes are called upon to deal with domestic violence that occurs on their premises. Indeed, they, their staff, or their other tenants may be the first non-family member to become aware that abuse is taking place within a unit.

In larger apartment complex with on-site staff and in homes with suites, the landlord or property manager is ideally situated to see early signs that risk factors for abuse may be cumulating or that abuse might actually be occurring. They have rare access to units for inspections of one sort or another, and have relationships with tenants that may help them see patterns of behaviour that go beyond individual incidents of abuse and constitute warning signs that abuse is escalating. Mobilizing this front-line resource in support of victims of domestic violence may result in significant reduction in both the amount and nature of abuse.

This report describes the second phase of a research program regarding the intersection of residential tenancy law and domestic violence that was initiated in 2014. The first phase of this program stemmed from the Centre for Public Legal Education Alberta's (CPLEA) Laws for Landlords & Tenants program that provides information about residential tenancy law in Alberta. The results of that research were reported in *The Hidden Homeless: Residential Tenancies Issues of Victims of Domestic Violence* (funded by Homeward Trust and available at <http://www.cplea.ca/wp-content/uploads/2015/01/FINAL-Report-The-Hidden-Homeless.2014Jun05.pdf>).

1 *Family Violence In Canada: A statistical profile, 2013*. (Statistics Canada: Ottawa, January 15, 2015).

2 Lana M. Wells, Casey Boodt and Herb Emery, "Preventing Domestic Violence in Alberta: A Cost Savings Perspective," *SPP Research Papers*, 5, no. 17(2012), 7.

3 www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/famil55c-eng.htm retrieved March 8, 2017.

4 We have been unable to locate data to confirm this simple mathematical calculation. It is possible that incidents of domestic violence that occurs in rental property is more likely to be reported to police because the landlord or property manager intervenes. If so, the estimate suggested is low.

The Hidden Homeless study confirmed the link between domestic violence and homelessness. Not only are victims most vulnerable immediately after leaving abusive relationships, this is also when they are most likely to face discrimination by landlords. Not surprisingly, that combination of factors substantially increases their risk of becoming homeless. The study also found that the legal environment in which victims seek remedies exacerbates their problems. Victims typically experience multiple legal problems at the same time they are attempting to find or maintain safe, affordable, and appropriate housing. Resolving those legal problems is complex, expensive, time-consuming, and emotionally draining.

In the course of conducting the *Hidden Homeless* study and in follow up discussions with landlords, CPLEA found that Alberta landlords want to assist victims in finding and maintaining housing but that they are unclear as to what roles they can play and their legal position in doing so.

Domestic Violence: Roles of Landlords and Property Managers Phase II

In November 2015, the Legal Resource Centre of Alberta Ltd. (operating as the Centre for Public Legal Education Alberta) received funding from Homeward Trust Edmonton to undertake research into the roles that landlords can play to support victims of domestic violence. In particular, we sought to determine the legal information that landlords would need to assist them in playing those roles effectively.

Research Questions

The broad questions addressed in this study are:

- What roles can landlords play in reducing homelessness of victims of domestic violence?
- What resources are needed to support landlords in effectively playing those roles?

More specifically:

1. What scenarios do landlords typically encounter in dealing with domestic violence in their properties?
2. What strategies can landlords use in addressing domestic violence that occurs on their premises?
3. What knowledge do landlords need with respect to the phenomenon of domestic violence in order to appropriately respond to the needs of victims?
4. What knowledge of the law, legal processes, and services do landlords need in order to support victims?
5. What current legal remedies, services, interventions, and resources are available to help?
6. What additional legal resources are needed?
7. What changes to legislation and policies would equip landlords to better address issues of domestic violence on their premises?

Research Methods

The following activities were undertaken in this study:

- A review of the literature and resources addressing the roles, strategies, and resources for landlords in addressing domestic violence on their premises. (See Appendix A)
- A list of educational resources dealing with domestic violence that might be suitable for use by landlords and property managers (See Appendix B)
- Interviews with six property managers representing five providers of rental properties including both market and social housing to identify common scenarios they encounter in dealing with domestic violence on their premises. (See Appendix C for interview protocol)

- Analysis by the research team of the scenarios provided by participants and identification of corresponding roles and responses. (See Appendix D)
- Follow up feedback from research participants on the usefulness of selected resources in addressing incidents of domestic violence on their premises. (See Appendix E)
- Identification of legal issues raised by research participants. (See Appendix F)

This represents a change in the methodology from that which was originally proposed. The original plan to hold focus groups and a workshop to get feedback on resources was not feasible. It proved impossible to find a time that would suit a significant enough number of potential research participants to hold either focus groups or the proposed workshop. Accordingly the methodology was revised with approval of Homeward Trust Edmonton to conduct individual interviews with volunteers. The data gathered through those interviews was very substantial and enabled the research team to include providers of both market and non-market rental accommodation in the study as there was no concern that the discussions in the proposed focus groups might make it difficult to distinguish between the roles and opportunities of both types of rental situations.

Ethical approval for this project was granted by the University of Alberta on April 4, 2016. Approval of changes to the methodology was granted on August 10, 2016.

NOTE: Although the proposed workshop did not take place as originally intended, this project was of sufficient interest to Ms Gudrum Helevuo-Burnet, Churchill Memorial Trust Fellow with Peabody in the United Kingdom, that she included a visit to Edmonton as part of her international research project to identify promising practices of housing providers in responding to domestic violence. Homeward Trust Edmonton took advantage of her visit to convene a round table to advance the discussion of these issues locally.

Analysis

Scenarios provided by participants were reviewed by a domestic violence specialist with respect to the nature of the domestic violence described. The legal status of the parties involved in the incident and any legal issues disclosed in the interview were noted by the legal specialists on the research team. Practices of landlords were also noted by members of the research team where they related to the ability of victims of domestic violence to obtain or maintain rental accommodation.

Domestic violence issues related to

1. Risk factors and signs of abuse
 - Difficult to identify: not all noise, late payment of rent, damage to unit is indicative of abuse, abuse usually takes place within the unit and hidden from view
 - Economic situation leading to violent incident
 - Prior multiple charges and physical assault
 - History of emotional abuse

2. The nature of domestic violence

- Repeat incidents
- Power and control especially with respect to suicide threats

3. Effective intervention

- Difficulty in getting victim to discuss the problem
- Lack of knowledge of services for victims
- Lack of knowledge of police processes
- Lack of awareness of police/social worker teams; community-based policing
- Lack of knowledge of emergency protection orders
- Confusion with respect to various no-contact orders
- Lack of knowledge of tenants about domestic violence
- Lack of willingness of tenants to call police; fear of retribution by abuser
- Appropriate role of property managers: not social workers

4. Legal issues related to

- Reporting abuse to other emergency contacts, guarantors, other family members, service agencies
- Rights and responsibilities of tenants, residents, and guests
- Rights and responsibilities of landlords
- Legal processes
- Recovering costs of repairing damages to property

These are discussed in Appendix F. They need to be more fully explored and addressed to enable the legal environment to be more supportive of victims of domestic violence. Resources need to be developed to assist landlords and property managers to better understand the implications of the law in the context of tenants experiencing domestic violence.

NOTE: Bill 204 came into force during the period in which we conducted our research. However, research participants indicated that they had little or no direct experience with the legislation. Some indicated that they already make the equivalent arrangements available to victims.

Findings

Both the recruitment process and the small number of research participants limit the nature and scope of the conclusions that can be drawn from this study. In particular, it was clear that participants were strongly motivated to help improve the circumstances of victims of domestic violence and were keen to provide whatever assistance they could. As a result, our findings likely reflect some of the best practices currently being followed by property managers. However, they do not reflect the full range of responses that might be more representative of the current state of understanding about the roles landlords and property managers can play in preventing and addressing incidents on their premises.

1. Roles of landlords and property managers

The most salient and encouraging finding of our research is that some property managers and the landlords they represent go to considerable lengths to prevent, intervene, and support victims of domestic violence as much as they can.

The most common scenario reported by research participants is that they become involved when the violence reaches the point where they or someone else calls the police. However, while the particulars of cases varied considerably, the research team discerned a pattern in the approaches taken by property managers in addressing the variety of situations they dealt with.

Prevention: Creating a positive living community is seen as both a part of the mission of some apartment owners and a good business practice that reduces turnover in units.

Property managers engage in two types of activities that promote a sense of community among their tenants and with the communities in which they are located.

- Internal activities: movie nights, bridge clubs, art classes
- External activities: participation in community events as sponsors and organizers

These activities are intended to help residents feel comfortable in engaging with each other. In reducing the isolation of tenants, they address one of the common sources of vulnerability to abuse. Property managers report that community-based initiatives of the Edmonton Police Service provide valuable support to them in reducing crime of all types.

Early intervention: Property managers varied considerably in their ability to recognize early signs of domestic violence. Where they did see problems escalating they sometimes went to considerable lengths to assist victims. However, some research participants expressed concern about where to draw the line between being a property manager and an untrained social worker.

Escalation of violence: In many instances, property managers and their staff only become aware of incidents of domestic violence when police arrive. At that point they may offer to relocate the victim to another unit in their complex if one is available. Research participants also reported a variety of practices with respect to payment of rent, utilities, and damages in these cases.

Efforts to intervene in domestic violence sometimes fail and participants indicated that support for staff in dealing with their frustration varies. In those rare cases where a tenant is killed, staff may have access to an employee assistance program but property managers may be called on to make arrangements for grief or trauma counselling on an ad hoc basis.

A table more fully describing these roles, examples of how property managers perform their roles, relevant issues, and recommendations is provided in Appendix D.

2. Educational resources and services

Research participants indicated that neither they nor their staff are aware of many of the resources and services available to assist victims of domestic violence. They welcomed resources provided to them at the time of their interviews and responded favorably to resources provided to them for assessment. (See Appendix B and E)

Nor are they adequately trained and supported in the roles they can play in preventing, recognizing, and addressing domestic violence on their premises. In some cases, their employee manuals or staff meetings may provide some direction on how to deal with domestic violence situations.

Our scan of current resources to assist landlords and property managers (Listed in Appendix B) revealed that there are a number of publically available resources on domestic violence that may be suitable for use in residential premises and some training resources that can be adapted for use for orienting front-line staff in recognizing and responding to suspected domestic violence.

3. Legal Issues

Research participants had a high level of knowledge about the laws that affected their work as property managers. However, they tended to be unclear about the implications and nuances of the law as it related to various forms of domestic abuse on their premises. While they knew to phone police when acts of violence were happening, they were less clear about their options when the violence was reported to them after the fact or when they suspected abuse that was non-violent. They were also sometimes unclear about their rights to evict tenants and particularly adult residents that were not named on the lease. They also were not sufficiently aware of the various no-contact orders that might be obtained against an abuser.

Research participants also identified several ways in which the law restricts property managers from being more helpful to tenants experiencing domestic violence. These need to be more fully explored and addressed to enable the legal environment to be more supportive of victims of domestic violence.

4. Practice issues

Although not originally anticipated in the research design, a number of practices of landlords were identified that influenced how they addressed issues of domestic violence.

Screening of potential tenants. The practices of private providers of market housing and those of public providers of social housing differ. The vacancy rates in private market housing also influence those practices. Waiting lists for social housing are sufficiently long that vacancies are filled immediately. Private providers of housing indicated that their primary concern is the ability of the tenant to pay the rent. Social housing providers use a point system for ranking tenants which has the effect of preferencing women with children fleeing domestic violence.

Naming of tenants on the lease. Research participants indicated that their practice is to have all residents over a specified age listed on the lease so that they are all responsible for observing the obligations of tenants and therefore all have access to the unit. Where the primary tenant refuses to comply with this practice it can have the result that the victim of abuse cannot access the unit to remove her goods if she wishes to leave.

Difficulty in identifying potential and actual abuse. Property managers are not trained investigators and do not see this as their role. They prefer to have other tenants call police when they suspect abuse is occurring rather than reporting it to staff who have no direct knowledge of the alleged incident. Community-based policing initiatives are seen as very helpful in developing prevention strategies, establishing response protocols, providing staff training, and reassuring tenants that they can call police for assistance if needed. Positive police presence is seen as particularly helpful in encouraging new immigrants to seek police assistance for themselves or others.

Discretion in responding to incidents of violence. Many research participants indicated that they had considerable freedom in responding to victims. Some interact with victims repeatedly to offer assistance in getting help or barring guests. Where they have capacity to do so, some property managers will offer to relocate a victim to another unit in another development. Where police make a recommendation, property managers do their best to comply. They will do their best to assist the victim and abuser in removing their goods at different times to avoid further interaction. Many indicate that they will facilitate dealing with financial consequences by accepting the security deposit as full compensation for terminating the tenancy early, or by waiving penalties and other costs entirely. In appropriate situations, they will sever the tenancy, releasing the victim of all legal obligations and entering into a new lease with the abuser.

Conclusion

Property managers and their staff are often the first non-family members to become aware that violence is taking place in one of their units. Research participants demonstrated sincere compassion for those victims and welcome suggestions and resources for preventing violence and assisting victims when it occurs. However there appears to be little recognition of the range of roles they could play and the resources and services available to assist them in those roles. Property managers may also be unaware of the risk factors and signs of abuse that are most likely to be apparent in multi-unit residential settings. They are also unclear about the application of the law to some situations they encounter and would welcome assistance in better understanding police and other legal procedures.

Recommendations

1. THAT landlords and property managers be recognized and supported as a front-line service in preventing and responding to domestic violence.
2. THAT domestic violence service agencies invite property managers to agency and interagency events that will assist them in better understanding domestic violence and in making effective referrals to resources and services of benefit to their tenants.
3. THAT a province-wide campaign be directed to housing providers to encourage them to make resources regarding domestic violence available to their staff and tenants.
4. THAT organizations representing residential landlords and major landlords make existing resources regarding domestic violence known to their members through events, newsletters, displays, and other outreach activities.
5. THAT landlords and property managers make existing resources regarding domestic violence known to their staff through staff manuals, meetings, bulletins, and other forms of in-house communication.
6. THAT landlords and property managers make information about domestic violence available to tenants on site by locating posters in common areas, distributing flyers to tenants, and making information regarding help-line services available as needed.
7. THAT resources for property managers and staff be adapted or developed to address the common patterns of intervention in domestic violence that occur in residential premises.
8. THAT self-care resources for property managers and staff be adapted or developed to assist them in dealing with the trauma they may experience in addressing incidents of domestic violence on their premises.
9. THAT training programs be provided to property managers and small landlords through existing associations and in-service opportunities where available. An outline of the suggested components of a training program are provided in Appendix G.
10. THAT further consideration should be given to ways that the law impedes or assists landlords in accommodating the needs of their tenants who are experiencing domestic violence.

Dissemination and Impact

The report of this research project will be shared with the research participants, the Alberta Residential Landlord Association, the Calgary Residential Rental Association, the Alberta Council of Women's Shelters, members of the Service Alberta's Alberta Residential Tenancies Advisory Council (ARTAC), members of the Community Initiatives Against Family Violence (CIAFV), and the family violence prevention unit of Alberta Human Services. A presentation on this research to CIAFV members took place on February 15, 2017. An event for members of ARLA is currently being planned and the research report will be on the agenda of the next ARTAC meeting.

The research report will be posted on the CPLEA website (www.cplea.ca) with links to it from other CPLEA sites including its Landlord and Tenant website (www.landlordandtenant.org); WillowNet, its domestic violence website (www.willownet.ca); Oaknet, which includes information on elder abuse (www.oaknet.ca); and LawCentral Alberta, CPLEA's portal to law-related resources (www.lawcentralalberta.ca).

The table capturing the pattern in responses of property managers to incidents of domestic violence, the list of resources identified as being of use to them, and the suggested components of a staff training program will provide a useful basis for development of in-house educational resources for providers of rental accommodation and the adaptation or development of resources to address that pattern. Opportunities for implementing those recommendations are currently being pursued by CPLEA in partnership with domestic violence agencies and residential apartment associations in Edmonton and Calgary.

We will also use social media to make these research findings known to a broader audience and will feature the topic of residential tenancies and domestic violence in our online e-magazine, LawNow.

References

Family Violence In Canada: A statistical profile, 2013. (Statistics Canada: Ottawa, January 15, 2015).

Lana M. Wells, Casey Boodt and Herb Emery, "Preventing Domestic Violence in Alberta: A Cost Savings Perspective," SPP Research Papers, 5, no. 17(2012), 7.

www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/famil55c-eng.htm retrieved March 8, 2017.

Appendices

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Domestic Violence: Roles of Landlords and Property Managers

Appendix A- Annotated Bibliography

This bibliography was compiled as part of the literature review for the Homeward Trust Community Research Project 2015/2017 completed by the Centre for Public Legal Education Alberta (CPLEA). The review concentrated on the literature and resources that deal with the roles, strategies, and resources for Alberta landlords in addressing domestic violence on their premises. Very little information was found on that specific topic so the review was widened to include more general articles and resources available for dealing with domestic violence and tenancy matters in other jurisdictions.

In conducting this review, CPLEA searched:

- University databases;
- public legal education organizations (Canadian and other jurisdictions);
- tenant serving organization websites;
- Government websites such as the Canada Mortgage and Housing Corporation, Government of Alberta, Government of Canada; and
- Community-based organizations.

Articles, research papers, and publications such as help guides, tip sheets and online resources were assessed to see if they included any information focusing on domestic violence and residential tenancies issues. Each document was examined and categorized as being relevant to residential tenancies issues and domestic violence in Alberta or to the topic more generally.

Many of the documents and resources identified in the review focused on providing information to the victims of domestic violence as opposed to educating landlords in the role that they can play in alleviating the stresses of domestic violence. Many of the articles and papers focused solely on the relationship between domestic violence and homelessness. Other documents focused on other jurisdictions but had no reference to Alberta. There were also a number of resources for Canadian renters in general that had no specific reference to domestic violence or the role of landlords in addressing domestic violence.

CPLEA's intent is that this bibliography will serve as a starting point for further research and will contribute to the knowledge base of the Edmonton research community in raising awareness of the legal barriers faced by survivors of domestic violence.

Appendix A

Canada

Acacia Consulting & Research. (2006). *Cycles of Homelessness: Understanding Eviction Prevention and Its Relation to Homelessness*. Ottawa: online: http://www.halifax.ca/qol/documents/Evictions_FinalHighlightsReport.pdf

The 12-month study entitled “Cycles of Homelessness: Understanding Eviction Prevention and its Relationship to Homelessness” responds to three research questions:

1. What are the characteristics of tenants served with eviction notices and tenants who are evicted?;
2. What are the key points of intervention in the eviction process and what specific approaches are most successful at these points in maintaining security of tenure?
3. What are the best practices of eviction prevention models for populations at risk of homelessness and/or people who have recently experienced a bout of homelessness?

Principle conclusions are that eviction prevention cannot be equated with homelessness prevention; threat of eviction is an important and useful indicator of crisis; and making a real impact on homelessness requires new public policy and investment.

Canada Mortgage and Housing Corporation. Policy and Research Division (2006). *Housing Discrimination Against Victims of Domestic Violence*. Ottawa: Canada Mortgage and Housing Corporation. online: <http://www.cmhc-schl.gc.ca/odpub/pdf/65096.pdf>

This study, under the External Research Program (ERP) funded by Canada Mortgage and Housing Corporation (CMHC), attempted to find out if landlords discriminate against battered women. The results suggest that housing discrimination against battered women exists, although the reasons for the discrimination are less clear.

Thurston, W. E., Roy, A., Clow, B., Este, D., Gordey, T., Haworth-Brockman, M., Carruthers, L. (2013). Pathways Into and Out of Homelessness: Domestic Violence and Housing Security for Immigrant Women. *Journal of Immigrant & Refugee Studies*, 11:278–298. Routledge.

Housing insecurity is a major barrier to leaving domestic violence; it may force abused women to live in inadequate conditions or to return to their abusers. Immigrant women face additional barriers. Longitudinal interviews with 37 abused immigrant women living in three Canadian cities investigated key causes of housing insecurity. Results show a need to target systemic factors, a diversity of issues foregrounded along pathways into and out of homelessness, and complex indicators of risk. Advocacy is key to exiting abuse and obtaining secure housing, and cultural competency in services is needed to adequately support immigrant women experiencing domestic violence.

Appendix A

Canada Mortgage and Housing Corporation. (2006). *Housing Discrimination Against Victims of Domestic Violence*. Ottawa: Canada Mortgage and Housing Corporation. online: <http://www.cmhc-schl.gc.ca/odpub/pdf/65096.pdf>

This study, under the External Research Program (ERP) funded by Canada Mortgage and Housing Corporation (CMHC), attempted to find out if landlords discriminate against battered women. The results suggest that housing discrimination against battered women exists, although the reasons for the discrimination are less clear.

Alberta

Alberta Works. (2011). *Supports for Albertans Fleeing Abuse*. Alberta Works. online: http://humanservices.alberta.ca/documents/RRM-PUB_fs_supports_fleeing_abuse.pdf

Fact sheet addressed the financial support available for getting to safety; setting up a new household; and starting a new life.

Calgary Domestic Violence Collective (CDVD) (2013). *Surviving Not Thriving: Barriers to Housing for People Leaving Violence: Priorities and Recommendations*. Calgary, AB: Calgary Action Committee on Housing and Homelessness (CACHH) online: <http://www.aventa.org/pdfs/sntreportnov2013.pdf>

Understanding the intersection of domestic violence and homelessness is critical in addressing the unique needs of people fleeing violence and preventing housing instability and homelessness in this population. The Calgary Domestic Violence Collective (CDVC) hosted a workshop to bring together key stakeholders in the domestic violence and housing and homeless sectors to begin to explore barriers and build capacity to collectively address issues at this intersection. This report contains a summary of findings from the workshop as well as community identified priorities and recommendations for action.

Gander, Lois & Johansson, Rochelle. (2014) *The Hidden Homeless: Residential Tenancies Issues of Victims of Domestic Violence*. Edmonton, AB: Centre for Public Legal Education Alberta. online: <http://www.cplea.ca/wp-content/uploads/2015/01/FINAL-Report-The-Hidden-Homeless.2014Jun05.pdf>

This study was undertaken to better understand the legal context within which victims of domestic violence operate in staying in, leaving, and finding new rental housing. Its purpose is to contribute to preventing at-risk populations from entering or returning to homelessness. The study concluded that the legal context within which a victim of domestic violence finds herself as she attempts to address her need for housing is complex.

Appendix A

Koshan, Jennifer and Watson Hamilton, Jonnette. *The Residential Tenancies Act and Domestic Violence: Facilitating Flight?* (Dec. 4, 2015), ABlawg (blog), online: <http://ablawg.ca/2015/12/04/the-residential-tenancies-act-and-domestic-violence-facilitating-flight/>

This blog post provides commentary on Alberta Bill 204: *Residential Tenancies (Safer Spaces for Victims of Domestic Violence)* Amendment Act, 2015. The post provides details on Bill 204 and raises questions and concerns regarding definitions and terminology of domestic violence, standards in assessing the presence of domestic violence, procedural complexities, and monetary impact when the victim is in a longer term tenancy.

Johannson, Rochelle. *Domestic violence, renting and the law*. (2014) LawNow. Vol. 38:3. online: <http://www.lawnow.org/domestic-violence-renting-law/>

The column discusses the interconnected relationship between domestic violence, residential tenancy law, and homelessness. The writer discusses the different legislative approaches provinces have used to help deal with the intersection of domestic violence and rental housing and outlines the findings of research papers published in recent years.

Kolkman, J., Ahorro, J., Edmonton Social Planning Council, Edmonton Coalition on Housing and Homelessness. (2012). *Understanding Tenancy Failures and Successes: Final Report*. Edmonton: Edmonton Social Planning Council; Edmonton Coalition on Housing and Homelessness. online: http://homewardtrust.ca/images/resources/2013-02-06-14-21ESPC-ECOHH_FinalReport_Oct2012.pdf

Based on a literature review, 8 focus groups, and an online survey, the authors found that an inability to afford suitable and safe rental accommodation was a recurrent theme. The root cause is incomes that are too low relative to market rents, with income support not keeping up with increases in rent costs. A number of housing quality concerns were identified by the research project, as well as the importance of better integrated, more effective support services to keep people housed.

Service Alberta. (2016) *Residential Tenancies (Safer Spaces for Victims of Domestic Violence) Amendment Act*. online: Service Alberta http://www.servicealberta.gov.ab.ca/pdf/tipsheets/RTA_Safer_Spaces.pdf

The *Amendment Act* was proclaimed in August of 2016.. The changes in the act allowed victims of domestic violence to end a tenancy early and without financial penalty. This tipsheet provides information for landlords and tenants on when the legislation applies, how to apply for a certificate and other supports.

Appendix A

Wells, L., Boodt, C., Emery, H. (2012). *Preventing Domestic Violence in Alberta: A Cost Savings Perspective*. School of Public Policy Research Papers, 5(17):1-16. Calgary: University of Calgary, School of Public Policy. Online: <http://www.canadianwomen.org/sites/canadianwomen.org/files/PDF--domestic-violence-alberta.pdf>

Recent studies show that Alberta has the fifth highest rate of police reported intimate partner violence and the second highest rate of self-reported spousal violence in Canada, and despite a 2.3 percent decline over the last decade, the province's rate of self-reported domestic violence has stubbornly remained among the highest in Canada. This brief paper offers a cogent summary of its costs, and the benefits that could be reaped by investing in quality prevention and intervention programs, making it essential reading for policymakers and anyone else prepared to use them.

British Columbia

West Coast Leaf (2014). *Amending the Residential Tenancy Act to Protect Victims of Domestic Violence*. Vancouver, BC: West Coast Leaf. online: West Coast Leaf, December 2016. <http://www.westcoastleaf.org/wp-content/uploads/2014/11/2014-04-20-SUBMISSION-Amending-the-RTA-to-Protect-Victims-of-Domestic-Violence.pdf>.

West Coast LEAF proposed in a briefing note an amendment to BC's *Residential Tenancy Act* (the RTA) to ensure that victims of violence are able to end their fixed-term tenancies without penalty in order to escape violence and abuse. The amendment would also provide protection to landlords and support landlords to meet their obligations to ensure their tenants' rights to quiet enjoyment in their homes.

Howell, Mike. *Rental agreements trap domestic violence victims* (Nov. 16, 2015) Vancouver, BC: Vancouver Courier. online: Vancouver Courier <http://www.vancourier.com/news/rental-agreements-trap-domestic-violence-victims-1.2112379>

This article appeared in the Vancouver Courier on November 16, 2015. It provides commentary on BC's current legislation on rental agreement and domestic violence victims. At the time the BC *Residential Tenancy Act* did not allow a tenant to end a fixed-term lease unless the landlord agrees. The article goes on to note the introduction of a bill and how if passed would provide a framework for assisting tenants who are experiencing or have experienced domestic violence.

Appendix A

Manitoba

Manitoba. Legislative Assembly. *Residential Tenancies Amendment Act* (Expanded Grounds for Early Termination) S.M. 2001, c48. (2011) online: Manitoba. Legislative Assembly <http://web2.gov.mb.ca/laws/statutes/2011/c04611e.php#2>

Manitoba. Residential Tenancies Branch. Giving Notice – Information for Tenants. (2013) online: Residential Tenancies http://www.gov.mb.ca/cca/rtb/resource_list/givingnotice_t.pdf

This Fact Sheet provided by the Branch outlines when tenants may give landlords notice to end a tenancy. The length of notice depends on the reason for notice. One of the reasons listed for early termination of a lease is when a tenant is a victim of domestic violence or stalking.

Northwest Territories

Northwest Territories. Dept. of Justice. Rental Office. (August 31 2015) *Residential Tenancies Act changes*. online: Rental Office <https://www.justice.gov.nt.ca/en/2015/08/residential-tenancies-act-changes/>

This notice is issued by the Dept. regarding, Bill 42: An Act to Amend the Residential Tenancies Act outlined changes and detailed procedures affecting landlords and tenants regarding termination of a lease due to domestic violence.

Nova Scotia

Nova Scotia. Family Law. *Ending a lease early - Domestic Violence Certificates*. (23 June 2014) online: <http://www.nsfamilylaw.ca/family-violence/ending-lease-early-domestic-violence-certificates>

A series of FAQs that answer questions for landlords and tenants on how a tenant can end their lease early through the use of Domestic violence Certificates. The information is also available in a printfriendly format.

Legal Information Society of Nova Scotia (LISNS). (2017) *Landlord & tenant rules (residential)*. online: LISNS <http://www.legalinfo.org/housing-owning-renting-neighbours/1-landlord-tenant.html>

This webpage on the LISNS website provides basic information and links to resources for landlords and tenants, about the *Residential Tenancies Act* (RTA'), which is the law that sets out the rights and responsibilities of residential landlords and tenants in Nova Scotia. The page also provides information on the exception to the normal notice periods for ending a lease if a tenant is a victim of domestic violence, as well as the rules and procedures landlords and tenant must follow as required by the legislation.

Appendix A

Nova Scotia. Residential Tenancies. (2017) *Changes to the Residential Tenancies Act*. online: N.S. Residential Tenancies <http://www.novascotia.ca/sns/access/land/residential-tenancies/tenant/changes-to-the-residential-tenancies.asp>

This webpage provides basic information on changes to the Nova Scotia *Residential Tenancies Act* re: domestic violence which came into effect on November 15, 2012. Links to forms and information on victim services are also included.

Ontario

Ontario Non-Profit Housing Association. (2012). *Domestic Violence: What a landlord needs to know*. Ontario: Ontario Non-Profit Housing Association.

An overview of landlords' legal obligations under various pieces of legislation and an explanation of terminology. It will also provide a framework for assisting tenants who are experiencing or have experienced violence. A basic understanding of what domestic violence is and how it impacts individuals, families and communities is included to help landlords better understand the issues related to domestic violence. ONPHA also provides information sessions for landlords to help them understand what their obligations are under the *Residential Tenancies Act* and practical ways they can support families experiencing violence.

Western. Centre for Research and Education on Violence Against Women and Children. *Make it our Business: Addressing Domestic Violence in the Workplace*. (15 December 2016) online: www.makeitourbusiness.ca/

Make It Our Business provides information and education to help employers and other workplace stakeholders to meet their obligations under the *Ontario Occupational Health and Safety Act*. They develop resources that help employers and other workplace stakeholders to prevent workplace domestic violence and support employees at risk of or currently experiencing domestic violence. The site provides information on how employers, supervisors, managers, human resources professionals, security personnel, union representatives, and co-workers can recognize abusive relationships, respond to domestic violence, and refer victims and abusers to supports that offer help.

Western. Centre for Research and Education on Violence Against Women and Children. *Neighbours, Friends, and Family*. (15 December 2016) online: <http://www.neighboursfriendsandfamilies.ca/>

Neighbours, Friends and Families is a public education campaign designed to raise awareness of the signs of woman abuse. The campaign is funded by the Ontario Women's Directorate. The Centre for Research & Education on Violence against Women & Children at Western University manages the campaign.

Appendix A

Quebec

Éducaloi. *Ending a Lease for Spousal or Sexual Violence*. Montreal, QC: Éducaloi. (2017) online: <https://www.educaloi.qc.ca/en/capsules/ending-lease-spousal-or-sexual-violence>

This information is provided by Éducaloi, a public legal education organization. This series of FAQs are for tenants and landlords to help them understand how a victim of domestic violence can end their tenancy early.

Saskatchewan

Saskatchewan. Queen's Printer. *Victims of Interpersonal Violence Act*. Chapter V-6.02 of the Statutes of Saskatchewan, 1994 (effective February 1, 1995) as amended by the Statutes of Saskatchewan, 2010, c.15; 2015, c.24; and 2016, c.28. online: Queen's Printer <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/V6-02.pdf>

In 1994, Saskatchewan was the first Canadian province to pass victims of domestic violence legislation. The *Victims of Interpersonal Violence Act* replaces the 1994 legislation. Changes addressed in the new legislation covers domestic violence and housing regardless of ownership.

United Kingdom

Domestic Abuse Housing Alliance (DAHA). (2017) London, UK. online: <http://www.peabody.org.uk/resident-services/safer-communities/domestic-abuse/daha>

DAHA's mission is to improve the housing sector's response to domestic abuse, through an accreditation process which assesses individual housing providers and supports them to improve their practice. DAHA's "Domestic Abuse: Good Practice for Housing Providers" training course is for anyone who works in housing, particularly those who aren't domestic abuse specialists.

Peabody. *Domestic Abuse: Good practice for housing providers*. London, England (13 March 2017) online: <http://www.peabody.org.uk/media/2590/domestic-abuse-flyer.pdf>

Flyer describing a one-day housing course designed to instruct landlords/housing providers on how to undertake a risk assessment and implement an action plan to refer victims of domestic violence to appropriate services.

Shelter England/Scotland. *Where to get help if you're experiencing domestic abuse, your options, your rights and how to stay safe*. London, England (14 Sept. 2016) online: http://england.shelter.org.uk/get_advice/domestic_abuse/staying_at_home

Shelter England and Scotland is a registered charity. Its mandate is to help people who are struggling with bad housing or homelessness through advice, support and legal services. This page on their website provides information for tenants who are victims of domestic violence.

Appendix A

United States

American Civil Liberties Union. (2008). *Domestic Violence and Homelessness*. American Civil Liberties Union. online: ACLU https://www.aclu.org/pdfs/womensrights/factsheet_homelessness_2008.pdf

This Fact Sheet summarizes information from studies that confirm the connection between domestic violence and homelessness and suggest ways to end the cycle in which violence against women leads to life on the streets.

LawHelp.org/DC. *Frequently Asked Questions About Domestic Violence and Rental Housing for Landlords*. D.C. Bar Pro Bono Center . (6 September 2011) online: LawHelp.org/DC <http://www.lawhelp.org/dc/resource/frequently-asked-questions-about-domestic-vio-1?ref=DTF8X>

A series of frequently asked question for landlords and tenants authored by the D.C. Bar Pro Bono Center. The questions discusses the obligations a landlord has if they determine a tenant is the victim of domestic violence. The site also provides links to more information for landlords on what is considered "domestic violence" under D.C. law.

National Housing Law Project. (2013). *Housing Rights of Domestic Violence Survivors: A State and Local Law Compendium*. Oakland, CA: National Housing Law Project.

A compendium of state and local laws that affect domestic violence survivors' housing rights. It is designed to serve as a starting point for advocates seeking to conduct research on the housing protections that their state laws offer for domestic violence survivors.

National Housing Law Project. (2009). *Domestic Violence and Housing: A Toolkit for California Advocates*. Oakland, CA: National Housing Law Project. online: <https://www.nhlp.org/files/NHLP%20Domestic%20Violence%20&%20Housing%20Manual.pdf>

The toolkit covers the following information: finding housing and resources for survivors; survivors' rights in applying for housing; safety planning in rental housing; common landlord-tenant issues survivors encounter; survivors' rights under fair housing laws; housing rights of survivors with disabilities; the *Violence Against Women Act* and rights of survivors in federally; subsidized housing evictions and subsidy terminations in federally subsidized housing; and increasing survivors' access to housing.

Appendix A

Nevada. Civil Law Self-Help Centre. Tenant's Right to Terminate a Lease Due to Domestic Violence. (13 March 2017) online: The Centre <http://www.civillawselfhelpcenter.org/self-help/evictions-housing/more-topics/206-tenants-right-to-terminate-lease-due-to-domestic-violence>

This page on the Self-Help Centre provides an overview for landlords on a tenant's right to terminate their lease early when they are a victim of domestic violence. The site provides sample letters, forms, and a guide on Nevada residential tenancy legislation.

Northwest Justice Project. *Landlord/Tenant Issues for Survivors of Domestic Violence, Sexual Assault, and/or Stalking*. (February 18, 2014) Northwest Justice Project online: <http://www.washingtonlawhelp.org/files/C9D2EA3F-0350-D9AF-ACAE-BF37E9BC9FFA/attachments/3928251B-B3D0-3E9D-F621-19319DF0FC5E/6304en.pdf>

Resource explains how tenants who are victims of domestic violence, sexual assault, or stalking now have increased protection under the Residential Landlord Tenant Act (RLTA). In addition to FAQs, sample forms and letters to landlords are provided.

National Law Center on Homelessness & Poverty. *Housing Discrimination Against Abused Women*. (February 18, 2014) online: National Law Center on Homelessness & Poverty <http://www.ncdsv.org/images/DVHousingDiscrimination.pdf>

This fact sheet explains tenant rights and options under federal and state laws if a tenant has been evicted, denied a housing benefit, or denied rental housing by their landlord after the landlord has learned that the tenant has been a victim of domestic violence.

Tenants Union of Washington State. *Domestic Violence Protections for Renters*. (13 March 2017) online: The Union <http://www.tenantsunion.org/en/rights/domestic-violence-protections-for-renters>

In Washington State the *Landlord-Tenant Act* allows survivors of domestic violence, sexual assault, stalking or unlawful harassment to break a lease and move if necessary. This website provides information and resources for tenants and landlords on the housing rights of domestic violence survivors and the options that are available to keep them safe.

Weiser, W. R., Boehm, G. (2002). *Housing Discrimination Against Victims of Domestic Violence*. Clearinghouse Review, 35, 708-718. Chicago: Clearinghouse Review.

This article discusses ways in which federal and state fair housing laws may be used to assist domestic violence victims who face eviction or lose housing opportunities because they are victims of domestic violence.

Appendix A

Whitehorn, E. M. (2007). *Unlawful Evictions of Female Victims of Domestic Violence: Extending Title VII's Sex Stereotyping Theories to the Fair Housing Act*. Northwestern University Law Review 101(3), 1419 – 1457. Chicago: Northwestern University School of Law. (18 February 2014) online: <http://www.law.northwestern.edu/lawreview/v101/n3/1419/LR101n3Whitehorn.pdf>

This article proposes the extension of Title VII's sex stereotyping theories to the *Fair Housing Act* in the U.S. It argues that women who are victims of domestic violence and evicted from their homes based on the criminal actions of their abusers should be able to file claims for sex discrimination under the *Fair Housing Act*. It further discusses two theories of sex stereotyping developed under Title VII jurisprudence of the *Civil Rights Act* of 1968 that female victims of domestic violence can use in claiming for sex discrimination and looks at the one-strike policies used by landlords in the country to evict female victims of domestic violence.

Australia

Western Sydney Community Legal Centre. (2012). *Domestic Violence and Renting*. Windsor, NSW: Hawkesbury Nepean Community Legal Centre Inc. (13 March 2017) online: (www.clcnsw.org.au/public_resource_details.php?resource_id=303)

This booklet outlines the options available to tenants under the NSW *Residential Tenancies Act 2010* if they are living in a rental property and experiencing domestic abuse. Answers to five key questions relating to the nature of tenancy; whether domestic violence is an issue; and user preferences for staying/leaving the rental property are provided.

Residential Tenancies Authority. *Domestic and family violence information for tenants fact sheet 12*. (August 2014) online: The Authority <https://www.rta.qld.gov.au/Resources/Fact-sheets/General-tenancy-fact-sheets/Domestic-violence-information-for-tenants-fact-sheet>

This is one of several fact sheets that have been prepared specifically for tenants and property managers/owners in general tenancies in Queensland: houses, townhouses, units and houseboats. These types of accommodation are covered by the *Residential Tenancies and Rooming Accommodation Act 2008*. The fact sheet provides information for tenants who are experiencing domestic violence and want to end their tenancy using a domestic violence order.

Tenants Union of New South Wales. *Domestic Violence and your Tenancy*. (December 15, 2016) online: <https://tenants.org.au/factsheet-12-domestic-violence>

Information on tenancy issues for renters in New South Wales who want to leave a domestic violence situation. The information is available both online and in print.

Appendix A

Tenants Union of Victoria. Family Violence Protection Tenancy Kit: What you can do if you are renting. Victoria, AU. (December 2016) online: <http://www.tuv.org.au/family-violence-protection>

The Tenants Union of Victoria mandate is to inform and educate tenants about their rights, improve conditions for tenants, improve the status of tenants, and represent the collective interests of tenants in law and policy making. This kit was designed for support workers and advocates who assist people affected by family violence. The purpose of the kit is to help people in rental housing to know their rights, have a secure home and limit any financial loss.

New South Wales. Fair Trading. *Domestic violence in a rented property: What tenants and occupants need to know*. (February 2014) online: Fair Trading http://www.fairtrading.nsw.gov.au/Factsheet_print/Tenants_and_home_owners/Renting_a_home/During_a_tenancy/FTR75_Domestic_violence_in_a_rented_property.pdf

This fact sheet was produced by the government of New South Wales, Australia. It provides information to tenants on the steps they can take under the tenancy agreement to improve their safety. Topics covered include: changing the locks, requesting a change to the tenancy agreement, ending the lease early and where to find advice and support.

South Australia. Consumer and Business Services. Domestic Violence Protections for the Tenancy Sector: Information Paper. (13 March 2017) online: Consumer and Business Services <https://www.cbs.sa.gov.au/renting-and-letting/domestic-violence-protections-for-the-tenancy-sector/>

This paper provides an overview of legislative changes aimed at providing support victims of domestic violence in the tenancy sector to leave a hostile environment or remove the perpetrator from the environment, without incurring further unfair expenses caused by the perpetrator, and to minimise any further dealings with the person in relation to the tenancy in the future. It also provides a link to an information sheet for consumers on domestic violence protections for the tenancy sector.

Tenancy WA Inc and Network of Tenant Advocates. (April 2014) *Submission to Law Reform Commission of WA Project 104: Enhancing Family and Domestic Violence Laws*. Perth: New South Wales.

Tenancy WA Inc. is an independent not-for-profit specialist community legal centre. They provide free, quality legal services to residential tenants across Western Australia including a statewide tenant's advice line. As the Central Resource Unit of the Tenant Advice and Education Service program, Tenancy WA provides community legal education, professional development for advocates and law reform advocacy. In 2014, Tenancy WA consulted with the Network of Tenant Advocates to prepare this submission.

Domestic Violence: Roles of Landlords and Property Managers

Appendix B- Learning Resources

Alberta Society for the Prevention of Cruelty to Animals

Get out and keep them safe, too – Brochure
The Cruelty Connection – Publication

Alberta. Children's Services

Let the healing begin: Information on family violence for Metis People (2000) – Pamphlet
End the silence. Stop the violence (2007) – Poster
Health Care Client (2007) – Wallet Card

Alberta. Solicitor General

(2004) Financial Benefits for Victims of Violent Crime

Alberta. Human Services

(2008) If You Call, We Can Help. Family Violence Info Line – Postcard

Service Alberta

(2016) Residential Tenancies (Safer Spaces for Victims of Domestic Violence) Amendment Act. (Consumer Tips)

Canada. Dept of Justice

(2009) Abuse is Wrong – Pamphlet

Appendix B

Centre for Public Legal Education Alberta

LawCentral Alberta/ www.lawcentralalberta.ca

Canadian Legal FAQs/ www.law-faqs.org

WillowNet: Abuse and the Law in Alberta www.willownet.ca

Alberta's Protection Against Family Violence Act (PAFVA). How you can use the law to keep your abuser away. Tipsheet

Families and the Law: Domestic Violence Series (Information sheets)

Domestic Violence: How the Police Can Help
Gathering Evidence of Abuse
If you Leave... Your Guide to Child Custody and Parenting Orders
If you Leave... Your Guide to Financial Support Options
If You're Thinking of Leaving
Leaving an Abusive Relationship... If you are not a Canadian citizen
No Contact Orders – Flowchart
Planning for an Emergency
Preparing for Court
Renting and domestic violence: Ending Your Lease Early
Serving Documents on an Abusive Party
What you need to know about... Emergency Protection Orders
What you need to know about.. Exclusive Possession Orders
What you need to know about... Peace Bonds
What you need to know about... Queen's Bench Protection Orders
What you need to know about... Restraining Orders
Working with a Family Law Lawyer
Writing an Affidavit

Elder Abuse Resources

Abuse of Older Adults FAQ's
Alberta Laws Concerning Elder Abuse
Capacity Matters: Elements of Legal Tools
Elder Abuse Defined
Elder Abuse: If Plans Haven't Been Made
Elder Abuse: Let's Talk (Tip Sheet)
Let's Talk: Elder Abuse – Facilitator's Guide
Let's Talk: Elder Abuse – Resource Manual
Mental Capacity and Elder Abuse
Planning Ahead To Prevent Elder Abuse
Planning for Incapacity
When Elder Abuse Involves the Police

Appendix B

Walker, Lydia D. Signs to Look for in a Battering Personality. Getting a Firm Foundation (Training Handout: 1981).

UN Women, UNFPA, WHO, UNDP and UNODC. (2015) Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines. Module 1: Overview and Introduction. New York, NY.

UN Women, UNFPA, WHO, UNDP and UNODC. (2015) Essential Services Package for Women and Girls Subject to Violence: Core Elements and Quality Guidelines. Module 3: Justice and Policing. New York, NY.

Western. Centre for Research & Education on Violence against Women & Children. Cut it Out: Salons Against Domestic Violence. (Website) <http://cutitoutcanada.ca/> Retrieved January 2017.

Western. Centre for Research & Education on Violence against Women & Children. Make It Our Business: Addressing Domestic Violence in the Workplace. (Website) <http://makeitourbusiness.ca/> Retrieved January 2017.

Western. Centre for Research & Education on Violence against Women & Children. Neighbours, Friends and Family. (Website) <http://www.neighboursfriendsandfamilies.ca/> Retrieved January 2017.

Domestic Violence: Roles of Landlords and Property Managers

Appendix C- Interview Protocol

Introductions:

Facilitator: *Thank you for agreeing to participate in this research project and in today's interview. I'm [name of facilitator] and this is [name of anyone else assisting with the interview].*

Review the Letter of Initial Contact.

Facilitator: *Before we start our discussions, I'd like to explain our project to you and answer any questions you might have about it or how the interview will take place.*

Answer any questions (based on information in the research plan).

Note: we anticipate that participants may have questions or concerns about the impact of Bill 204 and the relevance of this study given the passing of that legislation. Participants will be advised that the results of this study will be shared with the Minister of Service Alberta and the staff in that department as well as made available to others in the government who may be interested. The regulations and procedures to be following in implementing Bill 204 will likely just have been put in place at the time the interviews are being conducted so it may be necessary to address questions and concerns. Participants will be reminded that the Residential Tenancies Act is scheduled to be reviewed within two years and that ideas generated in this study may help inform any revisions to that legislation that might be considered at that time.

Obtain consent or terminate participation in the interview.

Facilitator: *Are you still willing to participate in the interview today?*

If so: *Please sign the consent form at the bottom of the Letter of Initial Contact.*

If not: *Thank you for taking the time today to talk about this research. Would you like a copy of the report when it is completed? [If so, confirm contact information without mentioning person's name or company.]*

Conduct the interview.

- I. Facilitator: *We would like to begin by getting a bit of background on your experience as a landlord or property manager.*
 - *How long have you been involved in renting or managing residential property?*
 - *How often have issues of domestic violence occurred on your premises?*

Appendix C

II. Depending on the response of participant...

- A. Conduct a brief discussion of the nature of domestic violence if the participant asks for a definition of domestic violence or appears to have an understanding of domestic violence that is impeding their ability to appropriately characterize incidents which have occurred on their premises. This will be handled by the domestic violence specialist who will be on hand throughout the discussion to deal with questions or to address any confusion.

Or

- B. Begin the discussion about common situations that occur on residential premises.

Facilitator: The purpose of this interview is to generate a number of scenarios that landlords and property managers may encounter on their rental premises.

We do not want you to provide the names of people involved or the dates or location where the violence occurred. We are only interested in general information about the situation.

Please describe common or typical incidents that you have had to deal with.

Prompts will be used as necessary to give a full description of the elements of the scenario needed for this study:

- How many people were involved in the incident? Were they both tenants? A tenant and a visitor? Were there children in the premises? Other family members? Guests? Other people?
- What type of tenancy was it? Month to month? Lease? Other?
- Where on the premises did it happen? In a unit? In a common area? In a parking lot?
- How did the incident come to your attention? Did another resident complain? Did the police show up? Was there some other a problem?
- How did you deal with it?
- Factors affecting your options and decision to act. What constraints do you feel you must operate within?
- Were you satisfied with the role you played and the options available to you and the tenant?
- What do you think the tenant needed to achieve a good outcome?
- What would you like to be able to do to assist a tenant in this situation?

Have there been other incidents that you would like to share with us today?

Appendix C

The information will be recorded on flip chart paper so that scenarios become apparent as the detail is provided.

- III. At a natural point after approximately 1 hour, break for refreshments.. Other breaks will be provided as needed depending on the expressed or demonstrated need of participant for a break.

IV. Closure

Thank participant for their contribution to the project.

Remind participant that we would like to follow up with them once we have analyzed the data we have received and have developed potential strategies and resources to help landlords and property managers.

Follow up interview

The design of this interview will be finalized on the basis of the contents of the document produced by the research team. However, it is expected that it will be 2 hours in length and contain the following components.

1. Material dealing with domestic violence
2. Common examples of domestic violence in rental premises
3. Roles landlords and property managers can play in assisting tenants
4. Current options and constraints for landlords and property managers in dealing with tenants experiencing domestic violence
5. What is needed to enhance options for landlords and property managers?

At a natural point in the interview (after approximately 1 hour) a refreshment break will be provided . Other breaks will be provided as needed depending on the expressed or demonstrated need of the participant for a break.

Participants will be thanked for participating and cautioned that the discussions do not constitute legal advice. They will be directed to discuss specific situations with their lawyers.

Domestic Violence: Roles of Landlords and Property Managers

Appendix D- Analysis of Scenarios Provided by Participants

	Prevention	Early Intervention
Roles	Property managers and their staff can play a significant role in denouncing domestic violence in all its forms; in reducing some of the key risk factors for domestic violence, particularly addressing issues of isolation of potential victims; and in making a range of services known to tenants who may want assistance with problems.	Other tenants, property managers, and their staff are often the first people outside the family to notice early signs and risk factors of abuse. The relationships that they have with their tenants positions them to spot some of those signs and risk factors that may indicate that abuse is occurring in a unit.
Issues	Not all landlords see their role as building communities within their complexes nor of actively participating in the neighbourhoods in which they are located. However, they may be open to providing information about community resources to their tenants.	Tenants who first become concerned about noise or other disturbance in a neighbouring unit are often reluctant to get involved as they fear that they may become the victim of retaliation. They may also be concerned about the implications of being involved in a court case. As a result, they either do nothing or complain to the property manager or other on-site staff. Staff may also have concerns about a tenant or unit but not realize that the behaviour may be a sign of abuse. Staff may have difficulty in maintaining professional distance from their tenants and in observing the distinction between being a property manager and a social worker.
Examples	<ul style="list-style-type: none"> * Building a sense of community within the building by facilitating events for tenants, e.g. movie night, bridge club, art classes. * Connecting their housing development to the broader neighbourhood by participating in community events and promoting them to tenants. * Providing tenants with information about community resources. 	<ul style="list-style-type: none"> * Working with community-based police initiatives to create positive relationships between staff, tenants and police to reduce resistance to calling police when needed. * Posting material in common areas to alert tenants to sources of assistance. * Providing staff with simple, discrete materials to distribute to tenants who appear to be at risk.
Recommendations	<ul style="list-style-type: none"> * Recognition that landlords and property managers play a key role as frontline service in preventing and responding to domestic violence. * Provincial campaign to increase awareness of the roles landlords and property managers can play in reducing domestic violence. * Invite property managers and staff to community and interagency gatherings. * On-going staff development for property managers and their staff regarding signs of abuse and risk factors and services to call for assistance for victims * On-going events to raise awareness of tenants to signs of abuse and risk factors and services to call for assistance on a variety of 	<ul style="list-style-type: none"> * Recognition that landlords and property managers play a key role as front-line service in preventing and responding to domestic violence. * Provincial campaign to increase awareness of the roles landlords and property managers can play in reducing domestic violence. * Invite property managers and staff to community and interagency gatherings. * On-going staff development for property managers and their staff regarding signs of abuse and risk factors and services to call for assistance for victims * On-going events to raise awareness of tenants to signs of abuse and risk factors and services to call for assistance on a variety of common problems. * Locate posters, leaflets, and wallet cards that denounce domestic violence and increase awareness of signs of abuse, risk factors, and services to contact.

Escalating violence

Property managers and their staff are often contacted by other residents as violence escalates. They may also observe violent behaviour that leads them to offer victims assistance or to call police.

Resolution

Property managers and their staff may be involved in assisting the victim, other tenants, and other staff in dealing with the implications of an incidence of the violence on the premises.

Initial incidents of domestic abuse may be 'hidden' within a unit. Even when neighbouring tenants complain, the property manager may not have sufficient information to justify calling police. As a result, by the time anyone intervenes in the situation, the violence has escalated to the point where it is taking place in a public space or has resulted in injuries to the victim or damage to the premises.

Domestic violence that occurs in a residential complex usually affects other residents and staff. The violence may have taken place in a common space or in the parking lot. It may have resulted in serious injury or even death of a tenant or visitor. Other residents and staff may be upset but what has happened or feel unsafe.

Working with community-based police initiatives to create positive relationships between staff, tenants and police to resist resistance to calling police when needed.

* Use of private security to enhance tenants' safety

* Use of employee assistance program where available

Develop resources that address the common patterns of intervention in domestic violence that occur in residential premises with particular reference to legal processes.

Adapt or develop self-care resources for property managers and staff to assist them in dealing with any trauma they may have experienced in addressing incidents of domestic violence on their premises.

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Appendix E- Assessment of Current Resources Summary

Resource	Format	Suitable for (staff, tenants, others?)
Planning for an Emergency	Tipsheet	Mixed response
What you need to know about Emergency Protection Orders	Tipsheet	Mixed response
If You're Thinking of Leaving	Tipsheet	Mixed response
Working with a Family Law Lawyer	Tipsheet	Mixed response
Renting and Domestic Violence: Ending Your Lease Early	Tipsheet	Yes
WillowNet: Abuse and the Law in Alberta	Information Sheet	Yes
Help is available	Wallet Card	Yes
If you call, we can help	Postcard	Yes
End the silence. Stop the violence	Poster	Yes
When Elder Abuse Involves the Police	Tipsheet	Yes
Make it Your Business	http://makeitourbusiness.ca/	Mixed
Neighbours, Friends, and Families	http://www.neighboursfriendsandfamilies.ca/	Mixed

Comments

Add a note on diarizing events
Would prefer to just make a referral to someone who can help with this

Add note on costs as appropriate
Would prefer to just make a referral to someone who can help with this

Add info on counselling services
Would prefer to just make a referral to someone who can help with this

Would prefer to just make a referral to someone who can help with this

Useful in courses

Easy to understand and navigate this site

Fantastic resource esp signs of abuse on the back of the card
Would put this on display in office
Where can I get more!

Would put this on display in office
Where can I get more!

Some clarification that this is for getting help not fundraising material
Would not post in office as it gives an uneasy feeling when trying to rent units.
Immediately posted it in the staff lunchroom. Will also post it in the lobby.
Where can I get more?

Change the title! (We agree: Done!)

Fantastic site!
Useful in educational context
No direct help

Eastern Canada focus?
Some info more helpful once out of the abusive relationship
Useful in an educational context
No direct help

Domestic Violence: Roles of Landlords and Property Managers

Appendix F- Legal Issues

Interviews with research participants disclosed a number of legal issues about which there was lack of clarity or where reform of the law or legal practices might enable them to better assist their tenants. These relate primarily to the following topics:

Reporting abuse

Property managers reported being constrained by privacy laws from notifying emergency contacts, guarantors, or family members. Greater clarity regarding this aspect of the law and consideration of provisions that can be made in leases to enable notifications might be facilitate early intervention. Property managers also reported concern about being unable to do anything about abuse of a dependent adult.

Rights and responsibilities of tenants, residents, and guests

Understandings and practices varied among research participants as to how they handle the presence of adult residents other than tenants in units. In many large apartment complexes, all adult residents are required to sign the lease. However, practices vary as to when a guest becomes a resident and how diligent a property manager is in having the new resident added to the lease.

Property managers may take the view that any adult residing in a unit has a right to access it even if they are not named on the lease. If the resident is the abuser, the property manager may be unclear as to what steps can be taken to bar the resident from access. If the resident is the victim, the property manager may be unclear as to whether the victim is entitled to enter the unit to get her own goods.

Greater legal clarity might be helpful in determining when a resident becomes a tenant and for what purposes so that it is clearer to all concerned as to their rights to access a unit, their obligations for rent and other costs, and the landlords right to evict them.

Terminating a tenancy

Property managers were sometimes unclear about when they could terminate a tenancy, particularly on 24 hours notice, for acts of domestic violence. Property managers appreciate the ability to convert a tenancy of multiple adults into one of fewer adults. In the context of domestic violence, property managers would like to be able to suspend or terminate the tenancy of the abuser.

Appendix F

Legal processes

Property managers and their staff find the array of no-contact orders available to tenants experiencing domestic violence confusing. They are unclear about how and in what circumstances a tenant might seek a particular order. They may also be confused as to the implications of various orders for requests from the victim to have the locks changed. Both property managers and tenants would like more ability to change locks and bar access to abusers.

Costs to repairing damages to property

Although it was not foremost in the minds of research participants, they expressed some concern about recovering the cost of repairs for damages caused by a tenant or a guest when the security deposit is insufficient.

These issues need to be more fully explored and addressed to enable the legal environment to be more supportive of victims of domestic violence. Resources need to be developed to assist landlords and property managers better understand the implications of the law in the context of tenants experiencing domestic violence.

NOTE: Bill 204 came into force during the period in which we conducted our research. However, research participants indicated that they had little or no direct experience with the legislation. Some indicated that they already make the equivalent arrangements available to victims.

Domestic Violence: Roles of Landlords and Property Managers

Appendix G- Outline of Educational Program Components

Component 1

Why get involved in domestic violence prevention and intervention on residential property sites

This component of the program should present domestic violence as a community problem not a personal one. It should introduce the critical roles landlords and property managers can play in preventing and responding to domestic violence on their premises. It should:

- raise awareness about the nature and extent of domestic violence in the relevant community and its impacts;
- recognize and appeal to the compassion of front-line staff;
- highlight the importance of creating healthy communities on site as well as in the neighbourhoods in which they are located;
- highlight the unique position of on-site staff to be the first third-party to recognize early signs of possible DV and direct tenants to appropriate service agencies;
- make the 'business case' for maintaining stable tenancies and building good will within the complex and the community at large; and
- link to workplace health and safety.

New or modification of resources to consider: Text on roles of landlords and property managers similar to materials developed by Alberta Human Services for parents, educators, individuals, Aboriginal, ethno-cultural, faith and medical communities; modification of power point presentations developed for use in business contexts to suit roles front-line residential staff can perform; brief description of types of services and resources about domestic violence and how to access them.

Component 2

Domestic violence prevention initiatives

This component of the program should provide a basic introduction to current understandings of domestic violence and the way it is manifested. In particular, it should:

- raise awareness of risk factors with emphasis on those likely to be evident in interactions with tenants;
- discuss role of social context in reducing risk factors;
- provide real examples of social activities being carried out on premises that help to build bonds between tenants and minimize isolation of vulnerable tenants;
- discuss ways of connecting with community services and agencies (e.g. joining interagency committees); and
- provide real examples of initiatives that property managers have participated in.

New or modifications of resources to consider: Collection of real examples of activities carried out on premises or community initiatives that involved residential properties; modification of power point presentations designed for use with communities to emphasize roles of front-line residential property staff.

Component 3

Early intervention strategies

This component of the program should build on previous discussions of domestic violence. In particular, it should:

- raise awareness of early signs of domestic violence in general and tenancy-specific indicators;
- raise awareness of local domestic violence intervention services and resources and how to access them;
- raise awareness of importance of safety planning;
- introduce ways of engaging with tenants who may be experiencing domestic violence;
- provide resources to post on premises raising awareness about domestic violence and how to get help;
- discuss options for carrying out educational activities with tenants; and
- discuss company-specific protocols for intervening.

New or modifications of resources to consider: tip sheet on tenancy-specific indicators of domestic violence; modification of power point presentations designed for use with communities to emphasize roles of front-line residential property staff; guide to working with tenants who may be victims of domestic violence.

Component 4

Responding to escalating violence

This component of the program should focus on the legal processes that flow from the escalation of the domestic violence to the point that there is physical violence to individuals or property. In particular, it should:

- discuss key risk factors for escalating violence;
- discuss signs that violence is escalating;
- discuss company protocols for intervening;
- review importance of safety planning;
- outline the steps the police will take and the role staff may be asked to play as potential witnesses or otherwise;
- explain differences between Emergency Protection Orders and other orders limiting contact between the parties;
- discuss tenant's options for terminating the lease and obtaining other accommodation;
- discuss landlord's options for terminating the lease or relocating the tenant;
- discuss options for handling security deposits and dealing with damages;
- provide information on emergency services including emergency shelters.

New or modifications of resources to consider: brief descriptions of relevant legal processes and options.

Component 5

Self-care and staff support

This component of the program should focus on the implications of domestic violence for front-line staff, including both the impact of incidents on staff and the impact of domestic violence among staff. In particular, it should:

- discuss the need and availability of therapeutic services including and company protocols and Employee Assistance Programs; and
- warning signs and ways of responding to co-workers who are experiencing domestic violence.

New or modifications of resources to consider: Tips on self-care for front-line workers

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