



Transition House Association of Nova Scotia

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Bill No. 150 Residential Tenancies (As Amended)

Good afternoon, Minister Landry, and Members of the Law Amendments Committee.

My name is Pamela Harrison and I am the provincial Coordinator for the Transition House Association of NS. Our member Organizations provide crisis and transitional services for women experiencing violence and abuse, at thirteen locations across the province. We have worked collaboratively with Government and other community organizations to advance progressive legislation for women in NS for almost twenty-five years. I co-chaired the Domestic Violence Prevention Committee, that submitted the recommendations for a Domestic Violence Strategy.

Changes to the Residential Tenancies Act were part of the Domestic Violence Prevention Committee recommendations, and those recommendations have been embedded in the Domestic Violence Action Plan.

Thank you so much for your willingness to create legislation that will provide more support for women and their children fleeing violence and abuse.

The THANS Management Committee, which includes the executive directors of all our organizations, used part of our quarterly meeting this morning to review this legislation, in order to speak before you this afternoon. Joanne Bernard, Executive Director of Alice Housing is unable to be here, but wanted to be on record as supporting our position.

We have some comments and suggestions that we hope will enhance and improve the legislation as it is written right now.

We are concerned about the standard that women must meet in order to receive a certificate. Right now the amendment reads that women must meet three strict criteria.

Autumn House
Amherst, NS

Bryony House
Halifax, NS

Cape Breton Transition
House Association
Sydney, NS

Chrysalis House
Kentville, NS

Harbour House
Bridgewater, NS

Juniper House
Yarmouth & Digby, NS

Leeside Society
Port Hawkesbury, NS

Naomi Society
Antigonish, NS

Tearmann House
New Glasgow, NS

Third Place
Truro, NS

Mi'kmaw Family
Healing Centres
Truro & Waycobah, NS

Transition House
Association of
Nova Scotia
Halifax, NS

1. Tenant has to file a complaint of domestic violence with a policing agency:
 Women don't call or file because of fear of the abuser, or fear of losing her children. Often it is a neighbor or family member that calls the police, and it is usually the policing agency that lays a charge. The requirement that a woman must file the complaint does not align well with the Pro-arrest, Pro-charge, Pro-prosecution policy under the Framework for Action against Family Violence. Police lay the charge to limit coercion from the abuser t for the woman to subsequently drop the charge.
2. Peace Bond or other order of the court:
 - a. Peace Bond: Often a woman applies for a peace bond and when the abuser does not agree to it, he process can then take up to 8-10 weeks to complete. That legal process could prevent a woman from meeting this condition of a Victim Services' certificate.
 - b. Emergency Protection Order: Is another tool to create safety for women in this province and would meet the criteria in ii that there be no contact between the tenant and her abuser. EPOs are not granted equally across the province. Each Justice of the Peace makes her or his own determination of "imminent danger" so a woman in Yarmouth, for example, might be granted an EPO, but a woman in Halifax may not, for the same reasons. Therefore a woman who has been denied an EPO could not meet the criteria
3. Assessment by the Director of Court Services or his designate:
 - a. "Assessment " is a very broad term. THANS recommends that such an assessment have clear, universal and transparent parameters, so that women understand in advance what confidential and personal information is expected to be shared in order that a certificate be granted, and what system information would accessed.

Overall, we believe the standard of proof for women is extraordinarily high, given the definition of domestic violence used in these amendments, and that many women in dire need of leaving the abuser, but held there by financial restraints, will not qualify to be let out of their leases.

In order that this legislation will result in release from lease conditions in all appropriate cases, and improve the safety of women and their children, those tenants who have experienced domestic violence, as defined by the definition in the Domestic Violence Intervention Act, need to be given the opportunity to be certified to terminate their leases early. As the amendments are written , that will not be the case.

We offer the following recommendations:

1. That a women be required to meet only one of the three conditions
2. That a protocol be developed so that THANS Member Organizations and Second Stage Housing staff can submit a letter on behalf of a service user, who does not or will not meet the other criteria for a certificate:
 - a. Dr. Jacklyn Campbell Danger Assessment Tool
 - b. History and knowledge of tenant
3. That there be some kind of process for review or appeal

THANS understands and sympathizes with landlords who are concerned with abuses of this legislative change, as are we. We ask that you seriously consider the recommendations that we have made, and that we all, Minister, Members of the Legislature, and affected landlords, remember that the goal of this legislation is to provide another tool to support abused women and very likely, save lives in the process.

Thank you for your attention to our concerns.

Respectfully submitted,
Pamela Harrison
Provincial Coordinator
On behalf of
The Transition House Association of Nova Scotia