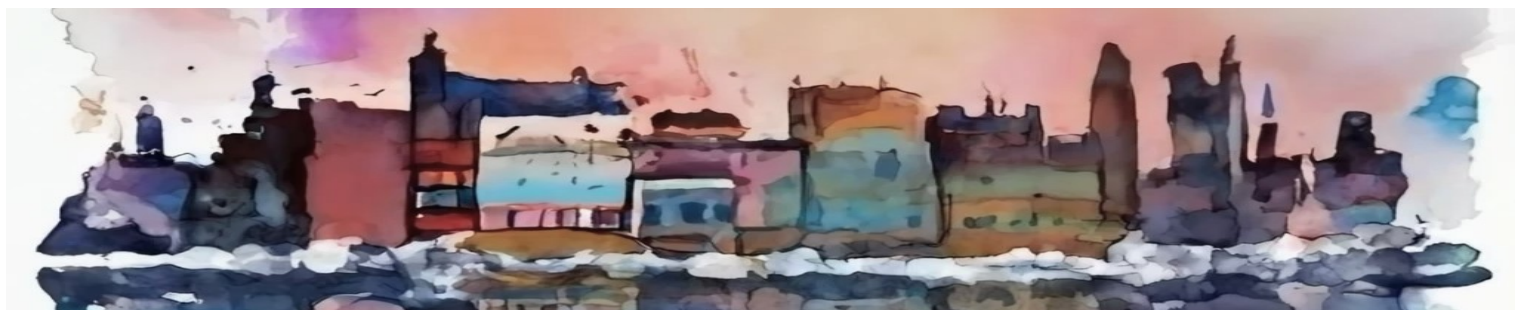


Housing Exclusion – A Crisis created by Law

Sex Workers Experiences with housing discrimination

BC Coalition of Experiential Communities 2024

Executive Summary



For thousands of years, the Coast Salish peoples have defended and flourished in the land that is now Vancouver. We would like to acknowledge and honor the three great Nations whose land this is: Squamish Nation, Musqueam Nation and Tsleil-Waututh Nation.

Background

The stigma surrounding sex work affects many aspects of sex workers lives. Housing is one of the areas where sex workers often experience bias, discrimination and violations of their rights.

The housing crisis being faced across Canada has exasperated the situation and compounded problems experienced by sex workers trying to secure or maintain their housing.

Recent peer reviewed and published research about the numbers and demographics of Sex Workers in Canada show us that in any given month there are 26,000 Sex Workers actively working in Canada. When the study expanded to 2 years the number became 169,000 individual Sex Workers the majority of whom worked for themselves independently and did not work full time.

In British Columbia, the number of Sex Workers, their families and associated work personnel who are impacted by housing exclusion and discrimination, is conservatively 34,056 people.

In 2014, Sex Work was said to have been decriminalized. However, Federal, Provincial and Municipal governments and other public agencies continue to discriminate against Sex Workers promoting their exclusion from society in this case as it relates to housing.

While Sex Workers are not named as a “protected” group under the Charter of Rights in Canada, housing is one area where our rights ARE protected under the law.

It is illegal to discriminate against someone when they are seeking housing based on a “legal source of income”.

[BC Human Rights Tribunal Housing Rights](#)

Since the passing of the ***Protection of Communities and Exploited Persons Act*** Sex Work has been purported to be “decriminalized”. This is the foundation of our work to end housing discrimination.

Previous work

It should be noted that many organizations, researchers and others have tried to address sex workers housing exclusion in the past. The ***AESHA Project***, ***WISH Drop-in Centre***, in Newfoundland ***SHOP*** and the ***Global Network of Sex Work Projects*** are also working to address these issues.

Housing Exclusion – A crisis of law

The BCCEC received financial support to conduct a series of exploratory activities regarding the impacts of housing exclusion on sex workers in particular those who are homeless or whose housing is precarious.

A ***law, policy and practice review*** and a ***series of community consultations*** to gather sex workers experiences with Housing Exclusion was conducted.

Sex Worker Community Engagement

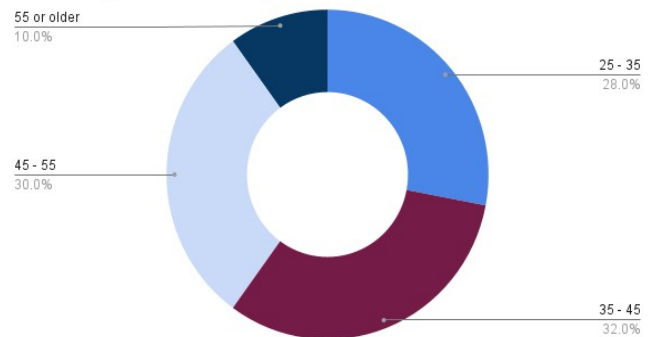
The consultations were undertaken in various locations around the Province and Country. Participants from Surrey, Vancouver, Victoria, Courtney, Whitehorse, Edmonton, Calgary, Rural Alberta, Saskatchewan, Hamilton, Guelph, Toronto and Halifax all took part. Sex Workers from multiple locations in the sex industry and a broad cross section of cultural, racial and gender diversity were represented. 52 sex workers took part in total.

How old are you?

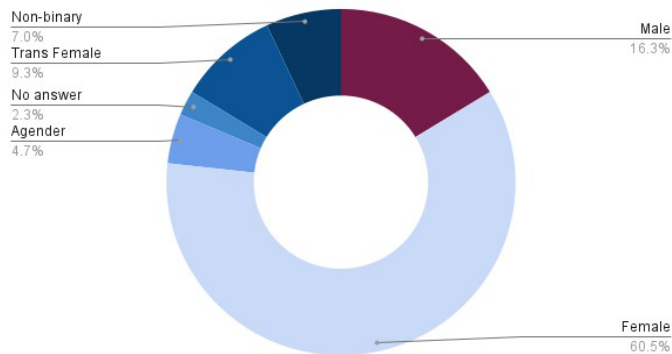
Age

- 15 – 25
- 25 – 35
- 35 – 45
- 45 – 55
- 55 or older

Age Categories of Participants



Gender Identities of Participants



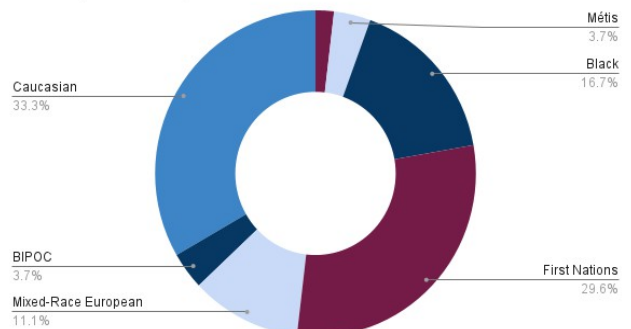
What is your gender identity?

- Female
- Trans Female
- Transsexual Female
- Non-binary
- Queer
- Male
- Co – gendered

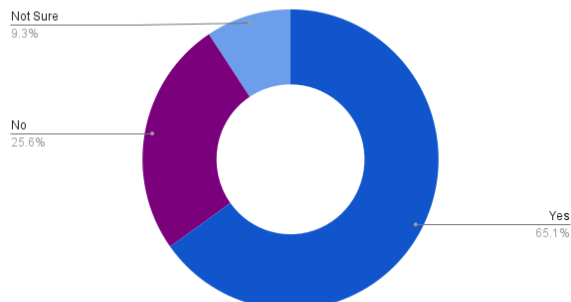
Are you Black, Indigenous or otherwise a Person of Colour?

- Half Inuit
- Black
- First Nations
- Person of colour
- Caucasian
- Mulatto
- Metis
- Mixed

Ethnicity of Participants



Participants Self-Identifying as Having a Disability



Do you have a disability?

- Yes
- no
- not sure

Sex workers consulted during this project were all over the age of 25 with the majority being between the ages of 35 and 55 years old.

The BCCEC worked to be as inclusive as possible and that is reflected in the diversity of gender and the broad representation of race that is highlighted in participants demographics.

Also interesting is the majority of sex workers self identifying as having a disability. This finding is similar to other recent research involving sex workers – [By Us For Us](#) - in which 73% of participants also self identified as having a disability.

Sex workers who took part were also a majority renters or living in supportive housing which had tenancy agreements attached to it.

Sex Workers Experiences

Have you ever had any problems finding housing? Have you ever been unhoused? Have you ever felt your housing was threatened? Have you ever been refused housing?

Sex workers described overt discrimination, targeting, harassment and violence at the hands of neighbours, landlords, intimate partners, shelter staff and police.

Sex working parents reported discrimination based on having children in particular Indigenous parents felt discriminated against naming “indigenous racism”. Housing instability for sex working parents was also named as a serious concern related to child custody.

Racism more generally was also named as a significant barrier to finding housing in that race based stereotypes were overt especially as it relates to criminality.

Reports of sexual assault, sexual harassment and a second report of illegal entry into apartments. Access to a sex workers personal references, personal information and knowing where they lived before gives landlords and property managers power over our community.

Neighbours were reported to enact violence in multiple ways including harassment via police report, hate crimes (name calling, “outing”) and sexual assault.

Violence and theft within shelter spaces were reported. Some shelter and supportive housing staff were reported to be unwilling to hear complaints from sex working tenants.

Sex workers reported that they felt their housing was always under threat and so worked to keep their sex worker status secret. They felt physically threatened, disrespected by landlords and housing operators and faced challenges with current and former intimate partners.

Ex-partners were reported to use sex worker's status to control them by threatening to report sex worker to landlord, housing operator and Child and Family Protection.

One participant described being human trafficked by people for access to housing. Housing stability was also an issue among almost all participants with sex workers reporting having to move often.

Reports of financial discrimination based on “legal income source” (disability assistance, social assistance), credit checks and criminal record checks all violate people's human rights.

Transphobia and homophobia were reported with discrimination being normalized in housing screening practice and violence also being experienced. Beauty bias was also reported with people feeling their youth or their “look” was being judged and impacting their ability to secure housing. Some success using human rights mechanisms was reported.

Have you ever felt any discrimination when applying for housing or a mortgage? Have you ever had to fake work or previous landlord references on an application for housing because of being a sex worker? Have you had problems with providing bank documents or any other aspect of housing applications? How do you manage these aspects of finding housing? Any tips to share?

100% of sex workers faced barriers with housing references, work references, and lack of identifiable source of income. Participants agreed it was better to keep your sex work secret. One sex worker wanted to add that they have definitely experienced discrimination as a BIPOC person. Racism was a common theme during discussions. Financial exclusion was also featured when sex workers applied for mortgages. Traditional lenders were not willing to work with sex workers so higher cost loans were the only solution to home ownership.

Have you ever felt uncomfortable because of nosy neighbours? or some one in the community who discovered your sex worker status and knows where you live? Have you ever felt unsafe because of a “bad landlord” or property manager? Have you ever had your sex worker status used as a threat against your family's housing by an ex-partner, client or other person? Can you share a bit about what happened?

The experiences of violence and threats outlined by sex workers included, sexual harassment, sexual assault, extortion, landlord refusal to conduct maintenance, landlord false accusations about sex worker tenant, landlord threats of calling police when sex worker tenants ask for maintenance, extortion for sex, theft, spitting and other physical and verbal violence.

Many experienced being “outed” as sex workers by ex-partners to new love interests, other tenants, family, children's schools and employers. One sex worker reported being outed by another sex worker to the landlord.

Lateral oppression and violence within the sex working community are also issues the sex working community need to face.

Intimate partner violence and loss of access and custody to children were also named as outcomes of sex work being stigmatized and housing policies being weaponized against sex workers.

Have you ever experienced targeted anti sex work housing actions, policies or laws? Like the SCAN Act? Have you ever had to sign a “good neighbour agreement” or other document which bans sex work in your home? Have you ever tried to legally challenge/ fight a landlord or property manager

over unfair eviction or denial of tenancy? In your experience was it a fair process? Was your sex worker status discussed as part of the problem?

Some sex worker shared stories of success using human rights mechanisms and other legal tools, some sex workers were able to stand up for their housing rights.

No one had experienced the SCAN Act directly but some had been required to sign the “Good Neighbour Agreement”.

Sexual harassment, noise, lack of maintenance, no heat, sextortion, no children, no guests, immediate eviction and leases prohibiting sex work in both market and supportive housing were all identified by sex workers who took part in the consultation.

What should the government, landlords and property managers do to fix these problems? Have you heard that Housing Rights are Human Rights Canada? How can we fix this? Anything you want to share with fellow sex workers about housing? How can we “work around” the problems we face in housing? Any tips for securing housing?

Work to develop sex worker specific cooperative housing model was discussed.

Stigma against sex workers was a major theme among participants.

Sex workers “wished” and “hoped”...for equality in housing and society more generally.

Sex workers also shared other solutions such as hotels which rent by the hour, licensing landlords, securing more rights for sex workers, a sex workers building with in-call sex work spaces on the ground floor, holding bad landlords accountable through a complaints process and education for sex workers about their rights in housing.

Sex workers also reported being resigned to the impact of stigma and using any method they can to hide what they do for work to survive.

Continuous advocacy, the fight for decriminalization and educating society about sex workers housing rights were all suggested as important in the fight to end sex workers housing exclusion.

Is there anything you would like to add or that we missed?

Sex workers expressed how difficult finding safe housing is and how they feel as if people are watching them all the time. Sex workers noted that the Hotels are also watching them.

Sex workers identified that stigma against sex workers needs to be addressed across society.

Sex workers also suggested a tiny home community.

Law, Policy and Practice Review

In response to the complaints from sex workers, the project coordinator investigated policy and practice related to the “Good Neighbour Agreements” in an effort to discover the source of the

practice and any other related programs which might impact Sex Workers ability to find, secure and maintain stable housing.

An internet search of “**Good Neighbour Agreements**” (GNA) linked immediately to the program known as “**Crime Free Multi- Housing**” (CFMH).

A close examination of the program and tools revealed discrimination which names sex workers specifically. Sex workers are described as criminals, having gang ties, drug users, dangerous, a threat to communities and as people to feared.

Criminal, illegal, nuisance, dangerous, threatening, unacceptable behaviour, keep your home safe, fear, radical, potential criminal charges for non compliance....Property Managers, Landlords and non Sex Working tenants are told by police that Sex Workers are dangerous criminals who are a threat to communities.

The Crime Free Multi Housing Program has been in use across Canada since 1991 and exists in every corner of the country.

The program specifically mentions Humans Rights Law and warns landlords and property managers to “be careful” when denying a tenancy to avoid discrimination.

The “**Crime Free Lease Addendum**”, also known as the “**Good Neighbour Agreement**” prohibits sex work outright and provides a loophole for eviction with almost no notice of tenants who sign the addendum then are found to have violated the terms.

This program has even been adopted by publicly funded housing authorities including BC Housing. The property managers toolkit provided to BC Housing partners includes a copy of the “Crime Free Lease Addendum” and encourages managers to take the CFMH Training.

The **SCAN Acts** and **Community Safety Acts** across Canada have now made the processes and tools promoted in the CFMH Program into law. From 2006 to 2015 provinces and territories adopted this legislative approach.

The inclusion of Sex Work beside fire arms, explosives, criminal organizations and intoxicating substances makes Sex Workers seem dangerous and casts us as a threat to communities. This is the same foundation as is used within the Crime Free Multi Housing Program Materials.

SCAN Units have even been formed in some regions to enforce the law.

[SCAN Unit Nova Scotia](#)

In Nova Scotia there is a SCAN Unit number to call and report people and the web page encourages contacting police to report as well.

In the Yukon the SCAN Unit members revealed some troubling practices during a conversation with the BCCEC Director.

“It's amazing what you can learn when you open a door”

SCAN Unit members are using the Act to subvert requirements for search warrants and to gain visual access to a property based on a “complaint”. The SCAN Unit members also made mention of potentially contacting Child Protection Services based on an interaction at the door of the subject of a SCAN Complaint.

What does this all mean for Sex Workers?

Sex workers cannot trust mainstream systems. They do not view us as citizens of value. As long as a law or practice that threatens sex worker safety exists, it has the potential to harm our community.

The violence experienced by sex workers as a result of these laws, policies and tools is unacceptable. It is a stark example of the impact of government inaction, conflict of action and refusal to do the hard work of recognizing these issues as the cause of that violence.

The Path Forward

Legislative

If sex workers are to end discrimination, housing is an important place to start.

As the SCAN Acts are provincial, complaints will have to be launched in each province and territory separately to challenge the law via Provincial Human Rights Tribunals. Similarly the Crime Free Multi Housing Program is administered by the RCMP but also by smaller municipal and provincial police services and requires broad based removal.

Sex Worker Safety

Sex workers suggested a collective cooperative housing strategy where they could live and build community and equity together.

Sex workers expressed that a landlord registry and resource for sex workers to share information about housing opportunities, finding room mates and reporting locations where violent neighbours or landlords/ property managers exist would be a good way begin to address violence related to housing.

Educational materials about sex workers right to housing should be created for police, by-law officers, SCAN Unit members, property managers, landlords and sex workers.

The BCCEC commit to try to move the following actions in response to these recommendations;

- Work to define and expand understanding of the intersectional consequences of racism and sex work discrimination as it relates to housing centring the experiences of BIPOC sex workers.
- Work to define and expand understanding of “Indigenous racism” in housing and the importance of centring the experiences of Indigenous and First Nations sex workers .
- Engage with cooperative housing organizations to better understand processes for land acquisition, financing, tiny homes as a solution and governance models.
- Investigate further the potential of a sex worker's credit union.
- Develop a strategy for creating the “Bad Landlord Registry” and sex worker community housing information sharing space.
- Create a sex worker community developed educational program and materials.
- Build Community networks and support for a sustained education and communications campaign.
- Build opportunities for all stakeholders to gather and discuss solutions to these issues collectively.

- Engage mainstream systems to remove of the SCAN Acts, Community Safety Acts and any other legislation impacting sex workers access to stable housing.
- Engage mainstream systems to work to end the Crime Free Multi Housing Program
- Continue to work to eliminate stigma and discrimination against sex workers.

***Housing Rights are Sex Workers Rights,
It is time to end housing exclusion of sex workers in Canada.***

Who We Are

The **BC Coalition of Experiential Communities** is a consortium of Sex Workers who are activists mandated as a mechanism for the voices of experiential people to support the development of legislation and policies; peer driven programs and services; and work toward the elimination of oppressive systems and forces that create harm within the sex industry.

Acknowledgements

The BCCEC would like to thank first and foremost Sex Workers who shared their experiences with us. This issue has haunted our community for decades and with your help we hope to change the tide on Housing Discrimination against Sex Workers.

Thank you to PEERS Victoria, SWAPY Yukon, BCCEC members and the BC Coalition of Experiential Men for creating space for Sex Workers to discuss these issues.

Thank you to the BC Social Policy and Research Council for valuing Sex Workers safety in housing and grasping the need to work to address these issues. Without out your support this would not have been possible.

And a big thank you to the City of Vancouver who have supported our work over the past several years and the Sex Work Social Planners - April, Bronwen and Chloe - who continue to work to unravel these issues across the many levels where sex workers experience exclusion and discrimination.



people. planning. positive change.



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