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Access to Safe, Sustainable, & Healthy Housing in Cambridge Bay, Nunavut

Final Report of Research Highlights
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Executive Summary

What this project is about:

This is a qualitative research project about the housing crisis in Cambridge Bay, Nunavut, involving:

- interviews with community members & service providers
- reviews of laws, policies, guidelines, manuals, forms, and other texts

Experiences of people looking for a home

Stories of homeless Inuit women

Inuit women talked about being kicked out by their partners and going from house to house, looking for a place to stay for the night. They were often worried about their health, safety, and their children's well-being.

A person can apply for an emergency protection order under the Family Abuse Intervention Act, which can include ordering an abuser to leave the house for some time. But it can be difficult to make sure an abuser follows the order, especially in a smaller community like Cambridge Bay.

As a result, some women have to find their own ways to deal with their situation, without relying on the law to help them. This can involve couch surfing with friends or family, staying at a shelter when possible, or returning to their partner.

Housing for people going through the criminal justice system

The housing shortage also affects people going through the criminal justice system for crimes such as domestic assault. When a person is charged with a crime, sometimes there is an option to live in the community on bail while they wait for their trial. But if the only place they can live is with the victim that they have been accused of assaulting, the court will probably not release them on bail. Instead, they will have to wait for their trial in jail.

This is the same for people who have been convicted of a crime: the law sometimes allows them to serve their sentence in the community, rather than in jail. But if the only place they can live is with the victim, the court will probably not grant a conditional sentence.

This means that people must stay in jail, even though they don't have to be in jail, all because of the housing shortage in the community.

The bigger picture: the need for emergency shelters and transitional housing

There are very few emergency shelters and almost no transitional/supportive housing like halfway houses in Nunavut. As a result, homelessness often appears in the form of couchsurfing and overcrowded homes. Cambridge Bay has homeless shelters, but they are often full. Other communities in Nunavut do not have shelters, so people come from all over the territory to stay in Cambridge Bay's shelters. Long-term support for shelters and transitional housing across the territory will help deal with these issues. These programs should be Inuit-specific and Inuit-led, to make sure Inuit needs are met.

Public housing

Different ideas about the role of public housing

There is a difference between how the government and community members see public housing:

- The government does not intend to have public housing as the main form of housing. The government would like people to eventually move out of public housing to other kinds of housing, especially housing that is not funded by the government, like private homes.
- But in reality, public housing is the main form of housing: more than half of Nunavummiut live in public housing. People in the community are expected to apply for public housing when they turn eighteen years old.

Community members' views of the role of public housing should be understood in the context of the story of Cambridge Bay. Inuit in the Kitikmeot region had their own lifestyle living on the land, until the Canadian government persuaded them, through historical policies of colonialism, to move permanently to the settlement of Cambridge Bay by promising to provide them with housing. This means that Inuit live under laws, policies, and programs that reflect the government's view of public housing, but do not necessarily reflect their own understanding of public housing, based on Inuit's memories of the historical promises the government made to them.

The waiting list for public housing

The research showed that there was confusion about how the waiting list for public housing works. Service providers play an important role helping people to understand the process for applying for public housing.

Public housing is given out using a system that rates each application with a number of points. It can be difficult to translate people's housing needs into number-based points, especially if people's situations are complicated.

This point-rating system for public housing is meant to be fair by treating everyone in the same way, but some community members still do not feel that the system is fair, because they do not understand why other people get housing and while others do not. There are different ways to view fairness: the housing systems focus on the fairness of the process, while people often care about the fairness of the results. This means that even if the process has been fair, people may still feel like there is a lack of fairness. There is not a lot that the law can do to help a person who is unsatisfied with how public housing is given out, unless there has been a specific mistake in how the rules have been applied.

The root issue underlying all this is the housing shortage, which means that some people will get public housing while others will not. As with the earlier section, support for public housing programs, for Inuit and led by Inuit, will start to address these root issues.

Repair needs in public housing

Through this research, I heard stories about problems with public housing units that badly needed repairs.

Under the *Residential Tenancies Act*, the law requires that the local housing organization fix repair problems as the landlord within ten days of being told about it by the tenant. However, in reality, community members talked about how it took much longer to fix these repair problems, and sometimes the problem with their home continued for many years. The law offers ways through the *Residential Tenancies Act* to order the landlord to make the repairs. But community members did not seem to be aware of this option to use the law, nor did some service providers.

There are limited workers & supplies to make repairs (made worse by the COVID-19 pandemic). Older houses were not designed for the Arctic environment & have more issues. As a result, it takes more time & work to make repairs in the community. The law alone will not necessarily solve these problems through an order. Making sure there are enough resources, including in the form of workers, supplies, and funding, will help deal with these underlying issues. Otherwise, these disrepair issues in public housing will continue to negatively affect the well-being of Inuit in many ways.

The story behind tenant damages, rental arrears, and unacceptable tenants

Laws, policies & guidelines create labels about “unacceptable tenants” who owe money or are known to have damaged the home (“tenant damages”), etc. Under the law, tenants are not required to pay for what is called “ordinary wear and tear” or acts of vandalism, but they must pay for what is called “tenant damages”, damages that the tenant is responsible for. But is not always clear what is tenant damages and what is not.

It’s important to understand why damage happens, such as family violence incidents, where the tenant might not actually have much control. The local housing organizations require tenants to get a police report to prove that damages were caused by vandalism and are not tenant damages. However, police cannot always prove who caused the damage, only that the damage happened.

There can be serious consequences if the tenant does not pay for tenant damages and ends up owing money. It can prevent them from getting housing support in the future, including staff housing or down payment assistance in buying a house.

Lawyers can help tenants who owe money, such as helping to arrange a payment plan or defending the tenant in legal proceedings. But Lawyers can only help if tenants know to ask them for help. Community members were not aware that this was something they could ask lawyers for help with. Of course, lawyers also can only find solutions from within the law: they cannot solve underlying problems such as family violence, poverty, or colonialism.

These are all important points to think about when we hear and use labels like “unacceptable tenants” – there is always a story behind these labels, stories that aren’t always reflected in the system.

Staff Housing

Who gets staff housing? Talking about fairness in staff housing

Policies & practices do not specifically say that staff housing is not for local Inuit workers. But in practice, community members see staff housing as mainly being for non-Inuit workers who are hired from out of town. This does not seem fair to community members, especially since staff housing is often much better quality and often comes furnished with appliances and furniture. They noted that this can seem especially unfair when thinking about how the government had persuaded Inuit to settle permanently Cambridge Bay by promising to provide them with housing.

The processes for giving out staff housing are supposed to be fair. Staff housing is usually connected to certain types of jobs. These types of jobs tend to be filled by non-Inuit coming from southern Canada. Even though the policies were meant to be fair and do not say to treat Inuit differently from non-Inuit, they have produced results that community members do not think are fair.

Laws, policies and programs should be carefully designed to consider their effect on Inuit; it is not enough to focus only on the process. Making it a normal practice to provide staff housing to Inuit workers as well can have far-reaching benefits in supporting the well-being of Inuit communities.

People living in staff housing are still at risk of homelessness

The Residential Tenancies Act says that a person who loses their job must move out of their staff housing unit within a week. This means that staff housing tenants are at risk of becoming homeless very quickly if they lose their job.

Government policies sees staff housing as being temporary, giving workers a place to live until they move into housing in the private market. But in reality, it is not easy to make this transition out of staff housing, so staff housing is a more permanent arrangement for many.

Private rentals

The government would like to have more people eventually move on from public housing and staff housing into housing in the private market, like private rentals. But this can be difficult because there are not a lot of opportunities to rent privately, and private rentals are expensive.

Many private rental units in Cambridge Bay are actually a type of staff housing, because they are rented out to employers to rent out to their employees. However, these may not always be subsidized by the employers, which still makes the private rentals very expensive.

Some community members talked about having to leave Cambridge Bay and/or not return to Cambridge Bay, because finding a place to rent is so expensive, even though they have a good job. This shows how in this housing crisis, communities like Cambridge Bay may lose its skilled workers if those workers cannot find a place to live. We've also seen that some of the challenges of building new homes and maintaining old ones is due to not having enough skilled workers. This is the vicious cycle of the housing crisis.

In recognition of the unaffordability of private rentals, the Government of Nunavut is now offering a housing benefit to help people pay for private rentals – even though the government’s goal is to have less people dependent on government funding for housing.

Private Homeownership

The Government of Nunavut sees homeownership as an important housing goal, as it would like to have people less dependent on government funding for housing in Nunavut.

Houses are expensive to buy in Cambridge Bay – too expensive for many community members. The government offers funding programs to make homeownership more affordable, such as the Nunavut Down Payment Assistance Program. Homeowners were clear that they could not have bought their home without this program, but some participants felt that the amount provided through this program is not high enough for the cost of houses.

Homeowners also face difficulties in getting repairs and renovations done to their homes. One homeowner shared her story about struggling with the costs of maintaining her home, leaving her to wonder if it was a good decision to purchase her home in the first place.

Homeowners can face difficulties in accessing lawyers for their law-related issues, because of the small numbers of available lawyers who can provide services to them in this area.

Thinking about policy solutions: Is it always about buying a house?

The housing crisis is more than simply a shortage of houses. How can housing policies support goals of Inuit self-determination?

Many of the same issues occur for people living in different types of housing, including overcrowding and repair issues. This is because the same factors influence them, including the Arctic environment and the impacts of colonialism.

The government’s current view of housing is based on housing models from southern Canada, prioritizing individualist private housing markets and focusing on having a housing continuum that resembles those of southern Canadian models. But housing as a market commodity or a financial investment is only one way to look at housing. There are other ways to look at housing, like as a human right or in terms of relationships. It may be useful to imagine what an Inuit-specific housing model might look like, suiting Inuit values and needs, in order to support Inuit self-determination.

Justice & housing in Cambridge Bay

In bureaucratic processes within the housing system and legal system, people’s lived experiences are filtered and translated to fit with the requirements in ways that may not really reflect their experiences anymore. This can sometimes have a dehumanizing effect (losing sight of the human involved), especially in the context of colonialism. This gap between what these processes consider to be relevant and how people experience the world can affect whether people see these systems as being fair.

Bureaucratic systems like housing and the law are often designed to be “fair” with a focus on the fairness of the process. But community members base their sense of fairness on the results, rather than simply the process.

When we research access to justice, we need a holistic view that looks at how people experience the law, & their perceptions of justice, rather than simply studying laws in isolation.

This research also reveals the differences between what laws/policies say and what actually happens on the ground: the Residential Tenancies Act and Nunavut Housing Corporation policies may set out processes and provide remedies, but community members may not be aware of them and may not benefit from them unless service providers act as intermediaries for them.

Why don't people make use of the law as a tool for their housing issues?

- Some may not know that they can use the law because they don't describe their housing issue as a law-related problem.
- Sometimes there are limits to how the law can help, especially if there is no basis for a legal intervention or if actual enforcement is challenging.
- Some community members may be reluctant to trust the ability of the legal system to help them, because of the impacts of colonialism – and in particular, the imposition of a different legal system on Inuit who already had their own practices of dispute resolution for centuries.

Solutions for access to justice issues need to involve more than simply public legal education, but a holistic, Inuit-specific, trauma-informed, cross-sectoral perspective to address the underlying issues of the housing crisis in Nunavut.




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1. What this project is about

This doctoral research project looks at the housing crisis in Cambridge Bay, Nunavut.¹ Nunavut suffers from a severe shortage of housing.² The housing crisis in Nunavut plays out differently than in southern Canada.³ Housing plays a key role in Inuit health,⁴ and can affect nearly every aspect of a person's life in Nunavut, including mental health, childhood development, education, and work.⁵



Cambridge Bay, 2013 when I first moved here

Why this topic?

I was interested in studying this topic because of my own previous experiences as a housing lawyer while living in Cambridge Bay, Nunavut. I supported my clients with their housing issues, and I became curious about the bigger picture of the housing crisis in the community.

Inuit have been clear that research in Inuit Nunangat needs to reflect the priorities of their communities, and that research needs to benefit Inuit communities by providing evidence for making informed policy decisions.⁶ Inuit have identified housing as an important priority.⁷ The Government of Nunavut has also identified the need for more research on housing needs in Nunavut, especially for vulnerable populations.⁸ While there is some statistical data about housing,⁹ there is a particular need for understanding people's qualitative stories about housing.¹⁰ As confirmed by my community engagement,

there is also a need for more research on the housing crisis at the community level, including for Cambridge Bay, as most existing research looks at Nunavut or Inuit Nunangat generally,¹¹ or other communities such as Iqaluit.¹² By hearing the stories of people experiencing the housing crisis in Cambridge Bay, I hoped to help fill this research gap.

How the research was done

Using a research approach called institutional ethnography, I interviewed about 32 participants.¹³ Participants were community members living in Cambridge Bay or who had lived in Cambridge Bay, and service providers who were either based in Cambridge Bay or provided services to community members in Cambridge Bay. I also reviewed texts such as laws, policies, guidelines, manuals and application forms.

About me



Gloria Song

- *I am a PhD candidate at the University of Ottawa's Faculty of Law.*
- *I previously lived in Cambridge Bay, Nunavut, working at the Kitikmeot Law Centre as a civil litigation lawyer for the Legal Services Board of Nunavut. My practice areas there included housing and human rights.*
- *I worked with the Law Society of Nunavut for over five years as the Access to Justice co-representative and as a project consultant, supporting the law society with its public legal education projects on access to justice while based in Ottawa.*
- *I worked over four years as a policy analyst in Arctic research policy for Polar Knowledge Canada, the federal agency headquartered in Cambridge Bay operating the Canadian High Arctic Research Station campus. I was based in the satellite office in Ottawa.*
- *This research was done independently and does not represent any of my employers' views.*

2. Experiences of people looking for a home

Emergency shelters & transitional housing	Public Housing	Staff housing	Private Rentals	Home ownership
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Stories of homeless Inuit women

Homelessness looks different in Nunavut than in southern Canada.¹⁴ Rather than sleeping in the streets, people who do not have a home may have to stay with friends or extended family, sleeping on couches or on mattresses on the floor, before moving on to find another place to stay temporarily (often called “couchsurfing”).¹⁵ This is partly why there can be large numbers of people living in one home, sometimes with people sleeping in shifts and in rooms shared with several other people.¹⁶

During my research, Inuit women talked about how they had to couchsurf for years in Cambridge Bay while they waited for public housing to become available. When their partners got into fights with them and kicked them out, these women would have to go from house to house, looking for someone who would let them sleep for the night. Sometimes the houses where they stayed would already be crowded, and they would not be able to stay very long. Sometimes they did not feel safe in the place where they stayed, due to other people partying in the home. One woman told me, “There was times where I had to bite my tongue, just to have a place to stay.”

Worrying constantly about having a safe place to stay took up much of their attention, energy, and time. The women I spoke to often had jobs and had to juggle their responsibilities at work while also worrying about where they would live next. It was important for them to continue to earn a living, as they wanted to contribute to the households where they were staying. They did not want to be seen as “free loading”.



An emergency shelter in Cambridge Bay

Women who have children while couchsurfing also have to worry about their children's well-being under these conditions. Sometimes they even think about giving up their children to Family Services, just so their children would have a safe place to stay.¹⁷ These conditions are also difficult for people who are recovering from addiction and trying to stay sober, if other people in the home are drinking or doing drugs. Service providers also confirmed that sometimes women would have to offer to provide sex in exchange for having a place to sleep.

These stories highlight how Inuit women can be particularly vulnerable in this housing crisis. In previous reports, Pauktutit Inuit Women of Canada have emphasized that housing security - and specifically having a safe place to live without depending on one's abuser - is a key priority to ensuring the safety of women and children in Inuit communities.¹⁸ A woman who is in an abusive relationship with her partner may want to leave; but if she has no place to go, she might feel like she must stay or else become homeless.

What role does the law play?

There have been efforts to address this issue through the law. The *Family Abuse and Intervention Act* allows a person dealing with family violence to apply to a Justice of the Peace to get an emergency protection order (sometimes called an EPO).¹⁹ This emergency protection order can include many things. It can order the abuser to not contact the person making the order, or order the abuser to leave the house for a period of time, even if the abuser is listed on the lease as the main tenant.²⁰ There are also ways to get protection orders under the Criminal Code.²¹ These seem like a powerful legal remedy. However, previous reports and articles have noted that there are issues with how protection orders work in reality, such as people not trusting that the orders will actually work.²² One woman I spoke to noted that she had tried getting a protection order, but her abusive partner would simply disobey the order. She eventually stopped using these options, because it was clear to her that these documents did not mean anything to her partner.

An RCMP officer that I spoke to in Cambridge Bay also observed that in reality, it can be difficult to make two people avoid each other in a small community of 1700 people like Cambridge Bay. The RCMP officer said, "There's what's in the Criminal Code that needs to be done, and there's what's in policy, which is, unfortunately, applied to all of Canada, not Nunavut specifically. And then there's the reality of the situation."

For the women that I spoke to who had been dealing with homelessness, they had to find their own solutions and strategies rather than relying on laws like the *Family Abuse Intervention Act* or the *Criminal Code*. Eventually they were able to get their own public housing unit and are now focused on healing.

Housing for people going through the criminal justice system

People who have been arrested and are going through the criminal justice system also struggle with finding a place to live because of the housing crisis. One criminal defense lawyer explained to me how a person who has been charged could have the option to live in the community on bail while waiting for their trial. Someone who has been convicted could also potentially serve their sentence in the community as a conditional sentence. This is commonly known as “house arrest”. But this is only an option if the client can show the court that he has an appropriate place to live. If the client has been charged and/or convicted of assaulting his partner, the court will likely not find it appropriate for him to live in the same home as his partner – even if he does not really have any other place to live. If the client cannot show an appropriate place to live, he will have to stay in jail, simply due to a lack of housing in the community.

Even though the law provides the possibility for people to not have to go to jail, this is not an actual option for some clients. The criminal defence lawyer explained to me that a richer person might be able to rent a place to stay, such as a hotel room, for bail or for conditional sentencing. But his legal aid clients can’t afford this option. The lawyer commented: “So not only you’ve got somebody who’s in jail, but wouldn’t be in jail if he had money. So he’s not in jail because he’s poor, but he’s in jail because he’s poor.”

The lawyer also explained that sometimes overcrowded households due to the housing shortage can sometimes play a contributing factor in domestic incidents like assault and theft. With people who are crowded and living together in such close contact, he felt like there could be more potential for a crime to happen. He observed, “It’s like the tinder for the fire comes from people that don’t have a lot of material resources, don’t have a lot of money, crammed together into these small spaces.”

The bigger picture: the need for emergency shelters and transitional housing

In southern Canada, women who are trying to leave an abusive relationship might be able to stay at women’s shelter. People who have gone through the criminal justice system might have the option of transitional housing, such as a halfway house. In Nunavut, these options are not as easily available because there are very few emergency shelters and virtually no transitional/supportive housing in the territory.²³ As a result of this shortage, there is increased demand for public housing, as well as overcrowding in all forms of housing.²⁴ We have seen from the stories in this section that this shortage results in people having to couchsurf or stay in jail.

Cambridge Bay is relatively fortunate because it does have three homeless shelters, one each for men, women, and youth. Many of the other communities in Nunavut do not have shelters, and as a result, the shelters in Cambridge Bay must serve other communities as well. Not being able to move into transitional housing also means that people sometimes stay at the shelter for much longer than expected, even though the shelter is only meant to be a temporary stay. Service providers working with shelters reported to me that the shelters are often full, and people have to be turned away. Not having enough housing in the community also prevents shelters from being able to hire more workers to run the shelters.

Pauktuutit Inuit Women of Canada explained to me that more shelters are being built across Canadian north, as they have received funding to build women's shelters. They noted that at the moment, there was guaranteed funding for five shelters, and beyond that, it will depend on how availability and how much further funding is available.

From these stories, we can see how sustainable and adequate long-term support for shelters and transitional housing is important for addressing homelessness and other people who are looking for housing. It is also crucial to address these issues in other communities, as what happens in other communities affects Cambridge Bay. If other communities get shelters of their own, they would not need to use the shelters in Cambridge Bay as much. Having these options will then ease some of the pressures on public housing. Inuit have called for housing programs to be Inuit-specific and Inuit-led, who can make sure that Inuit needs are met.²⁵



Buildings under construction in Cambridge Bay



3. Public housing

Emergency shelters & transitional housing	Public Housing	Staff housing	Private Rentals	Home ownership
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Different stories about the role of public housing

Public housing refers to housing that is run by local housing organizations and subsidized by the Government of Nunavut, with rent set according to household income. Community members had different understandings about the role of public housing. Participants noted that there is an understanding that the best option for finding housing is to apply for public housing as soon as one becomes eligible. One service provider noted, “[T]he narrative in Nunavut right now is that children are told, wait and when you turn eighteen, go put your name on the housing list. That needs to change. Because one, as you know, the Government of Nunavut’s housing corporation cannot provide housing everyone on the housing list.”

This is different from the vision of the government. The government’s expectation is that public housing is for the lowest-income population only, hoping that eventually some will move out to other forms of housing, such as staff housing, or ultimately homeownership.²⁶ According to the government’s vision, public housing is not meant to be the main source of housing for everyone. This approach is laid out in its policies and programs.²⁷ This indicates that there is a difference of ideas between the government and community members about what public housing is.

Government view of public housing	Community member’s view of public housing
<ul style="list-style-type: none">• Only for the lowest income population – not the main form of housing• People should eventually move to other forms of housing	<ul style="list-style-type: none">• The main form of housing that people are expected to remain living in

We need to consider how the area known to Inuit as Ikaluktutiak became the settlement of Cambridge Bay in the first place. As part of colonization, the government promised to provide Inuit with housing if they settled into the community. Inuit in the Kitikmeot region of Nunavut lived a mobile lifestyle, in harmony with nature’s seasonal cycle. They lived in villages of iglu on the sea ice during the winter to hunt seals, and then

moving to the land in the spring and summer to catch fish and hunt caribou.²⁸ But then more contact with non-Inuit changed this pattern. Community member Harry Maksagak told me this story:

Perry River, Perry Island, we had people out there that sustained themselves. They heard of this little place, Ikaluktutiak, as it was at the time, recognized as Ikaluktutiak, because of the good fishing grounds, the rivers to provide with many fish. We got Wellington Bay that had several families that were there, that came into Cambridge, into Ikaluktutiak, to pick up supplies and go back again. Thirty Mile River again is just down the Strait, or down the Bay from Wellington, and again, we had a couple of families that looked after themselves over there. And then we have people on Kemp Peninsula that were along the portage area. And east of the portage area, they would come into Ikaluktutiak, re-supply, and go back out again.

But then when they did come in, again, the government was saying, we could provide housing for you, we will provide housing for you. They came up with these little projects called the matchboxes, which is a one-unit shell.

[...]

And that was the promise to the people, if they would come in. And in fact, in 1971, when [spouse] and I married, we were actually given a matchbox, just at the edge of what is the Green Row housing here. And that is where we spent the first year of our union.



Inuksuit on the Arctic tundra

As described, Inuit moved to the settlement as a result of government policies in the 1950s and 1960s. He connects this story to the promises made by the government, and the housing situation we have today:

The first unit we got was actually called a matchbox. It goes back into the 70s, which was part and parcel of the government of the day's persuasion for the Inuit - in this particular community, anyway - to move in, and that they would be provided with these houses.

...[T]he housing situation reminds me of the treaties that were signed by First Nations with the federal government, only to be broken and largely ignored. The housing situation - and I can only refer to Cambridge, but probably has underlying effects right across Nunavut, from Kugluktuk all the way over to the Baffin area, and into Grise Fjord - that: "You move into this place. We will give you a house, we will

give you a job. You will get money. You will be more comfortable than having to build your igloos and make your skin tents and sod houses and so on.” That was kind of appealing to the ears, because it was felt then, okay good, I don’t have to labour when I come to this particular camping area. But that all changed.

As more Inuit began to settle around the area, there was more need for housing. This sparked a housing shortage that has never been fully solved since.²⁹ So this is how many community members’ understanding of public housing could be connected to their memories of historical interactions with the government, promising to provide for their housing needs.



"Welcome to Cambridge Bay" sign on the road leading to town from the airport

But this story isn’t reflected in the designs of the public housing policies and programs. The housing policy goal of the government is to move people away from reliance on government-subsidized housing towards individualist private market housing options such as homeownership.³⁰ People therefore live under policies about public housing that do not quite match their experiences of what they understood about the government. This difference is important to think about when we are talking about access to justice, and what people think justice is. It’s not enough to say that their understanding is wrong, or to make public awareness campaign about what the correct idea about public housing is, but to understand where this understanding comes from in the first place, rooted in history.

The reality is that public housing *is* the main form of housing for the majority of Nunavummiut. Over half of Nunavummiut live in social housing, and almost three quarters of public housing tenants earn less than \$22,800 annually.³¹ At any rate, it’s very difficult to move from public housing to other forms of housing, as the next sections will show.

The waiting list for public housing: a zero-sum game in a crumbling pie

People often have to wait for a long time to get public housing in Cambridge Bay. The Cambridge Bay Housing Association needs at least 50% more public housing units to meet the current demand on its waiting list. Some community members felt confused about what they needed to do for the waiting list to get public housing. For example, some were not sure when they were expected to update their applications or if they were expected to show up to meetings of the Cambridge Bay Housing Association to support

their application. Some people were frustrated about not understanding how public housing is given out. They wondered if the allocation process was being done fairly.

The process for allocating public housing units to people are written out in texts like policies, manuals and forms.³² The public housing program was designed to provide public housing to those who are the most in need.³³ The local housing organization's board ranks people's application according to a point-based system to figure out who has the greatest need for housing. Through this system, the board looks at criteria like:

- how many bedrooms does the applicant's current home, compared to the number of people living in it
- what condition is the home in
- what is the cost of the home affordable compared to the applicant's income.³⁴

The written format of these processes and requirements may not be easy for some people to access or understand. Service providers therefore play an important role in explaining to community members what they must do and how these processes work.³⁵ It's also not easy to translate people's housing needs into a number of points in an application, especially when people's housing experiences can be complicated. Sometimes a number-based analysis of an application might not truly reflect a person's lived experience of housing.

The system of rating people's application by points is set up in order to be fair.³⁶ This means that local housing organizations like the Cambridge Bay Housing Association must not treat certain people differently or give anyone special treatment, but instead apply the same rules to everyone.³⁷ This understanding of fairness focuses on how the process is conducted.

Despite this, some community members did not feel like the way that public housing units were given out was actually fair. They did not understand why other people received housing while they did not. One community member remarked, "It kind of makes me feel like I'm not even...don't even exist."



View of the street from my old house in Cambridge Bay

This reflects how there are different ways to understand fairness. While the housing systems are designed to be fair with respect to the process, some people might care more about the results. With the current housing shortage, the reality is that not everyone who

applies for public housing will get it. The process for assigning existing public housing units may be done in a procedurally fair manner, but people may still feel like there is an overall lack of justice, from a broader perspective. This is especially so if one understands justice as having access to safe, sustainable, and healthy housing.

Housing system view of fairness	Community members' view of fairness
The process: Are people treated equally and in the same way?	The results: do people who need housing get it?

There isn't a lot that the law can do for these situations, when people are unsatisfied with how public housing units are assigned. Lawyers explained how they can only act for the clients to challenge a decision to allocate public housing when there is a legal basis. For example, let's say the criteria for assessing housing applications has not been applied properly. If the process might not have been followed properly, a lawyer might be able to apply for a judicial review (a review by the courts) of the decision, on behalf of a client. This is where administrative law principles apply. A court might then review the decision, and if the court feels that an error was made, the court can order the local housing organization's board to re-do the decision.

But if there has not been a mistake in following the process and applying the rules, there is not much that can be done through the law, even if someone has been on the waiting list for many years. However, even if a decision is fair in the eyes of the law, people may not feel like there has been justice if they still don't have a home. Lawyers that I interviewed felt like they were limited in being able to help their clients get housing in these types of situations. I also felt frustrated like this when I was a legal aid lawyer in Cambridge Bay, wishing that I could do more to help my clients get a home.

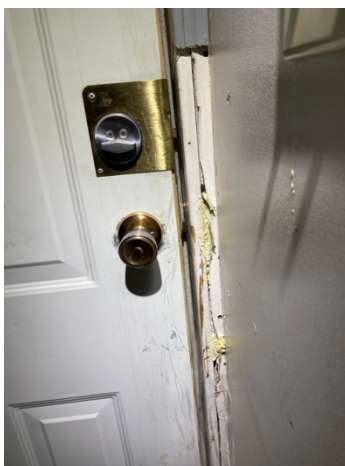
Even if a lawyer is able to challenge a housing decision and get housing for their client, someone else will still be left without a home. One lawyer described it as a "zero-sum game in a crumbling pie" because if you help one person, you're not helping the others, especially if there are more people than housing units available. No matter what, some people will be left out. The housing shortage means that in one sense, people must compete against each other to get housing. The law is not a magic wand that can create more houses.

There are many complex reasons why there haven't been enough houses to meet demand in Nunavut. Building houses in the Arctic is much more expensive than southern Canada.³⁸ The Arctic climate means there is a shorter season for construction and for shipping supplies.³⁹ There is also a limited number of contractors and workers available to build houses.⁴⁰ But resource is certainly a key factor. In Nunavut, the Government of Canada and the Government of Nunavut share responsibilities for housing, with the Government of Canada providing funding that is cost-matched by the territorial government and municipalities.⁴¹ Inuit leaders and the Federal Housing Advocate have called for the Government of Canada to give control over Inuit housing programs and services to Inuit governments and to make sure that funding for Inuit housing is enough to meet their needs.⁴²

We have already seen how lack of emergency shelters and transitional housing has increased demand for public housing. In later sections, we will see how part of the reason why there is such high demand for public housing is because of issues with respect to other kinds of housing too, such as private rentals and homeownership.

Repair needs in public housing

It can be a big relief when someone finally gets public housing. But problems don't end there. Participants shared many stories of the problems that they had with their public housing units, and the repairs that they needed. Some of the problems that participants described included electrical wiring, doors and windows not opening or closing properly, houses being too cold in the winter due to improper insulation, and mould.



A door in Cambridge Bay that has been broken

Dealing with these problems adds extra burdens on public housing tenants, who must already carry out their household responsibilities like caring for their children. Participants talked about the stress that these problems caused for them, making them feel helpless and worried for their children's well-being. Problems such as mould can also affect people's health,⁴³ and as a result, how they perform at school or work, as some participants observed.

Unlike the limitations described in the previous section with respect to the waiting list, the law does provide remedies for these issues. The *Residential Tenancies Act* says that landlords (such as local housing organizations) must make sure homes are in a good state to live in.⁴⁴ According to the *Residential Tenancies Act*, when a tenant notifies the landlord of problems relating to this responsibility (such as a need for repairs), the landlord must fix the problem within ten days.⁴⁵ If the landlord does not fix the problem, the tenant can take legal steps by filing an application to the Rental Officer, who can then order the landlord to comply with the landlord's legal obligations.⁴⁶

But it was not clear to me that the law is always able to actually provide solutions for community members with repair needs. Community members explained that they had repeatedly asked the local housing organization to make repairs, but the problems still continued, sometimes for many years. None of the community members I spoke to seemed to be aware of the legal option to make an application to the Rental Officer under the *Residential Tenancies Act*, and as such, they had not tried this option, nor had they

spoken to a lawyer. When I asked them about it, they told me they had not known that they could ask a lawyer for help with their repair problem.

What the <i>Residential Tenancies Act</i> says	The reality
Landlords must make repairs within 10 days of being told about the problem	Repairs takes much longer in reality – sometimes years
The Act offers ways to order the landlord to make the repairs	Community members were not aware of this option to use the law, nor were some service providers.

I also asked service providers if they ever referred their clients with housing issues to get legal assistance from lawyers. Some service providers had not thought about legal remedies as an option for their clients. Others were worried about how getting lawyers involved might have a negative effect on their client's relationship with the local housing organization.

This problem is about more than just making sure people are aware of their legal rights. There is also a question about whether the law can actually provide the solution that people need. It is important to understand *why* local housing organizations struggle to keep up with their legal responsibilities to repair housing units.

Service providers noted that there are limited workers and supplies available to make repairs. For example, there was a shortage of doors available to be used to replace broken doors. The COVID-19 pandemic also made it more difficult for the local housing organizations to make repairs. During the height of the lockdowns in Nunavut, housing staff could not come into the home to make some repairs, except for certain emergencies such as heating problems. When dealing with such urgent requests, staff had to take extra social distancing measures and wear personal protective equipment. There were also issues with getting supplies to the community to make repairs, due to pandemic-related supply chain issues. As a result, service providers reported that repairs took more work and more time.

Many of the public housing units in Cambridge Bay (and in other communities) were built using southern Canadian designs that were not meant for the cold Arctic environment.⁴⁷ This has caused a lot of problems for these housing units. For example, if a door does not properly close and insulate the heat, ice will build up in the door frame, damaging the frame until the door can't close at all. This will make the house even colder. The build-up of moisture in the home can then lead to mould. Some participants who have been involved in housing believed that it would be much better to tear down some of the older houses and build newer multiplex. Unfortunately, due to the housing shortage, there aren't enough homes to temporarily move people into while newer houses are built.

As such, the local housing organizations are forced to keep making inefficient repairs on old houses that are slowly falling apart.



A window that has been covered to keep heat from escaping

Underlying all this is the fact that it costs money to make repairs.⁴⁸ When Mumilaaq Qaqqaq, former Member of Parliament for Nunavut, conducted a tour of housing conditions in the Kitikmeot and Kivalliq regions, she reported:

Money for remediation and new units is the only solution. It is clear that the Nunavut Housing Corporation is underfunded. I want to make it clear, that the issues noted in that the issues noted in this report are not the NHC's [Nunavut Housing Corporation] fault. They are doing what they can with the resources that they have. Neither is this the Government of Nunavut's fault. The fault for Nunavut's housing concerns lies squarely with the Federal Government that needs to do more to support the NHC and every organization in Nunavut, with greater funding, and by listening to local solutions.⁴⁹

Just like in the previous section on the waiting list, not having enough funding is a key issue when it comes to repairing public housing units. The law therefore might not be able to provide an effective solution, even if people are aware that they could try to use the law to help them. Even if a tenant speaks to a lawyer and makes an application to the Rental Office, the Rental Officer's order does not have the power to solve the lack of funding, supplies, or labour that the local housing organizations may struggle with.

Some community member believe that the disrepair problems in public housing units, such as mould, can negatively affect the well-being of Inuit in many ways. These issues may start small, such as the door not closing properly. But if they are not addressed early on, the problems can get worse and worse.

Unacceptable tenants: the story behind tenant damages & rental arrears

The Nunavut Housing Corporation's Tenant Relations Officer Manual gives guidance to Tenant Relations Officers when looking at applications for public housing:

Acceptable or Unacceptable Tenant?

Where it is confirmed that an applicant has met all the eligibility criteria in Stage 1 and Stage 2, the LHO should take into consideration whether or not the applicant would be considered an "acceptable" tenant for the Rental Housing Program. The following criteria may be used as guidelines:

An eligible applicant may be considered "unacceptable" as a tenant if.....

- *they have a history of rental arrears or a poor credit rating.*
- *they have a history of unacceptable upkeep or damage to a housing unit.*
- *they have a history of affecting other tenants right to "quiet enjoyment".*
- *they have been convicted of criminal/illegal activities on LHO premises,*

Applicants who are considered "unacceptable" as tenants by the management should be referred to the LHO Board of Directors. The Board reviews each case and makes the final decision based on the supporting documentation from the Management's assessment.⁵⁰

Here, the manual describes what makes an “unacceptable tenant”. For example, if they owe rent or have a history of damaging their home, they may be considered unacceptable tenants, which may affect their ability to get housing.

During this research, I heard a lot of stories about “unacceptable tenants”. Community members and service providers felt frustrated about other people who abuse their public housing unit by damaging it, whether from partying, fighting, or other behaviours they felt were irresponsible. They felt like it was not fair that such people have public housing while other people are struggling to find a place to live, in the middle of the housing shortage.

I wanted to look deeper at the stories behind labels like “unacceptable tenants” and “tenant damages” (damages caused by tenants), to understand what these labels really mean. The *Residential Tenancies Act* states that tenants are responsible maintaining their home in “a state of ordinary cleanliness.”⁵¹ Tenants are also responsible for repairing damages to the unit that have been caused by them or people that the tenant has allowed into the unit.⁵² The Cambridge Bay Housing Association's policies and residential tenancy agreements for public housing units follow this, by stating that tenants must pay for damages caused by them or by people they have allowed in their home.⁵³

However, the *Residential Tenancies Act* also says that this does not include “ordinary wear and tear”.⁵⁴ The law therefore sees a difference between ordinary wear and tear and tenant damages, which tenants will have to pay for. Tenant damages can include broken doors or windows or large holes in the wall caused by members of the household or their guests.⁵⁵ But the Cambridge Bay Housing Association also considers certain some unintended damage to be tenant damages. For example, if there is damage to a door due to ice that has built up in the door frame, this will be considered tenant damages, because it considers tenants to be responsible for removing snow and ice from the door frame

during the winter.⁵⁶ We can see here that there can be examples when a person might have to pay for tenant damages, even if they didn't mean to cause the damage.



Snow building up in my door frame, causing the door to jam

This prompts us to think about why tenant damages happen. It is not always because of partying or fighting. Some community members told me how they did not understand why they were being told to pay for certain damages. Some service providers felt that the problem is tenants not understanding their responsibilities, while other service providers worried that when some tenants feel hopeless struggling with so many problems of poverty and depression, they may not have the energy to care for their home. Service providers explained that some tenants do not call the local housing organization to get repairs done, because they are afraid to have to pay for the tenant damages. As a result, those tenants must live with the damaged conditions of their home, which may grow worse.

Service providers and community members also talked about how sometimes tenant damages are the result of domestic incidents such as fighting. Damages caused by fighting in the home could be considered tenant damages, even if it was caused by someone other than the tenant, because the law might consider the tenant to have allowed the other person in the house. But the reality is that sometimes the tenant is not actually able to control the behaviour of other people in their home. For example, if a tenant's abusive ex-partner kicks down the tenant's door, the tenant does not really have control over that person. But unless the tenant can prove that this should not be considered "tenant damages", she may still have to pay for the repairs.

Local housing organizations are aware that these kinds of incidents can happen, including in situations of family violence. The Nunavut Housing Corporation's Tenant Relations Officer Manual explains that tenant damages are different from vandalism.⁵⁷ In order to prove that damage was caused by vandalism rather than something the tenant did, the tenant has to report the incident to the police.⁵⁸ But police officers are not always able to prove who caused the damage. One RCMP officer in Cambridge Bay explained to me:

So what normally happens is that if somebody, who is not the homeowner, decides to damage the home, for whatever reason. Normally we get called. And it's a mischief. It's damage to property. We'll come and we'll say, "What happened?"

Whatever story the homeowner wants to tell us is what we have to go with.

"Person Y damaged my house."

Okay.

"Give me the file number so I can call Housing."

INTERVIEWER: *Okay. That person says that?*

PARTICIPANT: *Okay. So we give them a file number. And they say, "Yup, we reported it to the RCMP. Somebody came and damaged my home." But I have no evidence to say that it was that person. I have no surveillance footage to say that it was that person that damaged it. I have nothing to go on but what they say to me. So Housing will only act if it was damaged, not caused by tenant usage.*

INTERVIEWER: *Do they accept that as, for their purposes, evidence? Like it was reported...*

PARTICIPANT: *[...] Well, in my personal opinion, for the sheer lack of... Like for the sheer... It would be more of a headache and more administrative work to figure out on their own, what's legitimate and what's not....than it is to say, "Okay, you've got the file number. ..."*

As the RCMP officer explains, the local housing organizations require tenants to make a report to the police about the damage in order to prove that the damage was caused by vandalism. If they don't report it to the police, the tenant might have to pay for the repairs themselves. But unless there is more evidence, the police can only confirm that damage was done, and the tenant reported it; the police cannot necessarily prove that someone else caused it. The RCMP officer observed that some people will report damages to the police even a year after it happened, because they understand that the local housing organization will only fix it for them if they report it to the police.

Ordinary wear & tear	Vandalism	Tenant damages
<ul style="list-style-type: none">• Happens from regular use• Tenant is not responsible for paying for repairs	<ul style="list-style-type: none">• Caused by someone that is not the tenant, a household member or a guest• Tenant is not responsible for paying, if they file a police report	<ul style="list-style-type: none">• Damage caused by tenant, household member or guest that is not ordinary wear & tear or vandalism• Tenant is responsible for paying for repairs

There can be serious consequences if a tenant does not pay for tenant damages and if they end up owing money, known as rental arrears. According to the law, tenants could eventually be evicted for these reasons.⁵⁹ People who owe money for tenant

damages or rent are also not eligible for public housing or transfers to another public housing unit.⁶⁰ They are also not eligible for Government of Nunavut staff housing⁶¹ or for the Nunavut Down Payment Assistance Program to help them buy a house.⁶² These laws and policies can therefore have serious effects on a person's housing.

Lawyers can help tenants deal with rental arrears, as it is considered a legal issue. Lawyers that I interviewed described how they could help. Sometimes they could help arrange a payment plan with the local housing organization. If the local housing organization has started up legal proceedings against the tenant through an application with the Rental Officer, lawyers can also represent their client in defending them. However, lawyers can only help if people ask them for help, and only if people know to ask for help. Some of the community members dealing with these problems that I spoke to had not even thought about asking lawyers for help, because they did not seem to know that they could.

On a deeper level, lawyers can only work within the limits of what the law provides. They can try to argue that the damage was not the tenant's fault, or they can help arrange a payment plan, to help the tenant avoid being evicted. They cannot necessarily solve the underlying problems of family violence or poverty, or the house shortage itself.

These considerations are all important to think about when we talk about "unacceptable tenants" who damage their home and owe money. Sometimes there is more to the story, and it is important to look at the underlying issues. This is because the laws and policies don't always reflect or address the stories of the human beings beyond these labels.

As we will see, some of the issues described in this section on public housing happen for other types of housing too. This includes overcrowding, difficulties in getting repairs done, and financial struggles. This is because the housing crisis affects nearly everyone in many different ways. But because people living in public housing are the poorest of the population, they are especially affected by these issues and vulnerable in their housing situations.



4. Staff housing

Emergency shelters & transitional housing	Public Housing	Staff housing	Private Rentals	Home ownership
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Who gets staff housing? Talking about fairness in staff housing

Staff housing refers to housing that employers provide to certain employees as part of a benefit of the job. Employers like the Government of Nunavut will also often help pay for part of the rent as well, as a way to attract workers. With the current housing shortage, staff housing is very important in Cambridge Bay. One employer explained to me how when they posted a job posting to hire staff, most of the questions that they received were whether the job came with housing. Another employer who provides services in housing described how they have difficult hiring more staff because they cannot offer housing for those positions, and even some of their own current staff have nowhere to live.

There is a widespread perception in Cambridge Bay that staff housing is reserved only for non-Inuit workers moving into the community from southern Canada, and not for Inuit workers from the community.⁶³ For example, some participants were Inuit post-secondary students who grew up in Cambridge Bay but were studying in southern Canada. They discussed wanting to return to Cambridge Bay to work, but having concerns about finding housing in the community, as they were considered to be “local” hires and were not offered staff housing.

Participants pointed out that it is not fair that there are negative racist stereotypes about Inuit living in subsidized public housing, which non-Inuit office workers making over \$100,000 a year also live in housing that is subsidized by their employer through staff housing. Over 70% of Government of Nunavut staff housing in Nunavut is occupied by its highest paid employees in executive, senior/middle management and other professional positions, predominantly non-Inuit.⁶⁴

Community members also see the quality of staff housing as being much better than many public housing units that Inuit live in. Staff housing units are often newer and in much better condition, especially compared to the older public housing units built soon after Cambridge Bay became a permanent settlement.



Houses along the waterfront in Cambridge Bay

Staff housing units also often come fully furnished, unlike public housing units. Employers often offer this as an added benefit of the job in order to attract workers. But this can seem unfair to community members: workers moving into staff housing often have a salary and could afford to buy furniture and appliances. On the other hand, low-income tenants moving into public housing have to bring their own furniture and appliances. Furthermore, community members explained to me that some staff housing units in Cambridge Bay did not even seem to be occupied, despite the current housing crisis.

All of this contributes to a sense of frustration among community members. One community member commented:

But for Nunavut, I think that is so wrong. It's because... it kind of makes me think when Cambridge Bay first started as a little tiny town. When residential schools were around at that time. A lot of people... I recall my grandparents being told to move to Cambridge Bay, instead of off the land. So it kind of felt similar [...] They seem to get more priority over local people that have been here all their lives, you know? And how do they get priority? I understand they have a job. And they need a place. But... [...] I needed a place. And probably hundreds of other people that lived here their whole lives. Why are they struggling to get a home? When down south people get a home, just instantly?

Like the story shared by another community member in the previous section, community members remembered how the Canadian government promised to provide Inuit with housing if they settled permanently in Cambridge Bay. This is why it seems especially unfair to community members that good quality staff housing seems to be reserved primarily for non-Inuit workers from outside of the community, while local Inuit struggle for housing and may live in overcrowded households.



An Inuksuk made of snow overlooking an area that used to be known as "Old Town"

From my research, the laws and policies for staff housing generally do not specifically say that staff housing is only for non-Inuit workers from outside of the community and not for local Inuit workers. The Government of Nunavut policy says that staff housing should be given out “in a transparent and fair process, which is consistent across all regions of Nunavut.”⁶⁵ The Allocation Committee is made up of Assistant Deputy Ministers from Government of Nunavut departments and decides who should be given staff housing. ⁶⁶ All permanent and term employees are eligible for staff housing, unless they own a home in the community, owe rental arrears, or have been evicted from Government of Nunavut staff housing in the last year.⁶⁷

Instead, Government of Nunavut staff housing is given out based on job positions and job categories. ⁶⁸ The policies do not say that it should be given to non-Inuit workers over Inuit workers. But in practice, participants observed that this is what tends to happen. Inuit make up half of the Government of Nunavut’s workforce; yet just over a quarter of workers in Government of Nunavut staff housing are Inuit. ⁶⁹ Service providers noted that certain jobs required specific job skills and levels of education, and it is those jobs that tend to come with staff housing. These include doctors, nurses, lawyers, managers, and executives. Because workers from those positions tend to be hired from southern Canada as opposed to within the community, this is how these results happen. Even if policies don't mean to have this effect, it results in staff housing being offer to workers hired from out of the community instead of locally hired Inuit workers. Lawyers talked about wanting to challenge these practices, but being uncertain how to approach it and on what legal basis.

The policies & practices	The result
<ul style="list-style-type: none"> • Staff housing is offered to certain job positions 	<ul style="list-style-type: none"> • Staff housing tends to be given out to non-Inuit workers moving in from outside of the community

It is important to think about this in the bigger picture of Inuit efforts to address decades of colonialism. These issues come up beyond the housing context. We can see it in the implementation of the Nunavut Agreement itself, signed between the Inuit of Nunavut and the Government of Canada. Article 23 of the Nunavut Agreement says that there should be Inuit participation in government employment in Nunavut that represents

the population of Inuit in the territory. This is considered to be one of the most important objectives of the Nunavut Agreement because it allows with the power to develop government policies to be aligned with Inuit values and culture.⁷⁰ Due to problems with implementing this article, Nunavut Tunngavik Incorporated sued the Government of Canada.⁷¹ Although this lawsuit was eventually settled, it highlighted the challenges in raising Inuit employment in the government to a level representative of the population. Hiring qualified workers for specific jobs requires long term planning, investment, and training. Problems with Nunavut education system, as well as other systemic issues, has made this challenging.⁷²

Similarly here, even though the processes for giving out staff housing may have been set up in a way that was meant to be fair, community members still feel that it is not fair, because staff housing is mainly given to non-Inuit. If staff housing is reserved for workers who have certain jobs, and the local community does not have people who have those specific job skills, then staff housing will tend to be given to workers who are not Inuit who have been hired from outside of the community. This could lead to Inuit being feeling like second-class citizens when it comes to quality housing.⁷³

This shows why it is important to design policies and programs that support larger goals of Inuit self-determination. I spoke to one employer that at first did not have a specific policy about how staff housing would be given out. The practice had been to give staff housing to out-of-town workers, which meant that staff housing was generally being given to non-Inuit workers. When realizing the effects of this practice, the employer decided to design a new policy that would allow staff housing to be given to local workers as well, including their Inuit employees.

Carefully designed policies can have far-reaching effects in supporting the well-being of Inuit communities. For example, if more staff housing is offered to local workers, people can move out of their overcrowded public housing. Public housing units might then become available for other people in need. More people might feel encouraged to apply for these jobs that come with staff housing as well, which broadens the job application pool for employers. I spoke to Inuit workers with staff housing, who explained that having staff housing has improved almost every aspect of their life, especially their mental health. This demonstrates the benefits of making it a normal practice to provide staff housing to local Inuit workers as well.

People living in staff housing are still at risk of homelessness

People living in staff housing are still affected by challenges relating to the housing crisis in Nunavut. They may also deal with overcrowding if providing friends or family with a temporary place to sleep. They also experience the same delays in getting repairs done.

People living in staff housing are also at a special risk of losing their home. The *Residential Tenancies Act* says that if a worker in staff housing leaves their job or loses their job, they will also lose their staff housing within a week.⁷⁴ Workers will also lose their

staff housing when they retire. This is why the Government of Nunavut considers these types of people living in staff housing to be at risk of homelessness.⁷⁵

Although staff housing is seen as being nicer than public housing, it is still risky because workers can become homeless quickly if they lose their job. My theory is that staff housing is like this because the government has designed staff housing to be a temporary arrangement, to ultimately support a transition to the private housing market.⁷⁶ According to the Government of Nunavut, staff housing is meant to be a “stepping stone” to provide a home to new employees until they become settled. Once they are settled, the government wants to encourage those workers to move into the private market housing.⁷⁷ The government does not see staff housing as workers’ “forever home”.

But despite this official story of the government, the reality is that it is difficult for many workers to move out of staff housing. As we will see in the next section, there are not many options to rent privately or buy a house.⁷⁸ Even where there are options, moving into private market housing is much more expensive than staff housing.⁷⁹ The reality is that staff housing is not so temporary for many workers.

Government view of staff housing	People’s experience of staff housing
<ul style="list-style-type: none">• A temporary arrangement until the worker can find a private rental or buy a house	<ul style="list-style-type: none">• Private rentals and homeownership is expensive, so staff housing is more permanent – unless they lose their job.



5. Private rentals

Emergency shelters & transitional housing	Public Housing	Staff housing	Private Rentals	Home ownership
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As mentioned in the previous section, government policy goals aspire to have people eventually moving out of public housing and staff housing into the private housing market. Private rentals are more secure than staff housing in that a tenant will not lose their housing immediately if they lose their job. But private rentals are less common than other forms of housing in Cambridge Bay and other communities. The Government of Nunavut considers the private rental market in Nunavut to be underdeveloped.⁸⁰ As a result, private rentals tend to be expensive. What's more, unlike public housing and staff housing, private rentals are generally not subsidized.

Participants felt that what few private rental options there were in Cambridge Bay were not affordable. Even participants who were office workers with a salary talked about how they found the high costs of private rentals to be discouraging.

With such limited options for private rentals, landlords can afford to be picky about who they rent out to. One participant who rents out part of her house noted that she does not need to publicly advertise her rooms for rent, because she can easily find tenants through her network by word-of-mouth.

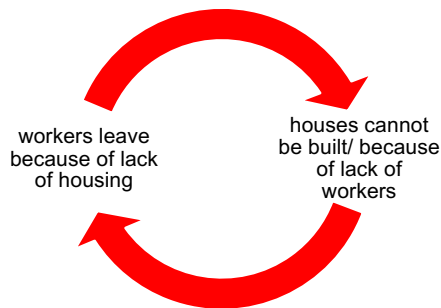


Houses in Cambridge Bay


One particular feature about Cambridge Bay's private rental market is that a number of the private rental units are actually a type of staff housing. This is where the property is owned by landlords who rent out the units to businesses or government bodies to then rent out to their employees. A service provider observed that a number of landlords prefer to have corporate tenants, rather than renting out to people "off the street". Corporate tenants tend to pay on time. If the person living in the unit causes damage, the

corporate tenant could be held responsible for paying for it. But this makes it harder for individuals to find a home to rent “off the street”.

Community members discussed how they were considering moving away from Cambridge Bay due to the unaffordable prices of private rentals, even though they had jobs. Stories like this show how the housing crisis means that communities like Cambridge Bay can lose their skilled workers, including local Inuit workers, if they are not able to find a place to live. Some of the challenges of building new houses and repairing existing houses in Nunavut is due to there not being enough skilled workers. This can be seen as a “vicious cycle”, where the shortage of houses leads to a loss of workers, and a shortage of workers leads to the shortage of houses.



The Government of Nunavut has recognized that the lack of affordable private rentals is a problem. The Department of Family Services has announced a Canada-Nunavut Housing Benefit Program, which provides funding for people living in private rentals.⁸¹ The idea is to provide temporary financial relief for people going through a period of transition.⁸² The government is interested in having people eventually move out of public housing and staff housing into private market housing such as private rentals, so that less people are dependent on housing subsidies. But even here with private rentals, the government offers housing subsidies, because private rentals are too expensive. As we will also see in the next section on private homeownership, this starts to ask the question about what a housing model in Nunavut should look like, and what housing goals should be for the territory.



6. Private Homeownership

Emergency shelters & transitional housing	Public Housing	Staff housing	Private Rentals	Home ownership
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Homeownership is an important priority for the Government of Nunavut, which would like to see people moving away from public housing and staff housing into private market housing.⁸³ This would reduce the dependence on government funding for housing. Currently, Nunavut has the lowest rate of homeownership in Canada at 19.2% in 2021.⁸⁴ Having higher rates of homeownerships is a key goal of the Government of Nunavut.⁸⁵

Some participants bought houses because they felt like it was the right thing to do, the next natural step in their lives. Some participants wanted to own a home own day. Some public housing tenants were not interested in owning a home, because they felt like it involved too many things to worry about. Other participants had thought about buying a home, but felt that houses in Cambridge Bay were far too expensive.

As with private rentals, houses are expensive to buy in Cambridge Bay partly due to the shortage of houses on the market. Participants also commented that owning your own home is much more expensive than subsidized public housing. Homeowners must pay for utilities like heating, water and electricity, higher insurance rates, and any repairs that the house might need.⁸⁶ These high costs and limited availability of houses to buy means that even people who have jobs and financial security often must continue to live in public housing or staff housing.⁸⁷

The Government of Nunavut has made efforts to address the unaffordability of private homeownership through programs like the Nunavut Down Payment Assistance Program. This Nunavut Housing Corporation program offers a one-time forgivable loan up to \$30,000 towards the down payment on a house.⁸⁸ As we saw in the previous section on private rentals, even though the government would like to see Nunavummiut move towards market housing, currently it must still provide financial support for homeownership as well. Essentially, the government provides financial support for all forms of housing on the housing continuum in Nunavut.

Participants who were homeowners were clear that they would not have been able to afford to buy their house without this program. But some service providers who work in housing construction questioned whether \$30,000 was realistically enough for the housing market, where houses could be listed for \$690,000.



Buildings under construction in Cambridge Bay

Service providers explained that the key strategy is to plan carefully when buying a house and ensuring that one can afford the costs of maintaining a home. But preparing for the costs of maintaining a home can be difficult especially for repairs. The costs for maintaining a home including for repairs is another obstacle for home ownership in Nunavut,⁸⁹ especially if the house is one of the older homes in Cambridge Bay which require extra repairs to deal with the Arctic environment. Participants who were homeowners reported similar repair issues as was described in the earlier section on public housing.

The Nunavut Housing Corporation also offers programs to help homeowners pay for the costs of repairs and renovations such as the Home Renovation Program and the Emergency Repair Program.⁹⁰ Some participants found it difficult to navigate the processes for the Nunavut Housing Corporation programs, which require the homeowners to be responsible for arranging the contractors to carry out the work. They expressed being confused about what they needed to do.

One homeowner shared the challenges she experienced in buying and maintaining her home. Like other participants, she bought a house on the advice of a colleague on the understanding that buying a house is something that one should do. But since buying her home, she has had trouble affording the costs of maintaining her home. At one point, she was at risk of losing her house through foreclosure due to missed mortgage payments until a lawyer helped her work out a payment plan. Her home required major renovations, but she struggled to afford the cost of the repairs and get them done. As conditions in her home got worse and worse, she expressed mixed feelings about buying a house: the responsibilities and costs of homeownership sometimes seemed to outweigh the benefits.

The law and private homeownership



Nunavut Court of Justice in Iqaluit

Lawyers can help homeowners with some of their issues, although some participants reported communication problems with their own lawyers. People in Nunavut dealing with foreclosure have face challenges in accessing legal help, because the *Legal Services Act* forbids legal aid lawyers from providing legal services for real property transactions,⁹¹ (although there could potentially be space for helping clients with issues of debt). Service providers also described how middle-class homeowners may have difficulty getting legal help for their problems relating to home repairs or construction. They might not be able to get help from legal aid due to financial ineligibility,⁹² because they own a house, even if they might not be able to hire a private lawyer in reality. There are also no real estate lawyers in Cambridge Bay. This means that homebuyers and homeowners must hire lawyers from outside of the territory. Even then, service providers described how homeowners might have difficulty finding a lawyer who can take their case. This is because a lot of lawyers who can provide legal services in Nunavut already represent the government or the construction companies. So if a homeowner wanted to bring legal action with respect to a construction or repair issues for their home, many lawyers may not be able to take them as a client because they already represent the other side and would be in a position of a conflict of interest.

7. Thinking about policy solutions: Is it always about buying a house?

In the fall of 2022, the Government of Nunavut announced a new housing strategy, *Igluliuqatigiingniq Nunavut 3000*. This aims to expand the housing continuum using partnerships, with the specific goal to build 3000 new housing units in Nunavut by 2030.⁹³ This announcement is an exciting step towards addressing the housing crisis. However, we can see through this research that the housing crisis is more than simply a shortage of houses. For example, there will need to be decisions when building these new houses about who will get the new units, how that will be decided, and what to do about the existing houses. People need to understand how these decisions are made and what their roles are. It will be important to have strong policy thinking that supports goals of Inuit self-determination in addressing the housing crisis.



Inuksuk on the Arctic tundra

In talking to people about their housing experiences, I found that many of the same issues came up for people living in different types of housing. For example, overcrowding is a common problem, no matter who owns the house. Because there aren't enough homes available, both public housing tenants and homeowners must often let friends and family who are in need stay with them. It can also be a challenge at times to get repairs and maintenance work done, whether for public housing, staff housing, or a privately owned home. This is because there are a limited number of workers available to do the repairs, and a limited supply of materials.

These issues exist everywhere on the housing continuum because the same factors influence them. The unique Arctic environment affects people's housing experiences because special planning is required, and construction costs may be higher. There are especially repair issues with houses in the community that have not been designed for the Arctic environment.

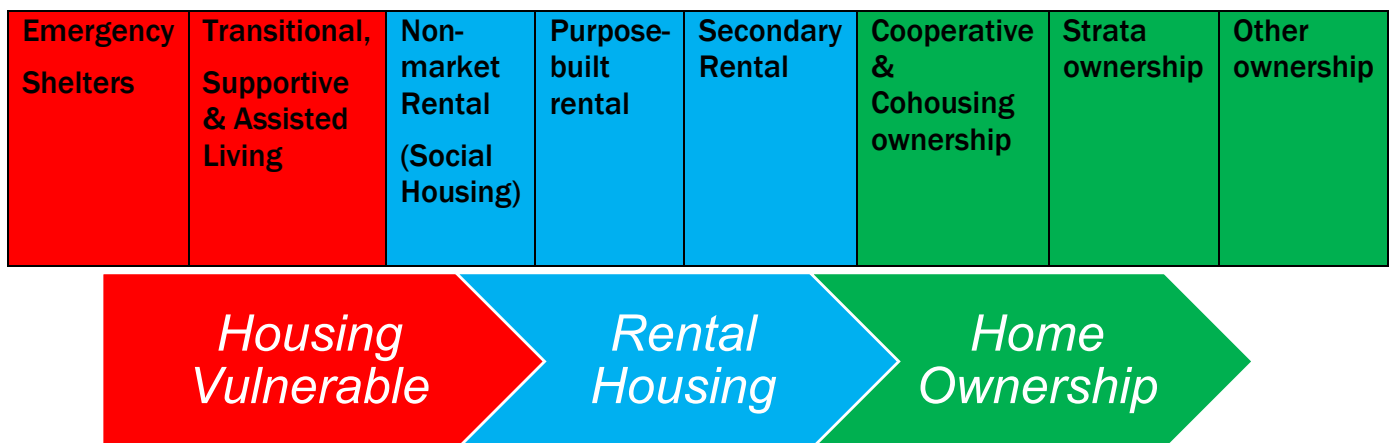


High snow banks after a blizzard in 2015

The same thing can be said about housing systems and ideas that may not be designed for Inuit by Inuit, but instead were brought in from southern Canada. After all, community members and other sources have described how Inuit in the Kitikmeot region had their own way of living until Canadian government policies persuaded them to move to the permanent settlement that became the community of Cambridge Bay, under the promise that Inuit would be provided with housing. Inuit have criticized the government's lack of adequate support for housing, and have instead called for direct funding and direct involvement of Inuit in making decisions about housing to support goals of Inuit self-determination.⁹⁴

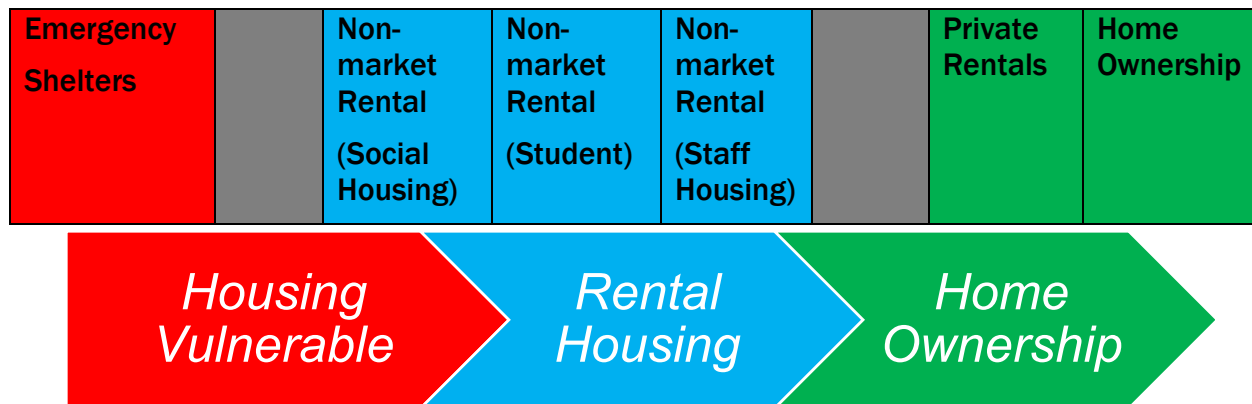
It may be time for new ways to think about housing in a way that supports goals of Inuit self-determination. The government's current view of housing is based on models from southern Canada. For example, the Government of Nunavut presents its view of housing in the following housing continuum:

An Example of a Complete Housing Continuum



Source: City of North Vancouver

Housing Continuum in Nunavut



Based on Government of Nunavut, Nunavut Housing Corporation, "The Framework for the GN Long-Term Comprehensive Housing and Homelessness Strategy" (2012) at 17, online: < <http://blueprintforaction.ca/docs/other/nhc-strategic-framework-en.pdf>>; and Government of Nunavut, Nunavut Housing Corporation, "The GN Long-Term Comprehensive Housing and Homelessness Strategy, (2013) at 14, online (pdf): < <http://blueprintforaction.ca/docs/other/nhc-homelessness-en.pdf> >.

This model divides up different types of housing into categories based on who owns the property and whether it is subsidized by the government. It is a policy choice to look at housing this way. The housing continuum at the top is labeled "An Example of a Complete Housing Continuum" and shows what the government believes housing in Nunavut should look like. This is based on what the housing continuum looks like in southern Canada, and the source is even taken from the city of North Vancouver.⁹⁵ The government's goal is to improve movement along the housing continuum away from dependence on government funding towards private market housing.⁹⁶

This is not to say that it is unreasonable to want to have people less dependent on government-subsidized housing. But the specific goal towards private market housing is a policy choice, one of many different ways to understand the situation. According to the Government of Nunavut, the underlying problem of Nunavut's housing crisis is the absence of a housing market, "the key organizing principle for the southern Canadian economy...Gradually, markets should coincide with rising resource development, public sector growth and infrastructure investment."⁹⁷ To establish a housing market, government documents stresses the need for economic development, including through resource development such as mining.⁹⁸ According to this perspective, Nunavut's issue is that its housing continuum does not look like the housing continuum in other parts of Canada. But this assumes that Nunavut *should* look like other jurisdictions, which are based on Western ideas of market capitalism and individualism. What if we thought about what an Inuit-specific housing continuum might look like?



The offices of the municipal government of Cambridge Bay

We have seen that all the different types of housing in the housing continuum in Nunavut currently involve some kind of government funding – even in private rentals and private homeownership. With all of the issues discussed in this research about building and maintaining homes in an Arctic context, there are questions about whether housing in Nunavut will ever be profitable enough to support a mostly self-sufficient housing market like in southern Canada. This is especially the case since Canadian cities in the south are also suffering from housing crises of their own, as there is not enough affordable housing in Southern Canada either.⁹⁹

Although the government’s approach views housing as a financial investment or a market commodity in a business transaction, there are other ways to see housing. For example, there has been increasing discussion about the idea of seeing housing as a human right.¹⁰⁰ We could also see housing in terms of relationships. Some participants talked about buying their houses from people that they knew and had a good relationship with. The act of buying the house was more than a business transaction, but also an act of caring. When I asked participants about what their dream housing situation would look like, they often talked about the importance of having a space to be with family and other loved ones and to support them in a safe, healthy, thriving environment.


One researcher, Frank Tester, has questioned whether the Canadian policy approach of housing as a market commodity with private homeownership as the ultimate goal makes sense in the Inuit context.¹⁰¹ He points out that Inuit cultural values includes supporting extended family relations by sharing resources, while Western culture sees homeownership as part of the goal of individuals and nuclear families in building wealth.¹⁰² Instead of focusing on a person’s inability to earn enough money to rent or own a home, he suggests that the housing crisis could be seen “a failure of the market to provide Inuit with the means to afford shelter and a failure of the Canadian state to meet its moral, ethical, and—it can be argued—legal obligations to its original citizens.”¹⁰³ Instead of focusing on homeownership, he says that Inuit housing policies informed by Inuit Qaujimajatuqangit could look at other forms of housing, such as extended family housing cooperatives.¹⁰⁴

I do not have specific answers about what these other Inuit-specific ways of housing could look like, but these are topics to be explored in discussions led by Inuit. Participants talked about various ideas like cooperative housing, rent-to-own programs, homesteading, supportive housing, or modular housing units that can be expanded as families grow. The federal government has announced more funding to build houses in Nunavut,¹⁰⁵ while

Inuit continue to call for self-determination in housing, with Inuit playing a direct role in building and managing housing in their communities.¹⁰⁶ There is space to think creatively outside of the box about what would work best for housing in Nunavut, and now is the time to explore it.



Modular homes as an innovative housing option (CHOU Consulting)



Appendix: Justice & Housing in Cambridge Bay

One of the main reasons why I wanted to research people's experiences of the housing crisis in Cambridge Bay came from my experiences as a legal aid lawyer in the community trying to help my clients with their housing issues.

Talking to people in Cambridge Bay about their experiences of housing helped me to understand what they saw as being fair. I also learned a lot about how their lived experiences were often different from the way these issues are framed in law and policies. It reinforced the importance of studying laws – and solutions to access to justice issues in the context of how people experience them, with a holistic view, rather than simply looking at laws in isolation.

I learned about how people's experiences are filtered and translated to fit into bureaucratic processes, sometimes in ways that seem quite detached from their realities. This happens when people's housing needs must be quantified into points in an application for public housing, so they can be placed somewhere on the waiting list in comparison to other people's housing needs which have also been translated into a number of points. This is done according to principles about procedural fairness. During this translation, the qualitative aspects of a person's housing situation often disappear, even though they are an important part of that person's experience.

This also happens when damages to a public housing rental must be classified as either ordinary wear and tear, vandalism or tenant damages. Some of the criteria for this categorization can be somewhat arbitrary at times, such as whether the damage was reported to the police, even if the police can't actually confirm who was responsible for the damage. This categorization can also sometimes hide underlying interpersonal power dynamics, such as whether the damage done by a person that the tenant "allowed" in their home was in the context of family violence. This process of filtering a person's experience to meet institutional requirements creates a gap between what is considered legally relevant and how people actually experience the world.

Not having one's experiences accurately reflected in bureaucratic systems can affect whether people see these systems as being fair. The design of housing systems and the legal system focus on procedural fairness. But in my research, community members were clear that their ideas of fairness were connected to the result, such as whether or not they can get a home. If we want to think about justice from the perspective of ordinary people, rather than simply those of legal professionals or the government, we must take

into account how community members experience these processes as well as what they want to get from them.

This research also reveals important insights about the differences between what texts say and what happens on the ground. Laws like the *Residential Tenancies Act* and Nunavut Housing Corporation policies set out specific processes to be followed and remedies that can be pursued for certain situations. But community members sometimes were not aware of what these laws and policies say, whether it is about how housing is allocated or legal remedies to enforce the landlord's responsibility to repair. If community members don't have easy access to the texts themselves, they rely heavily on service providers to convey this to them. This makes it all the more important to understand people's experiences and knowledge of the laws and processes rather than just looking at the texts themselves.

What laws/policies say	What happens on the ground
The <i>Residential Tenancies Act</i> & Nunavut Housing Corporation policies set out processes & provide remedies...	...But community members may not be aware of them and may not benefit from them unless service providers act as intermediaries for them

Sometimes people with housing issues do not pursue legal remedies because they don't characterize their housing issue as a law-related problem. For example, they might not think about asking a lawyer for help in getting their landlords to repair their homes. But this research also revealed the limits of the law. The law can be used to fight evictions or enforce repairs. But lawyers (including myself) have observed how it can be difficult to use the law to help people on the public housing waiting list to get at home, if there is no legal basis for intervening.

Long before colonialism, Inuit had already established their own system of laws to resolve problems.¹⁰⁷ Inuit Qaujimajatuqangit represents Inuit worldviews, designed to help Inuit live in respectful relationships with all living things, as well as to each other.¹⁰⁸ Through colonialism, Inuit teachings have been to some extent replaced by new laws which introduced a new set of rules and processes to follow to resolve issues. Lawyers work within this context. Even when representing their clients, they are limited by what the law offers, and must participate in the process of sifting through their clients' experiences to pick out those details which are "legally relevant". Previous literature has reported a lack of trust in the legal system by Nunavummiut, given how different it can be from Inuit practices and values.¹⁰⁹ Perhaps this is why some community members may be reluctant to seek legal remedies, even when they are aware that their issue maybe law-related.

This also means that solutions must be about more than just public legal education, helping people to understand the law. After all, the benefits of knowing one's legal rights are limited if there are practical issues with enforcing those rights. We can make posters to let people know that they can talk to a lawyer about their housing problems, but what if a lawyer can't actually help them with their particular issue, such as with certain waiting list

issues? Or what if lawyers are not practically accessible, such as for homeowners seeking to sue contractors in a context where many lawyers and Nunavut would be conflicted out?

Public legal education alone will not solve the underlying problem. It doesn't challenge the underlying power imbalances that exist or the root issues of the housing crisis. Public legal education can teach people how to work with the system, but not how to overcome the problems with the system. Addressing Nunavut's housing issues requires more than simply raising Nunavummiut's awareness about their legal rights. We must ask whether the legal system through which those rights would be enforced meet the needs of Nunavummiut in accordance with their culture and values.



The Law Society of Nunavut

This research has reaffirmed that we need a holistic cross-sectoral perspective to problem-solving that considers how housing issues intersect with other areas. A person's housing problem can be connected to a number of other needs, such as health (including addiction recovery), education, and employment.¹¹⁰ They also may be experiencing compound law-related problems in multiple subject areas, such as family law and criminal law. Service providers could use a collaborative approach that is trauma-informed and informed by Inuit Qaujimajatuqangit to support their clients,¹¹¹ not focusing only on the legally relevant aspects of a case, but also being alive to their clients' particular lived experiences, which tend to disappear in these bureaucratic processes. This then opens up questions about what justice actually means and should mean in a community like Cambridge Bay.

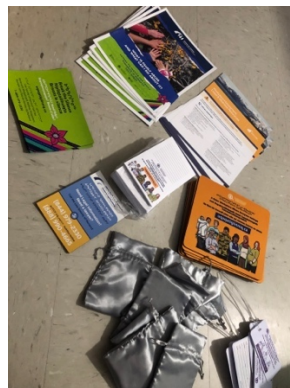
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*Gift bags given to participants,
containing legal & IQ-informed wellness resources
(courtesy of the Law Society of Nunavut)*

The statements in this report represent my own personal views as a scholar (or those to whom specific statements are attributed), and do not represent the views of any of my employers, past or current.

Endnotes

¹ The statements in this research report represent my own personal views as a scholar (or those to whom specific statements are attributed), and do not represent the views of any of my employers, past or current.

² Shylah Elliot & Judie Bopp, *The Little Voices of Nunavut: A Study of Women's Homelessness North of 60: Territorial Report* (Qullit Nunavut Status of Women Council, January 2007), online (pdf): <https://static1.squarespace.com/static/54b93da3e4b096702d3b8bbd/t/56aa3f9f9cad6b6b4b9f0d745/1453997994982/THE+LITTLE+VOICES+OF+NUNAVUT+Nunavut+Territorial+Report+Homelessness+jan+07.pdf> ["Little Voices"]

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⁴ Inuit Tapiriit Kanatami, *Social Determinants of Inuit Health in Canada* (September 2014) at 8 & 21, online (pdf): https://www.itk.ca/wp-content/uploads/2016/07/ITK_Social_Determinants_Report.pdf > ["ITK Social Determinants"]

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⁶ Inuit Tapiriit Kanatami, *National Inuit Strategy on Research*, (2018) online (pdf): < https://www.itk.ca/wp-content/uploads/2018/04/ITK_NISR-Report_English_low_res.pdf > at 5, 8 and 11; Pitquhirmikkut Ilihautiniq Kitikmeot Heritage Society & Polar Knowledge Canada, *A Guidebook for Research with Nunavut Communities: Iqaluktuuttiaq* (Cambridge Bay) Edition at 34, online (PDF): *Kitikmeot Heritage Society* < https://70ba67af-38ca-44d9-9ad3-1b20dd9086c5.filesusr.com/ugd/56a2ca_6de27f4ef7f34547ba4abde670d09c52.pdf > ["Kitikmeot Heritage Society"].

⁷ ITK Social Determinants, *supra* note 4 at 21; Kitikmeot Economic Development Strategy: Kitikmeot Economic Development Implementation Planning Forum 2020; Little Voices, *supra* note 2 at 38; also confirmed during my scoping exercises.

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¹¹ Polar Knowledge Canada, *Northern Housing Policy Recommendations* (Ottawa, Stratos Inc, May 2019), online (pdf): < <https://www.canada.ca/content/dam/polar-polaire/documents/pdf/northern-housing-forum/NHF%20-%20Policy%20Recommendations%20-%20EN%20-%20FINAL.pdf> > ["Northern Housing Policy Recommendations"]; Tester, *supra* note 5; ITK Social Determinants, *supra* note 4 at 21-22; Abele et al, *supra* note 5; Impact Economics, *supra* note 5 at 83; Battle & Torjman, *supra* note 5.

- ¹² Little Voices, *supra* note 2; Statistics Canada, *Canadian Housing Statistics Program, 2019 and 2020* (6 January 2022) at 17 & 18, online: <<https://www150.statcan.gc.ca/n1/daily-quotidien/220106/dq220106b-eng.htm?fbclid=IwAR3N16ybpoiCcVi9JTg9ytVc0hB9suzDjVBJGv8M0dUtlFKdVRc7l3RyRQs>>; CMHC Northern Housing Report, *supra* note 3 at 17 & 18.
- ¹³ This research project was done under the supervision of Dr. Jackie Dawson and Dr. Angela Cameron, as part of my PhD at the University of Ottawa, Faculty of Law. A research license was obtained from the Nunavut Research Institute (#04 006 24R-M), as well as approval from the University of Ottawa's Office of Research Ethics. See Acknowledgements section for funding information.
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- ¹⁷ This has also been reported in Little Voices, *supra* note 2 at 81.
- ¹⁸ Pauktuutit Inuit Women of Canada, *Strategic Plan for Inuit Violence Prevention and Healing* (Ottawa: Pauktuutit, 2016), online: <https://www.pauktuutit.ca/wp-content/uploads/StrategicPlan_English.pdf> ["Pauktuutit Strategic Plan"].
- ¹⁹ *Family Abuse Intervention Act*, S.Nu 2006, c 18 at s.5 ["FAIA"]. FAIA provides for a number of other orders as well, but EPOs are the most common orders, as the other orders are rarely used, if ever: Law Society of Nunavut & Pauktuutit Inuit Women of Canada, *Access to Justice for Family Violence in Nunavut: Phase I Research Preliminary Findings* (Iqaluit: Law Society of Nunavut, 2020), online (pdf): *Law Society of Nunavut* <https://www.lawsociety.nu.ca/sites/default/files/public/Access-to-Justice/Preliminary_Findings_Report.pdf> ["Access to Justice for Family Violence in Nunavut"]; Chris Durrant, "None of That Paper Stuff Works": A Critique of the Legal System's Efforts to End Domestic Assault in Nunavut," *Appeal*, vol. 19 (2014): 56 ["Durrant"].
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- ²¹ *Criminal Code*, R.S.C., 1985, c. C-46, at s.810.
- ²² Access to Justice for Family Violence in Nunavut, *supra* note 19; Durrant, *supra* note 19.
- ²³ Inuit Nunangat Housing Strategy, *supra* note 3 at 7.
- ²⁴ GN Strategy, *supra* note 5 at 14; see also NHC Blueprint, *supra* note 3 at 7.
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- ²⁶ Government of Nunavut, Nunavut Housing Corporation, "The Framework for the GN Long-Term Comprehensive Housing and Homelessness Strategy" (2012) at 24, online: <<http://blueprintforaction.ca/docs/other/nhc-strategic-framework-en.pdf>> ["GN Framework"]; Nunavut Housing Corporation, "Rent Scale Procedures Manual Version 3.8" (June 2021) ["Rent Scales Procedures Manual"].
- ²⁷ GN Framework, *supra* note 26 at 24; Rent Scales Procedures Manual, *supra* note 26.
- ²⁸ Kitikmeot Heritage Society, *supra* note 7 at 15; Nathanael Lauster & Frank Tester, "Culture as a problem in linking material inequality to health: On residential crowding in the Arctic" (2010) 16 *Health & Place*, 523 at 526 ["Lauster & Tester"].
- ²⁹ This pattern of settlement & housing shifts is also applicable to other Inuit communities in Canada: Lauster & Tester, *supra* note 28 at 526-527; GN Framework, *supra* note 26 at 17.
- ³⁰ GN Framework, *supra* note 26 at 49; GN Strategy, *supra* note 5 at 17.
- ³¹ Nunavut Housing Corporation, "Nunavut is Facing a Severe Housing Crisis" Nunavut Housing Corporation's Appearance before the Standing Committee on Aboriginal Peoples (23 March 2016), online: <[https://assembly.nu.ca/sites/default/files/TD%20158-4\(3\)%20EN%20Nunavut%20is%20Facing%20a%20Severe%20Housing%20Crisis.pdf](https://assembly.nu.ca/sites/default/files/TD%20158-4(3)%20EN%20Nunavut%20is%20Facing%20a%20Severe%20Housing%20Crisis.pdf)>
- ³² See for example the Cambridge Bay Housing Association's Application Point Rating form. The Nunavut Housing Corporation's Tenant Relations Manual also explains how to evaluate applications: Nunavut Housing Corporation "Tenant Relations Manual: Version 1.4" (January 2015) at 307 ["Tenant Relations Manual"]
- ³³ Tenant Relations Manual, *supra* note 32 at 600.
- ³⁴ Cambridge Bay Housing Association, "Application Point Rating" Form.

- ³⁵ Access to justice literature talks about the important role that frontline workers play as “trusted intermediaries” in helping people understand their law-related problems. Julie Mathews and David Wiseman, *Community Justice Help: Advancing Community-Based Access to Justice* (Toronto: Community Legal Education Ontario, June 2020) at 4, online (pdf): Community Legal Education Ontario <https://lawfoundation.on.ca/download/part-1-trusted-help-the-role-of-community-workers-as-trusted-intermediaries-who-help-people-with-legal-problems-2018/> > [“Community Justice Help”].
- ³⁶ Tenant Relations Manual, *supra* note 32 at 600.
- ³⁷ Tenant Relations Manual, *supra* note 32 at 114, 401, 1108.
- ³⁸ Inuit Nunangat Housing Strategy, *supra* note 3 at 3; Polar Knowledge Canada, Northern Housing Forum 2018: Forum Summary Report (Ottawa: Stratos Inc, 23 August 2018) at 11, online (pdf): < https://www.canada.ca/content/dam/polar-polaire/documents/pdf/northern-housing-forum/NHF%20-%20Summary%20Report%20-%202019-05-13%20-%20EN_FINAL.pdf > [“Northern Housing Forum”]; Northern Housing Policy Recommendations, *supra* note 12 at 7; NHC Blueprint, *supra* note 3 at 38; GN Strategy, *supra* note 5 at 20.
- ³⁹ Northern Housing Policy Recommendations, *supra* note 12 at 7; CMHC Northern Housing Report, *supra* note 3 at 16.
- ⁴⁰ Office of the Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly: Nunavut Housing Corporation* (May 2008) at 16 & 17, online (pdf): Government of Canada < <https://publications.gc.ca/site/eng/9.829051/publication.html> >.
- ⁴¹ “CMHC – Nunavut Bilateral Agreement Under the 2017 National Housing Strategy” (1 April 2018), online: < <https://assets.cmhc-schl.gc.ca/sites/cmhc/nhs/fpt-housing-agreements/cmhcunnavut-bilateral-agreement-en.pdf?rev=914812c3-3719-4649-b48f-d220eeda2f3b> >.
- ⁴² “Federal Housing Advocate’s Observational Report: Inuit Housing” (2023), online: < <https://www.housingchrc.ca/en/publications/federal-housing-advocates-observational-report-inuit-housing> >.
- ⁴³ Northern Housing Policy Recommendations, *supra* note 12 at 15-16; T. Kovesi, D. Creery, N. L. Gilbert, R. Dales, D. Fugler, B. Thompson, N. Randhawa, & J.D. Miller, “Indoor air quality risk factors for severe lower respiratory tract infections in Inuit infants in Baffin Region, Nunavut: a pilot study” (2006) 16:4 Indoor Air 266 at 273.
- ⁴⁴ *Residential Tenancies Act*, RSNWT 1988 c.R-5, s.30(1) [“*Residential Tenancies Act*”].
- ⁴⁵ *Residential Tenancies Act*, s.30(5) and (6).
- ⁴⁶ *Residential Tenancies Act*, s.30(4).
- ⁴⁷ Northern Housing Policy Recommendations, *supra* note 12 at 16; Emily Blake, “Investments in Inuit housing inadequate to address human rights violations: watchdog” *Globe and Mail* (3 December 2022), online: < https://www.theglobeandmail.com/amp/canada/article-investments-in-inuit-housing-inadequate-to-address-human-rights/?fbclid=IwARlrGBWfrNIwd6g-lqmGk2VPxbw1l3dDPDCe_Bw1qMyfi6h9UyU_7oYOST4&mibextid=Zxz2cZ >; Qaqqaq, *supra* note 5 at 6, 10; Canada, Parliament, Senate, Standing Senate Committee on Aboriginal Peoples, *We Can Do Better: Housing in Inuit Nunangat: Report of the Standing Senate Committee on Aboriginal Peoples*, 42nd Parl, 1st Sess, No (March 2017) (Chairs: The Honourable Lillian Eva Dyck), online: < https://sencanada.ca/content/sen/committee/421/APPA/Reports/Housing_e.pdf > [“Senate Committee Report”].
- ⁴⁸ The Government of Nunavut spends on average over \$23,000 to maintain each public housing unit every year: GN Strategy, *supra* note 5 at 19.
- ⁴⁹ Qaqqaq, *supra* note 5 at 6, 10.
- ⁵⁰ Tenant Relations Manual, *supra* note 32 at 422.
- ⁵¹ *Residential Tenancies Act*, s.45(2).
- ⁵² *Residential Tenancies Act*, s.42(1) & (2).
- ⁵³ CBHA Residential Tenancy Agreement, Cambridge Bay Housing Association, “Schedule D: Tenant Damage Policy” (Amended December 2005).
- ⁵⁴ *Residential Tenancies Act*, s.42(1) & (2).
- ⁵⁵ Tenant Relations Manual, *supra* note 32 at 804-805.
- ⁵⁶ CBHA, Schedule C “House Rules” Updated November 3, 2006.
- ⁵⁷ Tenant Relations Manual, *supra* note 32 at 804-805.
- ⁵⁸ Tenant Relations Manual, *supra* note 32 at 805-806; also confirmed in participant interviews.
- ⁵⁹ *Residential Tenancies Act*, s.42(3).
- ⁶⁰ *Tenant Relations Manual*, *supra* note 32 at 401; Cambridge Bay Housing Association, Schedule F: Rent Collection Policy.
- ⁶¹ Nunavut Housing Corporation, “The GN Staff Housing Policy” (November 2009) at 8, online: < <https://www.nunavuthousing.ca/docs/gn-staff-housing-policy.pdf> > [“GN Staff Housing Policy”]; Government of Nunavut, “GN Staff Housing Procedures Manual” (April 2019) at 6, online: < https://www.gov.nu.ca/sites/default/files/documents/2021-11/staff_housing_procedures_manual_0.pdf > [“GN Staff Housing Procedures Manual”]. The Application Form explicitly states that a person can be rejected “because of a bad history as a tenant in rental accommodation”: Nunavut Housing Corporation, “Government of Nunavut (GN) - Application for Staff Housing” (2005), online: <https://www.nunavuthousing.ca/docs/application-for-staff-housing.pdf> >.
- ⁶² Nunavut Housing Corporation, “Nunavut Down-payment Assistance Program (NDAP)” Guidelines (April 2017), online: < <https://www.nunavuthousing.ca/docs/ndap-guidelines.pdf> > [“NDAP”].

- ⁶³ These concerns have also been reported in other communities in Nunavut: Little Voices, *supra* note 2 at 94; Inuit Nunangat Housing Strategy, *supra* note 3 at 7.
- ⁶⁴ Melanie Ritchot, “Top-paid Nunavut government employees occupy majority of staff housing” *Nunatsiaq News* (8 March 2021), online: < <https://nunatsiaq.com/stories/article/top-paid-gn-employees-occupy-majority-of-government-staff-housing/> >; Jackie McKay, “Inuit account for only a quarter of Nunavut gov’t employees given staff housing: report” *CBC News* (12 March 2021), online: < <https://www.cbc.ca/news/canada/north/staff-housing-nunavut-government-1.5946488> > [“CBC News”].
- ⁶⁵ GN Staff Housing Policy, *supra* note 61 at 2 & APPENDIX I “Allocation Committee” at 10.
- ⁶⁶ GN Staff Housing Policy, *supra* note 61 at 5-6 & APPENDIX I “Allocation Committee” at 11; GN Staff Housing Procedures Manual, *supra* note 61 at 7.
- ⁶⁷ GN Staff Housing Policy, *supra* note 61 at 8; GN Staff Housing Procedures Manual, *supra* note 61 at 6.
- ⁶⁸ GN Staff Housing Policy, *supra* note 61 at 5-6 & APPENDIX I “Allocation Committee” at 11; GN Staff Housing Procedures Manual, *supra* note 61 at 7.
- ⁶⁹ CBC News, *supra* note 64.
- ⁷⁰ PricewaterhouseCoopers, “The Cost of Not Successfully Implementing Article 23: Representative Employment for Inuit within the Government” (17 February 2003) at 15, online: < <http://www.tunnngavik.com/documents/publications/2003-02-17-PricewaterhouseCoopers-The-Cost-of-Not-Successfully-Implementing-Article-23.pdf> >.
- ⁷¹ *NTI v Canada (Attorney General)*, (5 December 2006), Iqaluit 0806713CVC (NUCJ) (Statement of Claim) [“Statement of Claim”]; Alastair Campbell, Terry Fenge and Udloriak Hanson, “Implementing the 1993 Nunavut Land Claims Agreement,” (2011) 2:1 *Arctic Review on Law and Politics* 25 at 46-47.
- ⁷² Andre Legare, “Canada’s Experiment with Aboriginal Self-Determination in Nunavut: From Vision to Illusion” (2008) 15:2 *International Journal on Minority & Group Rights* 335 at 365-366 [“Legare”]; Thomas R Berger, “Nunavut Land Claims Agreement Implementation Contract Negotiations for the Second Planning Period 2003-2013: Conciliator’s Final Report” (1 March 2006), online: < http://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/nlc_1100100030983_eng.pdf > at 20 and 39.
- ⁷³ Statement of Claim, *supra* note 71.
- ⁷⁴ *Residential Tenancies Act*, s.56; see also GN Staff Housing Procedures Manual, *supra* note 61 at 9.
- ⁷⁵ GN Framework, *supra* note 26 at 27.
- ⁷⁶ GN Staff Housing Policy, *supra* note 61 at 2; Nunavut Housing Corporation, “Staff Housing Tenant Information Booklet” at 1.
- ⁷⁷ GN Framework, *supra* note 26 at 34; GN Strategy, *supra* note 5 at 13. See also the Nunavut Housing Corporation’s staff housing policy which states: “The Government of Nunavut (GN) provides subsidized staff housing to term and indeterminate employees to aid in the recruitment and retention of staff. Employees are responsible for securing their own accommodation: however, housing may be provided when it is necessary to facilitate the delivery of programs and services to Nunavummiut. Given the realities of Nunavut’s limited housing market, there may always be a role for the provision of some staff housing in the territory. However, as Nunavut grows, and private housing markets develop, Nunavummiut can become more self-reliant and less dependent on subsidized housing. The staff housing program, including its eligibility criteria and rental rates, is intended to support Nunavut’s housing market, and stimulate the emergence of private affordable home rental and homeownership in the territory.” GN Staff Housing Policy, *supra* note 61.
- ⁷⁸ GN Strategy, *supra* note 5 at 13.
- ⁷⁹ GN Strategy, *supra* note 5 at 13.
- ⁸⁰ GN Framework, *supra* note 26 at 35.
- ⁸¹ Department of Family Services, “Canada-Nunavut Housing Benefit (CHB) Program” (27 January 2023), online: Government of Nunavut <https://gov.nu.ca/family-services/news/canada-nunavut-housing-benefit-chb-program> [Canada-Nunavut Housing Benefit Program].
- ⁸² Canada-Nunavut Housing Benefit Program, *supra* note 81.
- ⁸³ GN Strategy, *supra* note 5 at 21, Objective 3.
- ⁸⁴ Statistics Canada, “Map 1: Homeownership rate declines from 2011 to 2021 in all provinces and territories, except in the Northwest Territories” (date modified: 21 November 2022), online: < <https://www150.statcan.gc.ca/n1/daily-quotidien/220921/mc-b001-eng.htm> >.
- ⁸⁵ GN Framework, *supra* note 26 at 36.
- ⁸⁶ Northern Housing Policy Recommendations, *supra* note 12 at 8 and 9; Inuit Nunangat Housing Strategy, *supra* note 3 at 6; Little Voices, *supra* note 2 at 66.
- ⁸⁷ GN Framework, *supra* note 26 at 25. Senate Committee Report, *supra* note 47 at 5.
- ⁸⁸ NDAP, *supra* note 62 at 3.
- ⁸⁹ GN Framework, *supra* note 26 at 36.
- ⁹⁰ Nunavut Housing Corporation, “Home Renovation Program”, online: < <https://www.nunavuthousing.ca/hrp> > ; Nunavut Housing Corporation, “Corporation Emergency Repair Program”, online: < <https://www.nunavuthousing.ca/erp> > .

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- ⁹¹ *Legal Services Act*, RSNWT 1988, c.L-4, s.45 (4)(d).
- ⁹² *Legal Services Act*, RSNWT 1988, c.L-4, at s.31
- ⁹³ Nunavut Housing Corporation, “Igluliuqatigiingniq: Building houses together: Nunavut 3000: Innovation and Partnerships to Expand Nunavut’s Housing Continuum” online: <
https://www.igluliuqatigiingniq.ca/Nunavut3000_PublicPlan_EN_WEB_updated.pdf>
- ⁹⁴ Senate Committee Report, *supra* note 47 at 5; Inuit Nunangat Housing Strategy, *supra* note 3 at 25.
- ⁹⁵ GN Framework, *supra* note 26 at 25; GN Strategy, *supra* note 5 at 14.
- ⁹⁶ GN Strategy, *supra* note 5 at 21, Objective 3; GN Framework, *supra* note 26 at 24, 31 and 35.
- ⁹⁷ GN Framework, *supra* note 26 at 20.
- ⁹⁸ GN Framework, *supra* note 26 at 21.
- ⁹⁹ See for example: “How does Canada fix the housing crisis?” *Policy Options* (accessed 2 March 2024), online: <
<https://policyoptions.irpp.org/magazines/november-2023/fix-housing-crisis/>>.
- ¹⁰⁰ There has been greater recognition of housing as a human right in Canadian discussions, including in the *National Housing Strategy Act*, S.C. 2019, c. 29, s. 313. There has also been litigation relating to the homeless people’s right to shelter in cases such as *Waterloo v Persons Unknown*, 2023 ONSC 670, *Kingston v Doe*, 2023 ONSC 6662, *Vandenburg v Vancouver (City) Fire and Rescue Services*, 2023 BCSC 2104.
- ¹⁰¹ Tester, *supra* note 5 at 139-140 & 153.
- ¹⁰² Tester, *supra* note 5 at 139.
- ¹⁰³ Tester, *supra* note 5 at 139.
- ¹⁰⁴ Tester, *supra* note 5 at 153-154; Inuit women have also reported that models imported from the south for addressing homelessness have not been successful: Little Voices, *supra* note 2 at 69. The NHC’s Blueprint for Housing has now recognized as part of its goal the provision of public housing through multi-family needs-based housing, which may signify a step in this direction: NHC Blueprint, *supra* note 3 at 38. The Northern Housing Forum has done some thinking on holistic approaches to northern housing design and construction that is culturally appropriate: Northern Housing Forum, *supra* note 38 at 3. CMHC’s Northern Housing Report has also noted that the average size of households in Nunavut suggests that “housing in Nunavut needs to be accommodative for large households”: CMHC Northern Housing Report, *supra* note 3 at 16.
- ¹⁰⁵ Trevor Wright, “Feds announce \$27M for housing in Nunavut” *APTN National News* (8 January 2024), online: <
<https://www.aptnnews.ca/national-news/federal-government-money-housing-in-nunavut/>>.
- ¹⁰⁶ Inuit Nunangat Housing Strategy, *supra* note 3 at 14; Senate Committee Report, *supra* note 47 at 6.
- ¹⁰⁷ NTI, *Annual Report*, *supra* note 25 at 4; Norman Attangalaaq, “Conscientious Planning” in Joe Karetak, Frank Tester, & Shirley Tagalik, eds, *Inuit Qaujimajatuqangit: What Inuit Have Always Known to Be True* (Halifax & Winnipeg: Fernwood Publishing, 2017), 102 at 106 [“Attangalaaq”].
- ¹⁰⁸ Joe Karetak & Frank Tester, “Inuit Qaujimajatuqangit, Truth and Reconciliation” in Joe Karetak, Frank Tester, & Shirley Tagalik, eds, *Inuit Qaujimajatuqangit: What Inuit Have Always Known to Be True* (Halifax & Winnipeg: Fernwood Publishing, 2017), 1 at 6; Mark Kalluak, “About Inuit Qaujimajatuqangit” in Joe Karetak, Frank Tester, & Shirley Tagalik, eds, *Inuit Qaujimajatuqangit: What Inuit Have Always Known to Be True* (Halifax & Winnipeg: Fernwood Publishing, 2017), 41 at 49; NTI, *Annual Report*, *supra* note 25 at 7; Qikiqtani Inuit Association, “Qikiqtani Truth Commission Thematic Reports and Special Studies 1950-1975: Paliisikkut: Policing in Qikiqtaaluk” (Iqaluit: Inhabit Media, 2013) at 12, online (pdf): *Qikiqtani Truth Commission* <https://www.qtcommission.ca/sites/default/files/public/thematic_reports/thematic_reports_english_paliisikkut.pdf>; Jarich Oosten & Frederic Laugrand, “Qaujimajatuqangit and social problems in modern Inuit society: An elders workshop on angakkuuniq” (2002) 26:1 *Inuit Studies* 17 at 21; Attangalaaq, *supra* note 107 at 107.
- ¹⁰⁹ Access to Justice for Family Violence in Nunavut, *supra* note 19.
- ¹¹⁰ These links haven also been observed in GN Strategy, *supra* note 5 at 12; Legare, *supra* note 72 at 355; Little Voices, *supra* note 2 at 120.
- ¹¹¹ Recommendations for a collaborative, culturally-specific approach have also been made elsewhere: Access to Justice for Family Violence in Nunavut, *supra* note 19; Little Voices, *supra* note 2 at 68.