



A Home for Finola and I

BARRIERS TO PET-FRIENDLY HOUSING

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Introduction

Finola is a six year old chocolate Labrador cross¹. She is certified as a therapy dog with St. John's Ambulance, and, in our spare time, we visit residents of a supported housing program here in Vancouver. More than that, Finola is a companion and a constant source of support. As a person who suffers from a chronic illness myself, I understand why the residents we visit enjoy spending time with her. When I am unwell, I know how taking care of her can improve my sense of self-efficacy. When I feel isolated, she is always there to cure my loneliness. My relationship with Finola and my experiences as a pet owner in Vancouver have fuelled my interest in advocacy regarding accessible pet-friendly housing. While I am a securely housed person who is not at risk of homelessness, I do know what it is like to be a renter in Vancouver, a city that is increasingly unaffordable, and I have not always been able to have Finola with me². Furthermore, I know that too many Vancouverites do not have the housing privileges that I do. I have written the following paper as a review of the benefits of living with companion animals as well as the barriers to accessible pet-friendly housing in Vancouver. The greatest barrier, and one that needs to be surmounted in order for a more holistic vision of housing and health to be realized, is the power afforded landlords through the Residential Tenancy Act, [SBC 2002] c 78 ("RTA") and the Province of British Columbia's hands off approach to both the nature and the management of market and non-market housing³.

A Case for Pet-Friendly Housing

Prior to discussing pet-friendly housing itself, it is worthwhile to understand the benefits that companion animals present. Specifically, considering the health benefits associated with pet ownership can help us to better understand the importance of advocating for more access to pet-friendly housing. There is some medical research which suggests that animals can have positive impacts on human health. For example, animal companionship has been found to increase the health outcomes of coronary care patients on their return home from the hospital⁴. Petting and speaking to companion animals has also been shown to decrease blood pressure⁵. While these are certainly positive things, this paper is more concerned with the role that companion animals can play in increasing quality of life by considering the impacts of pets on a "broader definition of health that encompasses the

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- 1 I would like to extend gratitude to Professor Margo Young at the Allard School of Law at the University of British Columbia for her feedback and support in drafting this paper.
 - 2 Chad Pawson, "Vancouver housing ranked 3rd most unaffordable by international study," (23 January 2017), online: CBC <<http://www.cbc.ca/news/canada/british-columbia/demographia-international-housing-study-vancouver-ranks-3rd-1.3947668>
 - 3 Residential Tenancy Act, [SBC 2002] c 78 ("RTA").
 - 4 Mara M. Baun, Nancy Bergstrom, Nancy F. Langston, and Linda Thoma, "Physiological Effects of Human/Companion Animal Bonding," online: (1984) 33:3, Nursing Research ("Baun, et. al"), pg 126.
 - 5 Baun, et. al., supra., pg 126.



dimensions of wellbeing (physical and mental) and a sense of social integration”⁶. This more holistic effect is has been cited by housing advocates as being the major benefit of access to pet-friendly housing. As Josh Prowse of Vancouver’s Community Legal Assistance Society (CLAS) explains, “I’ve seen first hand the health, wellness, and quality of life benefits [of companion animals], especially for seniors or people with disabilities”⁷.

In a study titled, “Friends and Pets as Companions: Strategies for Coping with Loneliness Among Homeless Youth,” researcher Lynn Rew considered the role that dog companions play in combating loneliness among homeless adolescents⁸. Rew found that dogs “were companions that could provide safety, unconditional love, and a reason to keep going because they needed care in return”⁹. Interviewees explained that their relationships with their dogs promoted a greater sense of responsibility over both the dog’s health and their own well-being¹⁰. The youth interviewed compared their dogs to friends because of the emotional benefits they provided¹¹. Furthermore, they listed benefits of dog companionship such as unconditional love and a reduction of social isolation in addition to the physical benefits of keeping them warm and promoting exercise¹².

The benefits of dogs as companions has also been shown in other studies. For example, one American study found that petting one’s own dog has a “parallel relaxation effect to quiet reading”¹³. There was no similar effect when interacting with an unknown dog¹⁴. The suggestion that there is a greater health benefit to interacting with a companion dog, as opposed to just any dog, is valuable because it helps to bolster the argument that pet-friendly housing is what is needed so that people can establish close bonds with animals and build meaningful relationships.

6 June McNicholas, Andrew Gilbey, Anne Rennie, Sam Ahmedzai, Jo-Ann Dono, and Elizabeth Ormerod, “Pet ownership and human health: a brief review of evidence and issues,” online: (2005) 331, *BMJ*, 1252 – 1254.

7 Simon Little, “City of Vancouver asked to look into allowing pets in subsidized housing,” (2 December 2016), online: CKNW <<http://www.cknw.com/2016/12/02/city-of-vancouver-asked-to-look-into-allowing-pets-in-subsidized-housing/>>

8 Lynn Rew, “Friends and Pets as Companions: Strategies for Coping With Loneliness Among Homeless Youth,” online: (2000), 13:3, *Journal of Child and Adolescent Psychiatric Nursing* (“Rew”), pg 126.

9 Rew, *supra.*, pg 128.

10 Rew, *supra.*, pg 129.

11 Rew, *supra.*, pg 130.

12 Rew, *supra.*, pg 131.

13 Baun, et. al., *supra.*, pg 4.

14 Baun, et. al., *ibid.*

Pet-friendly housing is also a health issue because housing, in general, can have enormous impacts on health. These issues are particularly connected where people are forced to choose homelessness in order to remain with companion animals. While there is no Vancouver-specific data on this issue, it is a concern of pet-friendly housing advocates that “more than 10 percent of people who are living on the street have a pet” and there is evidence from other jurisdictions that, despite a desire to be rehoused, housing options which would be inaccessible to their companion animals was not an option for homeless people with companion animals¹⁵.

Given that “high-quality housing has a positive impact on general well-being, psychological stability, independent functioning, and social connectedness,” any circumstance which prevents those who would like to be housed from being so should be of significant concern¹⁶. In a review of housing as a socio-economic determinant of health, James R. Dunn, Michael V. Hayes, J. David Hulchanski, and Stephen W. Hwang, and Louise Potvin found that “the socio-economic dimensions of housing are highly relevant foci for research in health inequalities”¹⁷. Of the attributes of housing listed in the review that have the potential to impact health, the psychological benefits have perhaps the strongest connection to the role that pet-friendly housing can be in increasing health outcomes, given the above listed evidence of the emotional benefits of animal companionship¹⁸.

Barriers to Pet-Friendly Housing – Vancouver

Despite the benefits associated with companion animals and the overall importance of housing, pet-friendly homes in Vancouver are highly inaccessible. Due to “vacancy rates hovering around zero,” it is “increasingly difficult for people who rely on rental units to find – and keep – their housing”¹⁹. As a consequence, pet owners

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- 15 Little, Simon, “City of Vancouver asked to look into allowing pets in subsidized housing,” (2 December 2016), online: CKNW <<http://www.cknw.com/2016/12/02/city-of-vancouver-asked-to-look-into-allowing-pets-in-subsidized-housing/>> (“Little”); Randall S. Singer, Lynette A. Hart, and R. Lee Zasloff, “Dilemmas Associated with Rehousing Homeless People Who Have Companion Animals,” online: (1995), 77, Psychological Reports, 854.
- 16 Munn-Rivard, Laura, “Current Issues in Mental Health in Canada: Homelessness and Access to Housing,” Parliamentary Information and Research Service (2014), Ottawa: Library of Parliament, pg 2.
- 17 James R. Dunn, Michael V. Hayes, J. David Hulchanski, Stephen W. Hwang, and Louise Potvin, “Housing as a Socio-Economic Determinant of Health: Findings of a National Needs, Gaps and Opportunities Assessment,” online: (2006) 97:Supplement 3, Canadian Journal of Public Health (“Dunn, et. al.”), pg 11.
- 18 Dunn, et. al., supra., pg 12.
- 19 Mike Hager, “In a tight rental market, are tenants protected?” (18 July 2016), online: The Globe and Mail <<http://www.theglobeandmail.com/news/british-columbia/critics-say-tenants-not-protected-in-bcs-tight-rentalmarkets/article30953117/>>



housing²⁰. In other words, Vancouver is a “landlord’s market” in which there is little incentive to be sympathetic to renters with pets²¹. Furthermore, there is concern that low-income renters suffer the most because “there might be pet-friendly housing that’s above what they can pay” while lower income options tend not allow pets²². The results for both pets and their owners are significant. For example, the BC SPCA notes that inability to find pet-friendly housing is the leading reason why animals are surrendered to shelters in BC²³. The decision to surrender a pet is a “heartbreaking” experience and can have enormous impacts for owners²⁴.

My own experiences as a renter in Vancouver exemplify the circumstances described above. I have had to leave a building because the manager decided my dog was too big. I only found my current residence after a year of searching and significant increase to my budget. Even now, there is no protection in my lease for Finola – she is allowed to be with me because the landlord agreed not to include a no pet clause. Were my landlord to change her mind about the dog or refuse to renew my lease at the end of my term, Finola and I would be back to square one.

The effects that another search for accessible housing would have on both my physical and mental health are a significant cause of concern for me. In light of my experiences, concerns, and understanding of the challenges facing pet owners in Vancouver, it has been important to be to understand the specific barriers to greater accessibility of pet-friendly housing. My first question was whether or not it was the City of Vancouver or Province of British Columbia that had greater authority to make change.

The City of Vancouver has called the lack of pet-friendly housing “extreme discrimination” after investigating the matter in 2013²⁵. The City also passed a motion to “Support Renters with Pets” with an almost unanimous vote in June of that same year²⁶. While

20 BC SPCA, “Renter’s Guide,” (2013), online: BC SPCA <<http://www.sPCA.bc.ca/assets/documents/welfare/pet-friendly-housing/renters-guide.pdf>> (“Renter’s Guide”), pg 3.

21 Andrea Bennet, “Woof woof: Should the BC Residential Tenancy Act be revised to allow pets?” (21 March 2013), online: Vancouver Observer <<http://www.vancouverobserver.com/real-estate/woof-woof-should-bc-residential-tenancy-act-be-revised-allow-pets>> (“Bennet”); Jenni Sheppard, “Pet friendly housing in BC focus of petition to end ‘no pets’ rentals and stratas,” (11 April 2017), online: Daily Hive <<http://dailyhive.com/vancouver/pet-friendly-housing-bc-petition-election-2017>> (“Sheppard”).

22 Trevor Melanson, “No Pet City: How Vancouver became Canada’s least pet-friendly city,” (14 March 2016, online: Vancouver magazine <<http://vanmag.com/city/no-pet-city-how-vancouver-became-canadas-least-pet-friendly-city/>> (“Melanson”).

23 Bennet, *supra*.

24 Bennet, *supra*.; Sheppard, *supra*.

25 Melanson, *supra*.

26 BC SPCA, “City of Vancouver moves forward in support of pet-friendly housing,” (14 June 2013), online: BC SPCA <<http://www.sPCA.bc.ca/news-and-events/news/pets-renters-Vancouver.html?referrer=https://www.google.ca/>>





these actions make the City seem like a natural ally in the fight for more pet-friendly housing, there is only so much that a municipality can do²⁷. Tim Stevenson, a city councillor who has lobbied for a removal of a landlord's right to refuse pets explains, "Unfortunately, there's nothing the city can do, as the powers live with the province... and so far they've shown little interest"²⁸.

Vancouver is not alone - cities are generally hindered in their ability to participate in meaningful changes to housing issues. In their article, "The Toronto Shelter Zoning By-law: Municipal Limits in Addressing Homelessness," Prashan Ranasinghe and Mariana Valverde explain why municipalities are ill-equipped to address homelessness, cities are fundamentally limited in the means they command to deal with social problems. Given the subordinate status of municipalities in Canadian law and politics, cities have very few legal tools to attend to local matters... Municipalities therefore rely heavily on zoning, one of the few legal tools they have at their disposal.²⁹

"Land use law" of which Ranasinghe and Valverde explain that zoning is "the most important component," has always worked primarily to protect property values and to differentiate urban space by class³⁰. This is the result of the tendency of zoning to regulate spaces and uses of land without concern for who has access to those spaces and uses. In other words, "given that rights in land-uses are tied to property, it is usually the case that those groups who end up influencing particular land uses are those who have legal occupancy in relation to a particular property"³¹. In Vancouver, landlords and property owners have full discretion to refuse pets under the RTA and no amount of zoning changes could oust that. What is required is legislative change from the Province.

27 Melanson, *supra*.

28 Melanson, *ibid*.

29 Prashan Ranasinghe and Mariana Valverde, "The Toronto Shelter Zoning By-law: Municipal Limits in Addressing Homelessness" in J. David Hulchanski, Philippa Campsie, Shirley B.Y. Chau, Stephen H. Hwang and Emily Paradis, *Finding Home: Policy Options for Addressing Homelessness in Canada*, (2009), online: University of Toronto Cities Centre <<http://deslibris.ca.ezproxy.library.ubc.ca/ID/223332>> ("Ranasinghe and Valverde"), pg 2

30 Ranasinghe and Valverde, *supra*., pg 2.

31 Ranasinghe and Valverde, *supra*., pg 2.

Barriers to Pet-Friendly Housing – the Provincial Approach

Both the City of Vancouver and the BC SPCA have lobbied for reform to the RTA, but these efforts have been unable to overturn the opposition from the powerful landlord lobby³².

Reform efforts target section 18 of the RTA which allows landlords to prohibit any pets from rental units³³. Change to section 18 would be an important first step towards the model used in Ontario, the only Canadian jurisdiction which has banned “no pet” clauses from tenancy agreements³⁴. Landlords can still evict a tenant through an application to the Landlord and Tenant Board if pets “substantially interfered with reasonable enjoyment of the residential complex,” “cause a serious allergic reaction,” or are “inherently dangerous”³⁵. Consequently, similar reform to the RTA would not radically displace a landlord’s ability to manage their property. However, it does prevent blanket bans on pets. Tracy Heffernan, lawyer at the Advocacy Centre for Tenants Ontario, notes that there have been “very few landlord tenant decisions relating to problems with pets since the provision was enacted in 1990”

which is suggestive of the successfulness of such a model³⁶.

However, not all housing is managed by the RTA and reform to that Act alone would not be enough³⁷. Additionally, larger scale change to the Province’s housing framework is required to improve the circumstances of pet owners and their companion animals. On a national level, Canada’s housing system relies almost exclusively on the market mechanism for the provision, allocation, and maintenance of housing. This is a problem for households too poor to pay market rents for housing appropriate to their needs. These households generate a “social need” for housing rather than a “market demand” for it. A housing system based on the market mechanism cannot adequately – if at all – respond to the social need³⁸.

The housing model employed by British Columbia does not deviate from this. This is exemplified by one of the province’s key strategies in regards to housing support – rental subsidies. Rental subsidies are provided to low-income British Columbians according to their income and the number of people in their household³⁹. These subsidies make up a key component of “Housing

32 Bennet, *supra*.

33 RTA., *supra*.; With the exception of dogs certified under s. 6 of the Guide Dog and Service Dog Act, [SBC 2015] c 17.

34 Residential Tenancies Act, SO 2006, c. 17 (“Ontario RTA”), s. 14.

35 Animal Justice, “No Pet” Provision Void – What Does This Mean?” (6 April 2015), online: Animal Justice <<http://www.animaljustice.ca/blog/no-pet-provision-void-mean/>>; Ontario RTA, *supra*., s. 76.

36 Melanson, *supra*.

37 RTA, *supra*.: a full list of housing which is not covered by the Act is provided under s. 4.

38 J. David Hulchanski, “What Factors Shape Canadian Housing Policy? The Intergovernmental Role in Canada’s Housing System” in Robert Young and Christian Leuprecht, *Municipal-Federal-Provincial Relations in Canada*, (1985), online: Canada: The State of the Federation (“Hulchanski”), pg 223.

39 BC Housing, “Subsidized Housing,” (2017), online: BC Housing <<https://www.bchousing.org/housing-assistance/rental-housing/subsidized-housing>>



Matters,” BC’s “progressive” housing strategy and are celebrated by the province for giving families “flexibility to choose where they live”⁴⁰. In practice, it allows the British Columbia to remain detached from housing issues by continuing to let the market dictate the quality and availability of housing. This keeps decision making power over whether or not housing should be pet-friendly in the hands of property owners as opposed to “renters – tenants whose income (and lack of wealth) cannot generate effective market demand”⁴¹.

The non-market housing which does exist in the province includes housing for seniors, people with disabilities, and some low income families⁴². 90% of this housing is operated by non-profit organizations as opposed to the province⁴³. Residents of non-market housing face their own set of barriers to accessing pet-friendly homes and “while its hard for most pet owners to find a rental, those in subsidized housing often face blanket bans”⁴⁴. For advocates like Prowse, blanket pet bans are essentially telling BC’s most vulnerable residents, “you’re looking either at having a home or having your pet”⁴⁵.

Without involvement from the province to remove these bans, residents of non-market housing are essentially in the same situation as those in rental housing. Their ability to have a companion animal in their home with them is entirely subject to the determination of their particular housing provider.

Whether residents and advocates are dealing with housing providers or private landlords, the fundamental challenge is the same: the financial investment in a piece of property outweighs the value of providing adequate housing to those who benefit from animal companionship. David Hutniak, CEO of LandlordBC, believes that allowing pets or not should be “a business decision on the part of the [property] owner”⁴⁶. Hutniak further believes that taking away a landlord’s ability to enforce a “no pet” clause or a pet bans “is really quite unfair... The owner of the property should have some rights too”⁴⁷. In a city in which housing advocates are increasingly raising awareness in regard to the vulnerability of tenants relative to landlords, it is hard to take Hutniak’s accusations of unfairness seriously⁴⁸. However, his words speak to an enduring public conception of housing: Although many Canadians refer to the health-care system or the social-welfare system, few refer to the housing system. In most housing discussions in Canada, people generally refer to the housing market – which implies and has the image of a non-governmental activity.⁴⁹



40 Housing Matters BC, “Housing Strategy for British Columbia: A Foundation for Strong Communities,” (January 2014), online: British Columbia <http://www.housingmattersbc.ca/docs/HousingMattersBC_2014.pdf> (“Housing Matters”), pg 4.

41 Hulchanski, *supra.*, pg 227.

42 Tenant Resource and Advisory Centre, “Subsidized Housing,” (2016), online: Tenant Resource and Advisory Centre <<http://tenants.bc.ca/Subsidized-Housing/>>

43 Housing Matters, *supra.*, 7

44 Little, *supra.*

45 Little, *supra.*

46 Melanson, *supra.*

47 Melanson, *ibid.*

48 Tenant Resource and Advisory Centre, “Metro Vancouver landlords sidestepping rules in hot real estate market,” (5 August 2016), online: Tenant Resource and Advisory Centre <<http://tenants.bc.ca/metro-vancouver-landlords-sidestepping-rules-hot-real-estate-market/>>; Tenant Resource and Advisory Centre, “Renters need better protections in wild Vancouver market,” (10 August 2016), online: Tenant Resource and Advisory Centre <<http://tenants.bc.ca/renters-need-better-protections-wild-vancouver-market-advocates/>>

49 Hulchanski, *supra.*, pg 225.



It is fundamentally this idea – that housing issues are adequately addressed by financial decision making and the market – that creates the biggest hurdle to increasing the accessibility of pet-friendly housing because it prevents us from understanding housing as a health concern and a social issue. Only meaningful legislative reforms and shifts in provincial policy have the power to shift us in a different direction.

Moving Forward

Short of these larger scale changes, there are still some solutions available to pet owners. For example, landlords and housing managers are often concerned with potential damage being done by pets, despite the fact that there is no evidence that pets do more damage than people⁵⁰. In fact, an American study has shown that average damage to units with pets was only \$40 more than average, “far less than any pet deposit, and far less than units with kids”⁵¹. This line of thinking also ignores data regarding the fact that pet owners tend to pay more for housing and stay longer with greater stability in their tenancy and lifestyle⁵². In order to empower renters (and potentially residents in non-market housing) to better argue for themselves and their companion animals, the BC SPCA provides free samples of pet policies, pet resumes, and pet reference forms to help alleviate the concerns of landlords⁵³. The organization also explains the benefits of pet deposits, which function similarly to damage deposits and are able to cover any damage that a pet might cause⁵⁴. While these are all helpful tools, they require time, money, and a capacity to advocate for oneself which is not something universally available to all renters.

Another option for advocacy is to focus on holistic approaches to housing which value the health and well-being of residents. The City of Vancouver’s “Downtown Eastside Plan” is an example of such a model. The plan lists support services as being a necessary component of its housing plan, noting that “a range of supports” are required in order to provide “basic needs such as food and health services as well as inclusion and belonging”⁵⁵. The Health and Well-being Planning being done in the Downtown Eastside prioritizes “residents’ sense of community belonging, inclusion, dignity and safety, which is fundamental to achieving a health neighbourhood”⁵⁶. What if access to pet-friendly housing was imagined as a necessary component of promoting inclusion and belonging? In *The Psychology of the Human-Animal Bond*, Judith M. Siegel notes that the primary avenue for

50 Renter’s Guide, *supra.*, pg 3.

51 Melanson, *supra.*

52 Bennet, *supra.*; Renter’s Guide, *supra.*, pg 3.

53 Renter’s Guide, *supra.*, pg 4

54 Renter’s Guide, *supra.*, pg 4.

55 City of Vancouver, “Downtown Eastside Plan,” (2017), online: City of Vancouver <<http://vancouver.ca/files/cov/downtown-eastside-plan.pdf>> (“Downtown Eastside Plan”), pg 14.

56 Downtown Eastside Plan, *ibid.*

benefit from animal-human relationships is through emotional support⁵⁷. She reviews a body of research which has shown that companion animals positively impact the emotional well-being of people who live alone, those who rate their human social support networks as inadequate, and those who experience loneliness and poor health⁵⁸. Applying this research to community plans such as that designed for the Downtown Eastside compels us not to reduce the issue of pet-friendly housing to a matter of individual market transactions but to understand it, instead, as having larger implications on a meaningful access to health and well-being in addition to housing.

Conclusion

This kind of change in the way that we think about pet-friendly housing may be possible. Although landlords and housing providers may hold negative stereotypes about the effects that pets can have on property, a 2008 poll conducted by McIntyre & Mustel on behalf of the BC SPCA found that “almost 80% of BC residents favour legislation that allows pet guardians the right to keep companion animals”⁵⁹. This public support for pet-friendly housing is in keeping with Prowse’ experience working as an advocate, [animal-human] companionship is something we all know and we [at CLAS] just think it’s wrong that we’ve created a system in our society where homeowners have access to having a pet if they want, but a whole class of people, the majority of people in Vancouver are renters, has really limited access to having a pet, we don’t think that is any way to build a society.⁶⁰

Hopefully, continued awareness regarding the benefits of pet-friendly housing will help to persuade British Columbia to make necessary changes by reforming the RTA and increasing its role as a housing service provider, as opposed to a facilitator of market transactions. As a law student, and a future lawyer, I see these as important and necessary goals required in the pursuit of social justice for all residents of Vancouver. As a chronically ill person who understands first-hand the value in relationships to companion animals, I implore all housing advocates to consider the value of pet-friendly housing as they work to make Vancouver a more livable place.

57 Judith M. Siegel, “Pet Ownership and Health,” in Christopher Blazina, Guler Boyraz, David Shen-Miller, *The Psychology of the Human-Animal Bond: A Resource for Clinicians and Researchers*, (2011), online: Springer (“Siegel”), pg 172.

58 Siegel, *ibid*.

59 Renter’s Guide, *supra.*, pg 3.

60 Little, *supra.*



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