



Access to Justice and Tenant Non-Attendance at Eviction Hearings

Pathways to Equity Workshop

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Sarah Buhler, University of
Saskatchewan College of Law

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Eviction and impacts of Eviction

- Thousands of tenants face eviction annually in Saskatchewan.
- Eviction leads to negative outcomes like trauma, negative health impacts, and homelessness. Particularly harmful for youth and children.



The legal process around eviction

- Eviction in SK is handled by an administrative law tribunal, called the Office of Residential Tenancies (the ORT)
- The ORT holds out its processes as being meaningful and fair. But landlords almost always win and almost always receive immediate eviction orders.
- One reason why landlords usually win = tenant non-attendance at hearings.
- When tenants do not attend, hearing officers often interpret this as a sign that the tenant consents to the eviction and has nothing to say about it.



Our research

- Funding by Pathways to Equity
- Collaboration with CLASSIC
- Interviewed 18 people who had been evicted but who did not attend their hearing at the ORT.



What tenants said:

Precarious housing and multiple forms of hardship

- We know that eviction is experienced disproportionately by tenants who are already among the most vulnerable members of our community.
- Many participants reported living in inadequate, overcrowded, and unsafe places.
- But participants described wanting to stay and create a sense of home in their rental units.



What tenants said: Harms of eviction

- Eviction impacts: homelessness, loss of belongings, security deposits, and debt.
- Personal stories: difficulty finding new housing, loss of children.



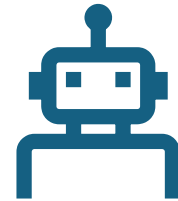
Landlord power

- Some participants reported illegal behaviours by landlords: unauthorized surveillance, entry without notice; retaliatory evictions.
- Tenants sometimes were discouraged from attending hearings by landlords
- A few tenants reported that they believed landlords, not the ORT, had the ultimate power over eviction.



Perceived Futility and other barriers

- Participants believed that the ORT favours landlords; expressed the view that attendance would not change anything and that their stories would not be truly “heard” by the decisionmaker.
- Participants expressed being intimidated by the process.
- Participants reported not knowing about their rights.
- Literacy barriers; technology barriers
- The process is not created with their interests and realities in mind.



Closing quote

“Give us a chance because we’ll surprise you. Some of us will. You know...at the end of the day, most people just want a safe place to be. That’s it”. (Project interviewee)



Conclusions and Recommendations



Need for tribunals to understand tenants' realities.



More advocacy and support (legal and non-legal).



Information on tenant rights.



Compassion for vulnerable tenants.



Decision-makers with eviction experience.



Restorative justice and trauma-informed approaches.



Treat housing as a human right, not a business transaction.