



Financialization of Housing in Canada: A Case Study of the Eviction Practices of Epic Alliance Properties

Sarah Buhler and Kenechukwu Aneke



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UNIVERSITY OF
SASKATCHEWAN

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EXECUTIVE SUMMARY

In 2013, Saskatoon residents Rochelle Laflamme and Alisa Thompson launched Epic Alliance Real Estate Inc. (Epic Alliance) as a Saskatoon-based “real estate investment company”. Among other things, Epic Alliance facilitated the buying, selling, and renting of residential real estate with funds raised from individual retail investors. Epic Alliance raised over 200 million dollars from investors, many of whom lived outside of Saskatchewan. However, fewer than ten years after its inception, Epic Alliance underwent a spectacular collapse when it became apparent that it had been operating in violation of relevant securities laws. The collapse of Epic Alliance garnered significant media attention, focused mainly on the fact that Epic Alliance’s investment products were being sold outside the purview of securities regulators, and the subsequent terrible impacts on Epic Alliance investors. Indeed, some investors lost their life savings. These issues are serious and significant. However, less attention has been paid to the impact of Epic Alliance’s business model on renters during the course of its relatively short-lived operations. This present study places the spotlight on some of Epic Alliance’s practices as a landlord.

This case study is part of the story of this particular landlord and their short-lived but impactful operations in Saskatoon. Among other things, our analysis of the decisions reveals that Epic Alliance was charging relatively high rents for properties that in some cases appeared to be substandard, and that it seemed to rely at least to some extent on renters who lived on very low incomes. Our study reminds us that the properties that Epic Alliance purchased were not simply “real estate” with the purpose of generating profits for investors, but that they were also places that families and individuals called home. This report adds to knowledge about Epic Alliance’s impactful operations, but also adds to our empirical knowledge about eviction in Saskatoon and Canada.

INTRODUCTION

In 2013, Saskatoon residents Rochelle Laflamme and Alisa Thompson launched Epic Alliance Real Estate Inc. (Epic Alliance) as a Saskatoon-based “real estate investment company” (CTV News, 2023). Epic Alliance “facilitated the buying, selling, renting, subletting, and renovating of residential real estate” (Ernst & Young Inc., 2022b, p. 2.), with its operations financed through funds raised from individual retail investors (Bankruptcy Order, p.2). Epic Alliance raised over CAD \$200 million from investors, many of whom lived outside of Saskatchewan (CTV News, 2023). Fewer than ten years later, Epic Alliance underwent a spectacular collapse when it became apparent that it was operating in violation of relevant securities laws. In a short Zoom meeting on January 19, 2022, Laflamme and Thompson reported to their investors that Epic Alliance was “bankrupt” and “everything was gone” (Bankruptcy Order, p.3). A Bankruptcy Order was issued by the Saskatchewan Court of Queen’s Bench on August 4, 2022. An investigator found that investors would be unlikely to recover their invested funds. A settlement agreement issued by a Financial and Consumer Authority of Saskatchewan Panel fined Laflamme and Thompson CAD \$300,000 and prohibited them from involvement in the Saskatchewan securities market for a period of 20 years. Prosecutors are apparently still investigating and considering whether criminal charges may ensue (Zakreski, 2024).

The collapse of Epic Alliance garnered significant media attention, focused mainly on the fact that Epic Alliance’s investment products were being sold outside the purview of securities regulators, and the subsequent terrible impacts on Epic Alliance investors. Indeed, some investors lost their life savings. These issues are serious and significant. However, less attention has been paid to the impact of Epic Alliance’s business model on renters during the course of its relatively short-lived operations. A key aspect of Epic Alliance’s business model was premised on the idea that rental income from properties in its portfolio would generate profits for investors. Investors were counting on profits extracted in the form of rent from tenants of these properties. But who were Epic Alliance’s renters? And what was Epic Alliance’s relationship with them like?

This present study places the spotlight on some of Epic Alliance’s practices as a landlord. By examining 94 publicly available eviction decisions where Epic Alliance sought to evict tenants of its properties, this study analyzes Epic Alliance’s rental and eviction practices and uncovers some general insights about the people who lived at Epic Alliance properties. This case study is part of the story of this particular landlord and their short-lived but impactful operations in Saskatoon. Among other things, our analysis of the decisions reveals that Epic Alliance was charging relatively high rents for properties that in some cases appeared to be substandard, and that it seemed to rely at least to some extent on renters who lived on very low incomes. Our study reminds us that the properties that Epic Alliance purchased were not simply “real estate” with the purpose of generating profits for investors, but that they were also places that families and individuals called home.

Report Purpose

The public story of Epic Alliance has focused mainly on the impact of its business practices on investors, who in good faith believed Laflamme and Thompson’s representations, and in many cases lost life savings in the scheme. This report adds to the story of Epic Alliance by focusing on the eviction practices of Epic Alliance during the time that it was in operation and therefore on the impacts of its business model on some of its renters. Although Epic Alliance was not in any way a typical “financialized landlord,” this study represents an opportunity to illustrate how financialization of housing can impact people’s lives. The report aims to do the following:

- Add to existing knowledge about the operations of Epic Alliance by examining its eviction practices during the time when it was in operation
- Add to Saskatoon and Saskatchewan-specific empirical data and knowledge about rental relationships and eviction practices.

LITERATURE REVIEW

Epic Alliance offered several different investment products to investors. First, and most relevant to this report, Epic Alliance operated what it called the “Hassle-Free Landlord Program”(HFLP) (CTV News, 2023). An investor participating in the HFLP would purchase a property by providing a down payment and qualifying for financing. Epic Alliance would lease the property from the investor, and then sub-lease the property to a tenant. In this way, Epic Alliance took on the role of “property manager” and proxy landlord. Interestingly, many of the properties sold to investors came from a pool of properties in Epic Alliance’s “Fund a Flip” program (FAF), which will be discussed in the next paragraph. Rental income from the properties was intended to cover property taxes, repairs, maintenance, mortgage payments and a return of 15-17% per annum which had been promised to the owner/investor (Bankruptcy Order, p.2). Epic Alliance sold hundreds of properties to investors under the HFLP, many at what appeared to be inflated values. (Bankruptcy Order, p.2). However, despite the high rents that many tenants were paying for what appear in some cases to be deficient properties, Epic Alliance was not making the promised rates of return on the properties, and had resorted to using new investor money to pay HFLP investors their “guaranteed rate of return” (Pearce, 2022). When the company collapsed, Sorokan (2022) reported that more than 500 properties “went from being hassle-free to being headaches” for investors. Indeed, many of these properties had net negative equity at the time of Epic Alliance’s collapse (Ernst & Young Inc., 2022a).

Epic Alliance also ran its “Fund-a-Flip” (FAF) program that allowed investors to purchase houses in Saskatoon through the company which would, after renovations, resell these housing properties at inflated market prices (CTV News, 2023). As noted above, many of these properties were sold to participants in the HFLP. The practice was to acquire low value housing properties in Saskatoon and North Battleford and then renovate them before getting an appraiser to value the property to allow for sale above the original purchase price (Tank, 2022). It appears that in many cases, the resale value of the homes was inflated.

Epic Alliance also raised capital through interest-yielding promissory notes (CTV News, 2023). This was a loan program used by the company to raise funds ranging from CAD \$50,000 to

CAD \$500,000 at an interest rate of 15% to 20% (Dondo, 2022). This practice eventually caught the attention of the Financial and Consumer Affairs Authority of Saskatchewan (FCAA), and, following an investigation into the company, the FCAA ordered it to temporarily cease its public trade operations in October of 2021 (Tank, 2022). The company bled cash and could not meet its guaranteed commitments to investors, and as described above, in January 2022, the co-founders announced the demise of the company via a Zoom meeting with investors (CTV News, 2023).

Financialized landlords, the housing crisis, and eviction in Saskatchewan

The story of Epic Alliance Properties unfolded within a larger housing phenomenon in Canada. This is the phenomenon known as the financialization of housing, which has seen huge growth in recent years across Canada. Financialization of housing refers to the commoditization of housing and the treatment of rental housing as a profit-yielding venture for investors (Stewart & Cloutier, 2022). August (2022b) points out that common practices across financialized landlords include rent increases, and a commitment to cost cutting which can result in maintenance deficiencies and displacement or eviction of tenants.

Experts point to a variety of factors that facilitate financialization of housing, including relatively weak tenant protection laws, lack of real rent controls in many Canadian jurisdictions, and a serious lack of social and affordable housing. In addition, regulatory, tax, and legal frameworks are generally friendly for financialized landlords. Schwan (2024), for example, has pointed out that “most tax advantages are provided to homeowners and financial investors, rather than renters” (p. 38). August (2022b) has pointed out that landlord-friendly rental regulations and lack of rent control in many jurisdictions facilitate the operation and expansion of financialized housing.

Various experts have pointed to financialization as being part of the housing affordability problem in this country (Stewart & Cloutier, 2022). There have been reports of constant increases in rent for housing units managed by financialized landlords (ACORN Canada, 2022). Ultimately, researchers point out that the financialization of housing positions the housing market for exploitation and as an avenue for “extracting wealth and profits” (Schwan, 2024, p. 38). Schwan (2024) points out that while governments invest in trying to build affordable housing, financialized landlords frustrate these investments by pulling their rental units out of the existing affordable housing stock. Accordingly, “between 2011 and 2016, for every new affordable unit that was created under the FPT Investments in Affordable Housing (IAH) and provincial initiatives, 15 existing lower rent affordable units ... were lost” (Schwan, 2024, p. 40). This undermines the efforts of the government to increase the affordable housing stock.

Saskatchewan has seen a growing housing crisis in recent years. People living on low incomes

in the province are facing a particularly severe shortage of affordable housing options. This reality can be attributed to a variety of factors, including the fact that income supports are inadequate to cover the rising costs of housing. For example, “Saskatchewan’s Income Support shelter benefit rates range[s] from \$650 to \$1245 in Saskatoon and Regina, but average rents for a two bedroom apartment in those cities was \$1330 in 2023” (CCHR Report, 2024, p. 13). In Saskatoon, core housing need, meaning that housing is not affordable, suitable or adequate, reached 76.7% for the lowest income renters in 2021 (CCHR Report, 2024, p. 14). But the housing crisis in Saskatchewan’s big cities can also be traced in part to the growing financialization of housing in those cities which as noted above is associated with higher rents (CCHR Report, 2024, pp. 12-13).

Eviction and financialized landlords

Research establishes that eviction from rental housing can be a traumatic and harmful experience for tenants who experience it. Eviction often leads to homelessness and long-term housing instability (Collinson & Reed, 2018). It is also associated with many negative health, educational and employment outcomes (Collinson & Reed, 2018). It is important to point out that eviction disproportionately affects the renters who are members of some of the most oppressed groups in our communities. Indigenous women, trans and gender-diverse people, people with disabilities, newcomers, youth, and people who have histories of involvement with child welfare agencies experience higher rates of eviction than other groups (Schwan et al, 2021).

In Saskatchewan, an administrative tribunal called the Office of Residential Tenancies (“the ORT”) adjudicates eviction applications by landlords. It should be noted that eviction law in Saskatchewan (as in other jurisdictions in Canada) permits landlords to evict tenants on a variety of grounds, including non-payment or late payment of rent, behavioural reasons, or because the landlord wants to renovate the property and requires the property to be vacant for this purpose. However, the law makes it clear that eviction is not an automatic “right” for landlords. Rather, an adjudicator considering whether to order eviction must consider not only whether technical requirements have been met but also whether an eviction order would be “just and equitable” in the circumstances (*The Residential Tenancies Act, 2006*, s. 70(6)). Nevertheless, research has shown that the legal processes around eviction in Saskatchewan and elsewhere tend to be friendly to landlords—low filing fees, low evidentiary burdens, and an emphasis on quick and informal proceedings tend to benefit landlords rather than tenants (Buhler, 2021; Hartman & Robinson, 2003). Furthermore, corporate landlords who are repeat players in eviction proceedings have a noted advantage through familiarity with processes and familiarity with decision makers (Buhler & Barkaskas, 2023). Meanwhile, many tenants who are the subject of eviction orders face a variety of barriers to participation in eviction processes (Buhler & Barkaskas, 2023).

Experts have discussed the connections between financialization of housing and the displacement of tenants. Gomory's (2021) research found that tenants in rental properties in areas dominated by large-scale landlords are more likely to be evicted than their counterparts in other areas because "large landlords' eviction practices stem from formal organizational structures that bureaucratize management decisions and business-like relationships with tenants [in ways] that discourage social closeness" (p. 26). The practical implication of this is that the housing situation (in terms of security of tenure) in areas dominated by large-scale or financialized landlords can be relatively unstable (Gomory, 2021). High rents impose hardship on tenants and cause economic displacement of low-income tenants (August, 2022a). Furthermore, financialized landlords may be more likely to engage in 'no fault' eviction practices where they evict renters in order to renovate properties and rent them at higher prices (Xuereb & Jones, 2023).

METHODS

Although the business practices of Epic Alliance may have become nation-wide news in Canada, little is known about their eviction practices and how their tenants were impacted for the relatively short duration of their operations. For this study, we located and analyzed 94 eviction decisions involving Epic Alliance Properties. This process was not difficult because Saskatchewan eviction decisions are publicly available on CanLII (Canada’s online legal database). We located Epic Alliance eviction decisions by first going to the Office of Residential Tenancies page in CanLII, and then typing “Epic Alliance” or “EA Properties” and “order for possession” into the search tab. This process allowed us to access eviction decisions where Epic Alliance was the landlord. This process produced 105 decisions. Upon review, it was determined that 103 of these decisions were in fact decisions related to eviction applications. Upon further review, we noted that a total of 94 were decisions following a hearing.

For each eviction decision where Epic Alliance Properties applied for an eviction order, a range of information was manually collected and entered into an excel spreadsheet, including whether the tenant appeared at the hearing, the date of the hearing, the ground of Epic Alliance’s eviction application (for example, rental arrears), the address of rental property (where provided), monthly rent (where provided), amount of rent in arrears, order made, date of decision, and some relevant details about the case where these were provided in the written reasons. The University of Saskatchewan’s Research Ethics Board has granted an exemption to Professor Sarah Buhler for the secondary use of ORT data because ORT decisions are all publicly available online.

Eviction decisions involving Epic Alliance prior to 2019 are not captured in our study as these were not available on CanLII. Furthermore, we note that in 2019, not all eviction decisions were published by the ORT. This means that there may be decisions involving Epic Alliance from 2019 that are not captured in our study. We also note that nine eviction hearings in January 2022 had been scheduled by Epic Alliance, but did not proceed. These cases were all dismissed and are not analyzed here. Of course, January 2022 was the month when Laflamme and Thompson held their Zoom meeting with investors to report the company had collapsed. To summarize, our study covers just over three years of cases—2019, 2020, 2021—and a few cases in January 2022. The total

number is 94 decisions. For reasons discussed above, this is very likely not the total number of ORT decisions involving Epic Alliance. Furthermore, formal eviction matters at the ORT likely do not cover all evictions given the prevalence of “informal eviction”. Therefore, it is highly likely that our study does not cover all eviction matters involving Epic Alliance. However, the published decisions discussed here do provide some interesting data about Epic Alliance and its practices as a landlord.

FINDINGS AND DISCUSSION

We start this section with some general background and observations about the cases. First, as noted, between January 2019 and January 2022 there were a total of 94 decisions involving an application by Epic Alliance for eviction of a tenant where a hearing was held and a decision issued. Keeping in mind that each eviction involves the displacement of an individual or family from their home, this is a very high number of evictions. In terms of number for each year, we note that only five Epic Alliance eviction decisions were published by the ORT in 2019. As noted above, this is likely because the ORT did not publish all of its decisions that particular year. In other words, it is possible that Epic Alliance evicted more than five tenant household in 2019. In 2020, the ORT published 34 eviction decisions involving Epic Alliance. In 2021, 42 decisions were published. Finally, in January 2022, the month of Epic Alliance’s demise, the ORT held 13 eviction hearings involving Epic Alliance. In other words, it appears that the company was very active in terms of evicting tenants in the final days of their operations.

We note that the COVID-19 pandemic was in the background most of the time of our study. Notably, the Government of Saskatchewan implemented a temporary moratorium on non-urgent evictions during the early part of the pandemic: evictions for non-urgent matters were prohibited for the period of March 26 –August 4, 2020 (Busse, 2020a; Busse, 2020b). Of course, we know that the COVID-19 pandemic did not end in August of 2020. To the contrary, case levels reached their highest levels in Saskatchewan later in 2020, during which time Epic Alliance was actively pursuing eviction of multiple tenants.

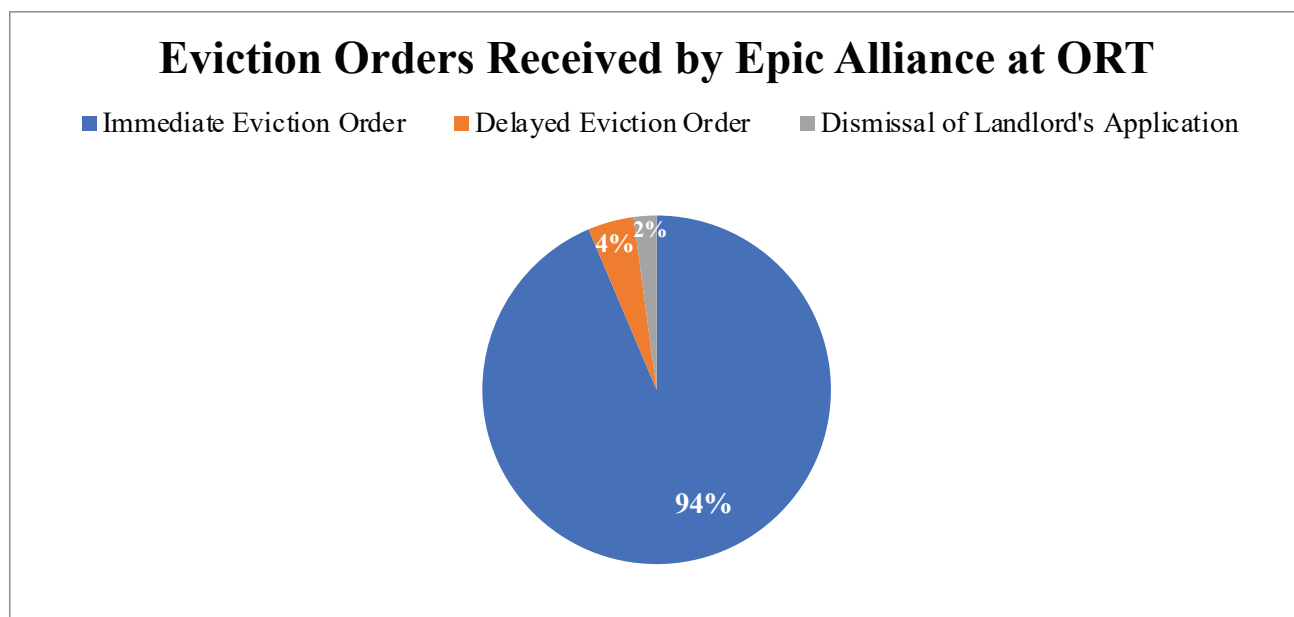
We also note that Epic Alliance regularly arranged to deal with its eviction applications in “batches” at the ORT. We note that this is a common practice for corporate landlords in Saskatchewan. One judge described the “speedy eviction process” involving “one landlord lining up multiple tenants for hearings regarding overdue rent one after the other on the same date, the landlord’s representative speaking to all the cases involving rental arrears” (*Antony v Boardwalk*, 2023). In most cases, the ORT dealt with two or more Epic Alliance eviction applications on the same date. For example, on February 24, 2021, the ORT heard six eviction applications by Epic Alliance. Similarly, Epic Alliance was involved in six eviction hearings on November 9, 2020. We note that the ORT releases its decisions quickly—usually only a day or two following the hearing.

In other words, Epic Alliance appeared to benefit from efficient processes at the ORT—the ability to batch hearings together and to receive quick eviction decisions pertaining to its applications.

As shown in Figure 1, out of the 94 ORT cases in our dataset, 92 (98%) resulted in eviction orders. Of these, the vast majority (88 cases [94%]) were immediate eviction orders, meaning the tenant was required to vacate the home immediately, or be subject to removal by the Sheriff. In only 4 (4%) of them did the ORT grant a delayed eviction order, meaning the tenant had additional time to move out. In only 2 cases (2%) was Epic Alliance’s application dismissed following the hearing. In one of these two cases, Epic Alliance lost its application because there was no evidence that the tenant was in fact in arrears of rent. In the second case, Epic Alliance sought an eviction of a tenant who was the single mother of five children on the basis that the yard of the rental house was not cleaned up. The hearing officer found that this was not a valid ground for eviction in the circumstances.

Significantly, we note that in the majority of cases, tenants did not participate in the eviction hearing. Of the 94 cases in our study, tenants appeared in only 30 cases (32%). However, our study shows that tenants almost always faced immediate eviction orders whether or not they attended their hearing.

Figure 1. Eviction Orders Received by Epic Alliance at ORT

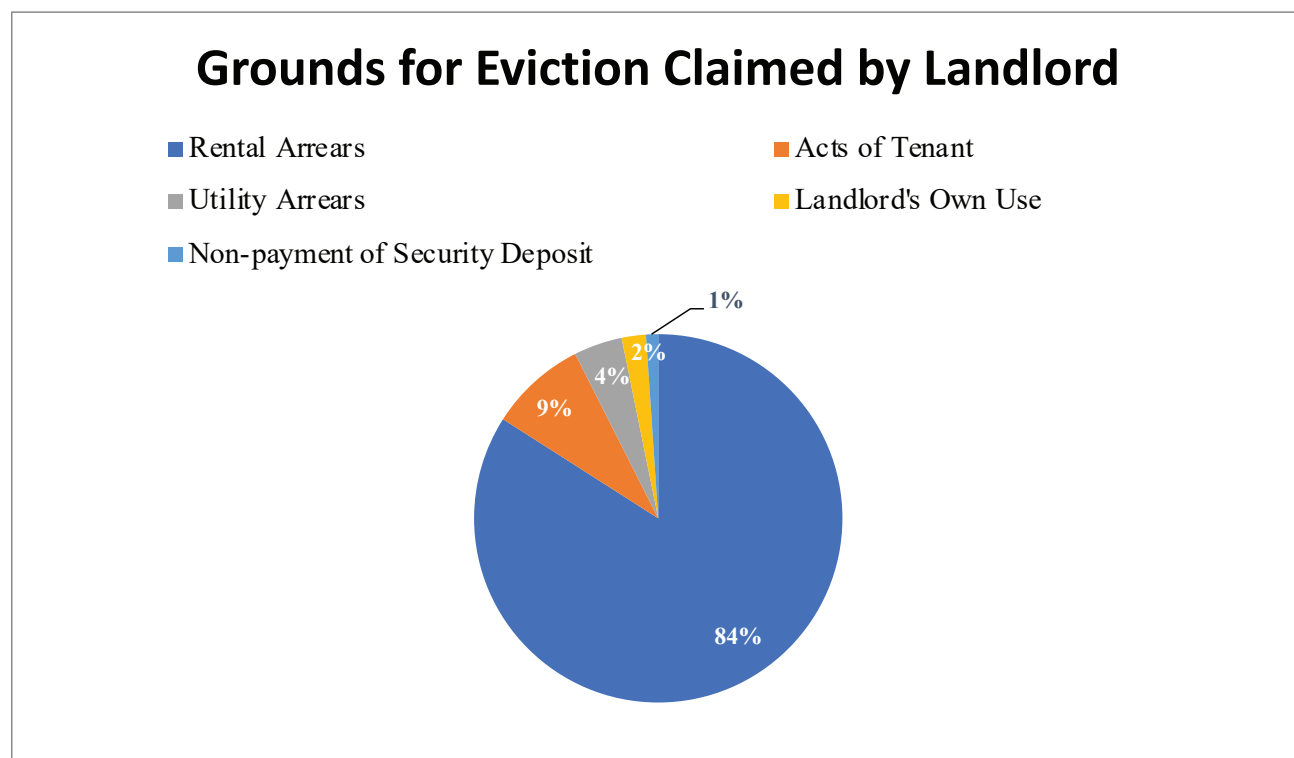


The above section sets out some relevant numbers and statistics. But what do the written ORT decisions have to say about why Epic Alliance was seeking to evict tenants, and what can we learn about Epic Alliance’s renters, as well as Epic Alliance’s approach to eviction? We note that only

limited information about the circumstances of tenants is available in most of the decisions. This is because, as noted above, the majority of tenants were not in attendance at the hearing to share their stories or defend themselves against allegations made by the landlord. However, the decisions do provide certain information, including monthly rent, amount of rental arrears (if relevant), and, occasionally, other information about the tenant or their circumstances.

First, as we can see in Figure 2, rental arrears cases constituted the vast majority of the cases. In 79 cases, or 84 % of the cases in our dataset, Epic Alliance was pursuing eviction because tenants were in arrears of rent. This is in line with the reasons that most tenants face formal eviction proceedings in Saskatchewan (Buhler, 2021). Other reasons were acts of tenants (8 cases [9%]), utility arrears (4 cases [4%]), landlord's own use (2 cases [2%]), and non-payment of security deposit (1 case [1%]). When we look at the Epic Alliance rental arrears cases, we can make a few observations. First, most decisions provide no information about why the tenant fell behind in their rent. This is mostly attributable to the fact that most of the time, the tenant was not in attendance to tell their story. Second, we can see the amount of monthly rent Epic Alliance was charging for these properties. While 17 of the properties were rented for under CAD \$1,000 per month (between CAD \$500 and CAD \$950), the highest rent was CAD \$1,800 per month. The average rent was CAD \$1,192.5 across all the Saskatchewan addresses where rent charged was provided.

Figure 2. Grounds for Eviction Claimed by Landlord



We note that the street addresses for some, but not all, properties are recorded in the eviction decisions. A review of the address information reveals that most of the properties are located within Saskatoon's "core neighbourhoods". The average rent was CAD \$1,187.2 across 41 Saskatoon addresses where the rent charged was provided. Further, we note that while many of the properties appeared to be detached houses, the cases also reveal that many of the houses were divided into more than one suite, meaning there were two or more rental units in a single detached house.

In most of the arrears cases we cannot know why the tenant fell into arrears. However, in the few cases where details about the reasons for arrears are provided, we see that economic struggles on the part of vulnerable tenants were clearly at play. Some of the tenants depended on the child tax credit or other government benefits for payment of rent. In one case, the tenant testified that they had not received their child tax benefit and were in the process of reapplying. The tenant asked for more time, but the ORT issued an immediate eviction order (*E.A Properties Inc. v. Lalonde*, 2021). In another case, a tenant who had received the Canada Emergency Response Benefit or CERB (benefit related to the pandemic), reported that they were no longer receiving the benefit and were struggling to pay their rent (*E.A Properties Inc. v. Gumulcak*, 2021). This tenant was also evicted.

In a few of the arrears cases, the tenant testified that they were deliberately withholding rent due to complaints about the condition of the property. While withholding rent is not permitted in the legislation, these cases provide an interesting insight into property conditions at Epic Alliance houses. In one instance, the tenant testified that they withheld rent because of a non-functioning door lock and broken heating system. This tenant received an immediate eviction order. In a second example, the tenant asserted that rent was withheld due to maintenance issues pertaining to the rental unit. Likewise, this tenant got an immediate eviction order.

We considered how long Epic Alliance waited before seeking eviction in cases of rental arrears. We note that the majority of cases, Epic Alliance was before the ORT seeking eviction when tenants were two months or less in arrears of rent. We note that in 56 of the 94 cases (60%), the tenant was two months or less in arrears. In most decisions, the ORT appears to accept Epic Alliance's description of arrears as stated. However, from a review of the arrears claimed, it is unclear whether Epic Alliance had added any other costs or fees to some of the claims. In several cases, the amount of arrears being claimed was a specific amount higher—for example \$50—than the amount of rent that the tenant paid each month. This suggests that Epic Alliance may have been adding late fees or other fees to its claims. We know that this is a practice adopted by some corporate and financialized landlords (August, 2022b). Unfortunately, it is impossible to make any conclusive statements in this respect as the decisions do not clearly set out the source of amounts being claimed by the landlord.

As noted, most of the cases involved issues of rental arrears. In one case, Epic Alliance claimed own use. Epic Alliance testified that the basement was an illegal dwelling unit that required some substantive structural adjustments to remedy. In eight cases, the eviction application was focused on alleged acts or behaviours of tenants. While one case involved serious tenant issues involving possible gang involvement and violence, another was about the failure of a single mother of five kids to clean up the yard (note that Epic Alliance was not in the end successful in this latter case).

CONCLUSIONS

The story of Epic Alliance’s eviction practices is one part of the story of its short-lived but impactful operations in Saskatoon. While Epic Alliance was in no way a typical financialized landlord, it shared with more “conventional” financialized landlords the goal of making profits for investors by renting out properties to tenants. As our study shows, Epic Alliance was very active in the eviction of tenants who fell behind in their rent. The study also shows that some of Epic Alliance’s tenants were struggling to pay relatively high rents on low incomes, and that some of the properties may have been deficient in various ways. As noted, research shows that financialized landlords are motivated to extract maximum rent from tenants. The findings of this report could influence policy changes in a few ways.

First, the findings underscore the reality that social assistance rates in Saskatoon and Saskatchewan are insufficient to allow many tenants to afford adequate and safe rental housing. There is need for an increase in support and assistance to account for current economic realities. Second, there is a need to emphasize a human-rights-centred and preventative approach in eviction processes (Buhler, 2024). Third, policies that help stabilize or control rent should be considered: as August (2020) has pointed out, financialized landlords are particularly attracted to jurisdictions like Saskatchewan where there is little or no rent control. Fourth, we need more truly affordable housing for tenants in Saskatchewan. Finally, all housing policy needs to embrace an approach that is grounded in the idea that housing is a human right, rather than a vehicle for investor profits.

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