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Brief on Bill C-20, *Build Canada Homes Act*, from the Federal Housing Advocate

Submitted 17 April 2026 to the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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This brief is submitted in response to the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) study of Bill C-20, an Act Respecting the Establishment of Build Canada Homes (BCH Act).

The Federal Housing Advocate is mandated by the National Housing Strategy Act (NHTSA) to monitor progress on the human right to adequate housing in Canada, and provide recommendations to improve Canada's housing laws, policies and programs. The ultimate goal is a healthy housing system where people and families in Canada have access to adequate, affordable and safe housing that meets their needs. This brief provides human rights guidance on improvements to Bill C-20 to ensure that Build Canada Homes advances progress on that goal.

With its mandate to build and finance affordable housing, Build Canada Homes (BCH) is a major initiative to address the housing and homelessness crisis in Canada. Solving the housing crisis requires more than accelerating supply — it demands the right kind of housing, guided by clear definitions, measurable targets, and a strong commitment to human rights. The NHTSA establishes an over-arching human rights framework for Canada's housing policy that is applicable to all federal housing initiatives, including BCH. Yet the current text of the bill does not refer to the NHTSA or to Canada's commitment to the progressive realization of the human right to adequate housing. This brief proposes amendments to Bill C-20 to ensure that the BCH Act — and the entity established by it — are anchored in Canada's human rights commitments.

The human right to adequate housing under the National Housing Strategy Act

The National Housing Strategy Act (2019) declares it to be the housing policy of the Government of Canada to:

- recognize that the right to adequate housing is a fundamental human right affirmed in international law;
- recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities;
- support improved housing outcomes for the people of Canada; and
- further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.

Two elements of the NHSA Housing Policy Declaration are of particular relevance to the legal framework for BCH. First, while important, **affordability is just one criterion for adequate housing** under international law. Adequate housing must also include:

- Security of tenure;
- Accessibility;
- Access to services and infrastructure;
- Habitability;
- Appropriate location; and
- Cultural adequacy.

As recognized in the NHSA, housing is essential to human dignity, and must uphold autonomy and self-determination. Everyone has the right to housing that meets all these criteria, without discrimination on the basis of gender, race, Indigenous identity, disability, age, or other grounds.

Secondly, the commitment to **further the progressive realization** of the right to adequate housing imposes specific obligations on the Government of Canada. These include:

- Implementing effective measures in order to fully realize the right in the shortest time possible;
- Investing the maximum available resources;
- Employing all appropriate means, including legislation, policy, and regulation;
- Prioritizing those in greatest need;
- Engaging the meaningful participation of rights-holders;
- Ensuring non-discrimination; and
- Taking an all-of-government approach, and a leadership role in coordinating with sub-national governments.

In addition, the NHSA requires the federal Minister responsible for housing to develop and maintain a national housing strategy to further this housing policy. Inter alia, that strategy must focus on improving housing outcomes for persons in greatest need, and provide for participatory processes to ensure the

ongoing inclusion and engagement of civil society, stakeholders, vulnerable groups, and persons experiencing housing need and homelessness. These requirements apply to BCH as one of the key initiatives of a renewed national housing strategy.

Taken together, the NHTS requirements set an ambitious direction for housing policy in Canada. By designing programs to achieve human rights outcomes, focusing investments on areas of greatest need, building on the knowledge of communities directly affected, ensuring accountability, and delivering housing that meets all criteria for adequacy, a human-rights-based approach is the most effective solution to end homelessness and build a strong Canada where everyone has a place to call home.

Proposed amendments to Bill C-20 – Build Canada Homes Act

In his remarks to this committee on March 26, 2026, Minister Robertson affirmed that BCH is a key tool to address the affordable housing crisis and reduce homelessness by expanding the supply of supportive, transitional, and non-market affordable housing. Bill C-20 presents an opportunity to affirm Canada’s human rights commitments, and to connect BCH with the human rights-based mechanisms established by the NHTS.

The proposed amendments from the Federal Housing Advocate listed below will set BCH up for success by aligning its purpose with Canada’s over-arching housing policy as set out in the NHTS.

[Note: The text in square brackets reflects the changes proposed by the Federal Housing Advocate]

1. Preamble

A Preamble could be added to Bill C-20, mandating Build Canada Homes as a rights-based policy and delivery tool and setting out the context for the establishment of BCH. This would include the following:

- Canada’s obligations as a State Party to international conventions such as the United Nations Covenants on Economic, Social, and Cultural Rights, the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of Persons with Disabilities (CRPD), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); and the Convention on the Rights of the Child.
- Canada’s domestic implementation of these obligations through legislation such as the NHTS, the *Poverty Reduction Act* (2019), the *United Nations Declaration on the Rights of Indigenous Peoples Act* (2021), the *Accessible Canada Act* (2019), and through policy frameworks such as the National Housing Strategy, the Gender-Based Violence Action Plan, the Disability Inclusion Action Plan, the Missing and Murdered Indigenous Women, Girls, and Two Spirit Plus Action Plan, and the commitment to Gender-Based Analysis Plus across federal policies; and
- Build Canada Homes’ mission to ensure that federal investments drive progress and uphold accountability on the right to adequate housing and other human rights commitments, by delivering housing that is deeply affordable, adequate, safe, secure, equitable, dignified, and accessible-ready.

2. Link to National Housing Council

There is an opportunity through the BCH Act to functionally link the agency into Canada's right to housing infrastructure. One option for consideration would be to add the Chief Executive Officer as an ex officio member of the National Housing Council. This would require a consequential amendment of NHTA section 7 in Bill C-20.

3. Amendments to Section 4: Purpose

The Federal Housing Advocate's proposed amendments to this section would anchor the purpose of BCH in Canada's legislated commitments under the NHTA.

- "The purpose of the Corporation is to promote, support and develop the supply of affordable [and adequate] housing in Canada and to promote innovative and efficient building techniques in the housing construction sector in Canada, [in order to advance the progressive realization of the right to adequate housing in Canada as per the National Housing Strategy Act (2019).]"

4. Amendments to Subsection 10(1): Appointment of directors

The Federal Housing Advocate's proposed amendments to this subsection would direct the Minister to take a human rights-based approach to appointing members of the BCH board, in alignment with the NHTA requirements for participation and inclusion the national housing strategy. The text from NHTA section 8(3) is proposed below as an example, but could be modified to reflect priorities specific to the BCH Board.

- "Each director of the Board, other than the Chairperson, is to be appointed by the Minister, with the approval of the Governor in Council, to hold office during pleasure for a term not exceeding four years that will ensure, as far as possible, the expiry in any one year of the terms of office of not more than one half of the directors. [In appointing members, the Minister is to take into consideration the importance of representation on the Board of:
 - (a) persons who are members of vulnerable groups;
 - (b) persons with lived experience of housing need, as well as those with lived experience of homelessness;
 - (c) persons who reflect the diversity of Canadian society; and
 - (d) persons who have expertise in human rights."]

5. Amendments to Section 20: Powers

The Federal Housing Advocate's proposed amendments to this section would expand the focus of BCH to encompass the full scope of adequate housing, align it with the NHTA requirements for the national housing strategy, and ensure that BCH initiatives are grounded in meaningful engagement with Indigenous governments and representative organizations, and communities directly affected by inadequate housing and homelessness.

- "To carry out its purpose, the Corporation may, among other things,
 - ...

- **(c)** invest in persons or entities carrying on activities in respect of the supply of affordable **[and adequate]** housing in Canada, including by acquiring their shares or securities or by making a loan or guarantee to the person or entity;
- **(d)** invest in ventures or enterprises, including through the acquisition and development of property, that are likely to benefit the supply of affordable **[and adequate]** housing or the adoption of innovative and efficient building techniques in Canada;
- ...
- **(j)** collect and disseminate data, in collaboration with any level of government in Canada, in order to monitor and assess the housing sector **[and housing outcomes]** in Canada and to better inform investment decisions in respect of that sector;
- **[(k)] engage with key stakeholders including Indigenous governments and representative organizations, civil society, and members of communities directly affected by housing need and homelessness, in the design, implementation, monitoring, and evaluation of projects and partnerships;**
- **[(l)] do any other thing related to carrying out its purpose that the Governor in Council may, by order, specify.”**

Conclusion

These improvements to the Build Canada Homes Act will establish a strong foundation, but they are just a first step. As outlined in the Federal Housing Advocate’s [previous advice to the Minister](#), the Government of Canada must take bold and practical action to realign Canada's housing strategy with its human rights obligations. This means:

- Recalibrating definitions, targets, and programs to prioritize those most in need;
- Scaling non-market housing supply as a cornerstone of federal leadership;
- Coordinating across all levels of government to embed transparency, accountability, and equity;
- Mandating Build Canada Homes as a rights-based policy and delivery tool; and
- Centering lived experience and engaging communities as active partners in housing solutions.

Detailed guidance to support these actions can be found in reports recently published by the Office of the Federal Housing Advocate:

- [Human Rights-Based Housing Targets and Mechanisms for Canada](#), by Dr. Carolyn Whitzman, and
- [Building Homes, Upholding Rights: A Human Rights Approach to Housing Agreements](#), by Professor Alexandra Flynn.

The Federal Housing Advocate looks forward to continuing to support Build Canada Homes in advancing progress on the right to housing in Canada.