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Renoviction and the Right to Stay Put: Informality, Tenant Organizing, and the Landlord–Municipal Relationship

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Abstract

Tenants at a large, slumified Ottawa rooming house continue to fight a renoviction by their landlord Smart Living Properties in Ottawa, Canada since summer 2020. In their refusal to accept the impositions of the landlord and the municipality, tenants worked together, formed an informal organization, developed networks of support, and implemented the self-imposed right to stay put. This process involved a high level of organization and documentation, and an escalation of direct-action tactics. Informality from below is employed by tenant organizers through an avoidance of legal and political mechanisms and institutions, while informality from above is executed by the landlord and the City of Ottawa through familiarity and backdoor cooperation. Contributing to existing literature on tenant organizing, urban displacement, and informality, and making recommendations for informal, non-institutional interventions, this article documents resistance to gentrification-driven renoviction and offers solutions to displacement.

Keywords: Anti-displacement, eviction, housing justice, informality, renoviction, tenant organizing.

This article explores the occurrences of tenant organizing in response to an attempted multi-building renoviction of rooming house tenants in the Sandy Hill neighbourhood in Canada’s capital city, Ottawa. “Renoviction” is a colloquial term used to describe a process by which landlords attempt to remove tenants from a property, claiming that vacant possession is required for renovations, with the goal of replacing existing tenants with a more profitable tenant base (Gustafsson et al., 2019; RenovictionsTO, 2022). Based on our experience organizing around and against the attempted renoviction at the Os-

goode Chambers rooming house, we demonstrate that, in addition to the formal legal and political structures in place to enable private property and eviction, informality from above is used by the landlord and state in attempts to displace tenants and consume affordable housing. Simultaneously, informality from below is employed within tenant organizing to assert residents' right to stay put.

Through the anti-displacement efforts of tenants around the Osgoode Chambers rooming house renovictions, we demonstrate how a grass-roots strategy can be effective at countering evictions. Through our experiences organizing with and supporting Osgoode Chambers tenants, we suggest that this case presents an opportunity to intervene in scholarly conversations surrounding housing and justice. Our efforts include confronting those entities and institutions that *consume* affordable housing. These include landlords, such as Smart Living Properties, that buy up existing below-market rental stock to convert to higher-end rentals. They also include municipal actors who oversee property maintenance and rezoning, and have decision-making power over redevelopment projects. Both actors facilitate and accelerate processes of gentrification through their actions in the built environment, contributing to the erosion of affordable rental housing and the marginalization and displacement of low-income residents. While tenant mobilizations tend to be small, under-resourced, and locally placed, they have demonstrated successes where legal and political mechanisms have failed, namely keeping people housed and stabilizing rents.

Contributing to existing literature on tenant organizing, urban displacement, and informality, and making recommendations for extrapolitical strategies, this article documents resistance to gentrification-driven renoviction and offers solutions to displacement. We begin with a survey of the literature on tenant organizing while offering insight on contemporary mobilizations. We then offer a brief outline on renovictions in conversation with literature on "the right to stay put" and landlord-tenant law, before moving into a discussion on urban informality, and how we are mobilizing this analytical framework in the current context. Following an outline of our methodological approach to tenant organizing and movement-based research, we detail the various tactics deployed by landlord and municipal actors

in the service of urban redevelopment and gentrification. We also explain the ways in which tenant organizing at Osgoode Chambers is an effort toward asserting the place of poor and working-class people in the neighbourhoods in which they choose to live. Finally, we discuss the elements of informal practice from above used on behalf of the landlord and the municipality, as well as tenant organizers' use of informal practice from below throughout the renoviction struggles, and implications for broader anti-displacement mobilizations and struggles for housing justice.

Tenant Organizing

There is a rich history of tenant organizing in Canadian cities, despite lack of formal documentation in academic scholarship. Much of the existing literature focuses on tenant organizing in a public/social housing context in US cities in the 1960s and 1970s, including San Francisco (Baranski, 2007), New York City (Juravich, 2017), and Washington, DC (Huron, 2018). In Canada, existing studies focus on Toronto, in particular the Regent Park public housing neighbourhood. Purdy (2004) focuses on tenant mobilizations in the 1960s and 1970s and August (2016) focuses on more recent mobilizations countering revitalization initiatives. In reviewing the work of Drier (1984) and Marcuse (1999), Purdy discusses two dominant orientations in the literature examining tenant mobilizations. They include, first, that although tenant activists won important victories in the 1960s, that typically crisis-oriented mobilizations tended to fizzle out as they met short-term objectives. Second, most involved organizations tended to rely on government or non-profit funding and were thus subject to the changing ideological whims of the time (Purdy, 2004, pp. 520–521).

Similar tendencies and dynamics still dominate the terrain of tenant mobilizations. Recent local mobilizations in Ottawa have been crisis-oriented and reactionary in response to evictions (such as surrounding the pandemic, the Herongate neighbourhood (see Crosby, 2020), and the Osgoode Chambers rooming houses). We suggest that this is not necessarily a bad thing. Mobilizations materialize with a simple anti-displacement objective to keep people in their homes. If these objectives are met on a local scale, then it is okay for these place-based mobilizations to fizzle out. At the same time, although grassroots organizers and activists seek allies and resources in institutional set-

tings — such as postsecondary institutions for example — there is an acute awareness to prevent established organizations from taking over a struggle, as their main institutional, fiduciary goals and objectives may not align with those of residents to stay put (August & Webber, 2019). Independent organizing is a suggested best practice identified by Parkdale Organize, a Toronto tenant organizing group (August & Webber, 2019). This best practice allows for tenant groups to focus on direct action, rather than mediated action such as lobbying the state for legal and policy reforms. Independent organizing is also a value held by these authors and organizers. As will be discussed in forthcoming sections, these non-institutional tenant organizing practices are a key feature of informal tenant organizing from below. While tenant organizing is formal in the general sense that meetings, events, and actions are planned, in the theoretical sense, all these acts are informal because they exist outside of regulating powers.

These dynamics are outlined in a report that examines recent grassroots tenant mobilizations in Ontario. August and Webber (2019) detail some of the best practices for grassroots community organizing, including directly targeting adversaries, linking struggles, remaining independent, and organizing at the local level. The authors refer to this last point as “district-based scale,” while Webber and Doherty (2021) refer to it as “territorial organizing.” This type of organizing is targeted toward and situated within the neighbourhood or building level. The emphasis is on localized struggle that mobilizes directly impacted residents, while not succumbing to larger social and political forces (such as outside groups, non-profits, and other organizations with goals and mandates not directly related to the struggle). Here, the epistemological work of residents should be foregrounded over prescriptions presented by external organizations (Thurber & Fraser, 2016). From a sociological and spatial perspective, tenant organizing is necessarily territorial, grassroots, and informal.

Movements against tenant displacement tend to have a militant edge, where organizing and demands are centered around immediate justice for residents often in the form of refusal, that is the refusal to be victimized and displaced by their landlords. Weaver (2020), for example, documents how the tenant movement in New York won an im-

portant victory to establish a rent-control regime across the state in 2018, but also used momentum to mobilize a “cancel rent” campaign with the onset of the COVID-19 pandemic. Similar campaigns were mobilized in Ontario cities, including Ottawa (Ottawa Eviction Defence, Keep Your Rent Ottawa) and Toronto (Keep Your Rent Toronto) as thousands faced eviction with pandemic-associated job losses and the economic downturn (Crosby, 2021; Evictions Ontario, 2021). Some gentrification scholars have framed refusal around “the right to stay put.”

The “Right to Stay Put,” Renoviction, and Landlord-Tenant Law

The antipode to the right of property as the right to exclude (Blomley, 2016) is the “right to stay put” as the backbone to many anti-displacement struggles. The right to stay put was first coined by Chester Hartman in 1984 (Hartman, 2002) who put forward legal and political principles as part of efforts to demand that urban development processes recognize the use rights of urban inhabitants. In later writing on evictions, Hartman and Robinson (2003) contribute to a growing body of scholarship emphasizing the importance of resistance to gentrification and displacement while directly confronting landlords (Newman & Wyly, 2006).

Urban redevelopment initiatives and techniques of displacement — such as renoviction — require tenants’ compliance to be successful (Polanska & Richard, 2021). The right to stay put asserts the right to not be displaced, and tenants have led successful mobilizations against renoviction, particularly in Sweden, where lots of scholarly literature on renoviction and resistance is situated (Gustafsson et al., 2019; Polanska & Richard, 2021; Pull, 2020). Examining two neighbourhoods in Uppsala, Pull (2020) approaches renoviction as a form of structural yet informal eviction, where landlords engage in renovations with accompanied rent increases as a primary method to close rent gaps. Polanska and Richard (2019) examine various forms of resistance enacted by tenants facing renoviction, tenants who “have had to set up local and independent networks and organizations to claim their right to stay put” (p. 197). Tenant forms of resistance include building local identities (telling your own story), shifting shapes (mixing formal and informal forms of organization), delaying the process, detournement (using humour and playfulness), politics of

disengagement, demanding accountability through visibility, reversing knowledge hierarchies (gathering expertise and seeking answers independently), and reversed shaming (image attacks) (Polanska & Richard, 2019). Gustafsson et al. (2019) also examine informal tenant mobilizations outside of the formal Swedish Union of Tenants — a large civil-society organization that is bound by a legislative framework to focus on items such as rent negotiations and legal supports — who have engaged in a variety of tactics, including art projects, media campaigns, creation of meeting places, knowledge sharing, and direct actions. In these examples, the informal practice of renoviction is met with informal responses from tenants.

In Canada, the right to stay put is seemingly embedded in provincial landlord-tenant law when it comes to property renovations. The 2006 *Residential Tenancies Act* — the legislation governing legal relations between landlords and tenants in Ontario — incorporates safeguards for tenants threatened by renoviction, where tenants enjoy a “right of return,” also known as a “right of first refusal.” Section 53(3) in the legislation stipulates that a tenant has the right to return to the renovated unit at the original rental price (*Residential Tenancies Act*, 2006), although this seems to rarely happen in practice (Diwan et al., 2021). Instead, what tends to happen in practice is that landlords issue their tenants an N13 form from the Landlord and Tenant Board, which is a notice to end the tenancy for the purposes of demolishing, repairing, or converting a unit (Tribunals Ontario, 2020). The form explicitly states that the landlord “must offer the tenant another rental unit that is acceptable to the tenant” if the tenant does not intend to exercise their right to return. Moreover, unlike the demolition or conversion option contained in the N13 form, when a landlord repairs or renovates a unit, the tenant has the right to inform the landlord in writing of their intention to move back once renovations are completed. The informality inherent in Ontario landlord-tenant law processes regarding renovictions is that while the law states that the tenant has a right to return or be offered another acceptable unit, this rarely happens in practice. Furthermore, the law fails to address gaps in rent between what the tenant is currently paying, what is an acceptable rent in an equivalent unit, and whether the tenant has the right to pay their previous rental amount if moving back into the renovated unit.

The right to return rarely happens in practice when tenants are reno-
victed in Ontario. The informality of the law allows landlords to buy
and consume below-market rental stock through renovating, convert-
ing, or demolishing units with relative impunity. This type of infor-
mality from above cannot be effectively countered through institu-
tional mechanisms — chiefly the Landlord and Tenant Board from
which the law is mobilized. Instead, informality from below, in the
form of tenant resistance outside institutional frameworks, may be a
more useful method of confronting and halting evictions, as the Os-
goode Chambers rooming house renovations case demonstrates.

Informality

In the case of Osgoode Chambers, rather than focusing on how the
state participates directly in development and slum clearance, infor-
mality as a theory is applied to the ways in which the state supports,
authorizes, and prioritizes freedom of developers over the lives and
needs of rooming house tenants. Further, the landlord is also consid-
ered an informal actor employing informal practices from above to
support its development interests and the displacement of tenants. As
we are primarily employing Ananya Roy’s conceptions of urban infor-
mality (2005, 2009, 2012), we need to use care in transporting
theories and analyses of informality from contexts like India where
most of Ananya Roy’s work centers. This care can be used by differ-
entiating the formal elements between the two contexts. For instance,
the Osgoode Chambers case includes far more legal context, both in
terms of the municipality’s regulation of the properties and regarding
the tenancies. In contrast, the context Roy is concerned with includes
space ungoverned by legal tenancies. The informal, ungoverned
spaces that characterize the Osgoode Chambers are narrower due to
the larger reach of formal bureaucracies in Ontario.

Roy (2009) argues that the Global North often interprets some Indian
citizens, and their settlements, as highly informal. However, in the
context of intense neoliberal state governance, there is a great deal of
informality inherent in the state’s regulation of these informal settle-
ments. So, while housing and governance contexts may vary greatly
between some Indian and Canadian citizens, state power, governance,
and intervention feature in similar ways where informality and hous-
ing governance are concerned.

Roy (2009) describes informality as legal and political practices of state actors, as a state tool of “accumulation and authority” (p. 81), and as “inscribed in the ever-shifting relationship between what is legal and illegal, legitimate and illegitimate, authorized and unauthorized” (p. 80). Roy (2009) further details that “such ambiguities are precisely the basis of state authority and serve as modes of sovereignty and discipline” (p. 83). Here it is illustrated that the state has absolute power and rules through obfuscation. Legal practices themselves, while in the supposed formal realm of law, can be implemented in informal or inconsistent ways to further the aims of the state and developers. The state has the power to enact forms of governance in favour of their desired outcomes. In the *Osgoode Chambers* case, the state, or the City of Ottawa, in relationship with the landlord Smart Living Properties, governs through ambiguity in the interest of accumulation and displacement.

Particular contexts of informality must be further distinguished. It is important to differentiate between informality from above and informality from below. This differentiation can be understood in the context that “... the elite follow informal practices for their own benefit and at the same time reinforce informality as a signifier for urban decay...” (Muller & Segura, 2017, p. 161). While those in power circumvent legal practice, and even govern through that circumvention, they pathologize the same type of tactics in non-elite actors. The elite, in this case, include the landlord and developer Smart Living Properties and the City of Ottawa, while non-elite actors include tenant organizers. Although these elite actors follow informal practices from above, including the landlord going door-to-door to pressure tenants to move out of their homes prior to a Landlord and Tenant Board ruling on the tenancies, they also interpret informal, tenant organizing practices as troublemaking. For example, one bylaw officer encouraged a Smart Living staff member to call the police on tenant organizers who were present simply to accompany tenants during one of the bylaw officer’s inspections of the properties. One organizer attempted to enter the rooming house building to meet with a tenant who had requested support during the inspection. In response, a Smart Living employee called the police. Additionally, police were present during a rally that was held by organizers outside of the landlord’s offices. Thus, organizing is interpreted as deviant and poten-

tially dangerous, while the landlord's actions are considered natural and taken for granted, despite intimidation of tenants and the broader deeply harmful displacement they drive forward.

In contrast to informality from above, informality from below is a practice employed by those resisting oppressive governance by elite actors. Bayat (2007) explains informality from below as “flexibility, pragmatism, negotiation, as well as constant struggle for survival and self-development” (p. 579). Davis (2004) describes informality from below as individual and collective practices of citizens. Most importantly, Roy (2012) details the power and effects of informality from below as challenging and halting oppressive displacement attempts of the state. Informality from below is struggle, defiance, and an insistence on the right to stay put in the face of the right to property and development, or the right to consume affordable housing.

Informality exists within tenant resistance practices, as well as within landlord and associated municipal actions supporting private, for-profit development. Informality can be a powerful tool for either enacting oppression or engaging in resistance, depending on the actor. Informality from above, or from elite or ruling actors, often exemplifies the exceptions that those with power enjoy. Conversely, informality from below can be an effective mode of resistance to discipline and repression from above. In the case of resistance to the Osgoode Chambers rooming house renovations, tenant organizers have utilized and deployed different methods of engagement and research in this struggle.

Methodological Framework

The authors have been involved in varying capacities in tenant organizing initiatives in the city of Ottawa in recent years. These include the Herongate Tenant Coalition, created in response to the 2018 mass eviction of over 100 households in 2018, Ottawa Eviction Defence, an initiative started during the height of the pandemic and associated eviction crisis, and the informal collective created around the Osgoode Chambers renovations. We are graduate students at the initial time of writing, which has prompted this academic contribution. However, we have been engaged in these struggles as organizers and activists first. The goal is first to halt evictions, second to mobilize

support, and third to contribute to scholarly conversations around housing and social movements.

Our research draws from experiential data from being involved in tenant organizing, in particular our involvement with the Osgoode rooming house renovictions since June 2020. We use the term “organizer” to describe the role of someone who engages in ongoing political tactics in support of a political project. “Tenant organizers” is used broadly to include all people actively supporting the fight against the renoviction. This includes both the rooming house tenants and those supporters who do not live in the rooming houses. We argue that informal tactics from below and stances of organizing in efforts to halt the Osgoode renovictions have been transformational and precedent setting and that the results demonstrate the possibilities of effectively fighting renovictions. From a methodological standpoint, we engage in a form of ethnography that entails direct engagement and organizing with place-based, tenant-led movements. This can include direct organizing on the ground, media mobilization campaigns, and research into systems and structures of oppression (such as documenting landlords and state complicity in housing injustice).

There are different approaches to ethnographic research that entail engaging directly and participating in movement struggles. These can include forms of activist, engaged, and militant ethnography. These approaches seek to move beyond the divide between research practice and politically engaged participation (Sztandara, 2021). Political activist ethnography, for example, engages social struggle from an activist standpoint with the aim to produce activist-centred knowledge that is useful for social movements (Rodimon, 2018; Smith, 1990). Ethnographic accounts in militant or engaged form are necessarily carried out from within (as opposed to outside) grassroots movements for social change (Juris, 2007; Juris & Khasnabish, 2013). Routledge (2013) describes activist ethnography as implying “a concern with action, reflection, and empowerment (of oneself and others) in order to challenge oppressive power relations. It is about forging solidarity with resisting others through critical collaboration” (p. 251). Our approach to tenant organizing in general, and the Osgoode rooming house renovictions in particular, is simultaneously engaged, activist, and political.

Organizing around Osgoode is not a research project in that the aim is not to produce research, but to resist and halt evictions. Research, however, is crucial to these efforts and part of a broader array of methods that we use in these efforts. In addition to organizing meetings and assisting residents with legal documentation, we carry out research to learn about the landlord (Smart Living Properties) and the role of the City in facilitating renovation, so that we can more effectively confront them. For example, we have submitted a number of Freedom of Information (FOI) (sometimes referred to as Access to Information [ATI]) requests to the City of Ottawa using the *Municipal Freedom of Information and Protection of Privacy Act*. FOI/ATI legislation allows members of the public to submit requests to public bodies for internal records that would not otherwise be made public (Brownlee & Walby, 2015; Larsen & Walby, 2012). We filed these requests to obtain information surrounding sale of the Osgoode Chambers properties, ownership of the properties, building plans for the renovations, and various interventions into the renovation and the construction on the part of the City of Ottawa. To date, we have submitted and received three FOI disclosures from various City of Ottawa departments including property standards and building code services. The documents contain recorded maintenance issues on the rooming house properties, communications between City of Ottawa staff and the landlord, and renovation plans, and total over 400 pages of data. This information has added a layer of understanding regarding how renovations are produced and how municipal actors are implicated. While FOI/ATI requests are under-used in social science research (Walby & Luscombe, 2017), tenant organizers have embraced this method as one of a diversity of tactics in anti-displacement struggles. The information garnered through these requests informs a great deal of our knowledge of how the municipality and landlord navigate gentrification practices in the built environment, in this case the attempted renovation of the Osgoode Chambers rooming houses and the consumption of that affordable housing.

Urban Informality, Renoviction, and Resistance at Osgoode Chambers

Contextualizing Osgoode Chambers and Sandy Hill

The Osgoode Chambers rooming house renovictions offer an interesting case from which to apply and analyze governance practices of informality from above, and tenant resistance from below. Osgoode Chambers — which includes the addresses 146 to 170 Osgoode Street — spans the entire south side of a city block in the Sandy Hill neighbourhood. Osgoode Chambers consists of four standalone buildings, according to planning and property documents obtained by tenant organizers, that were former privately owned, semi-detached row townhouses built in 1912 and converted into rooming houses in 1962, totaling some 108 units (City of Ottawa, 2021-00062).

Osgoode Street runs east to west in the Sandy Hill neighbourhood near downtown Ottawa, nestled between the Rideau Canal and Rideau River. Dating back to the 1870s, Sandy Hill was once one of the wealthiest neighbourhoods in the city, but now consists of a variety of income levels, racial demographics, and housing types — including subsidized housing, co-operatives, and rooming houses (Ottawa Neighbourhood Study, 2022). The University of Ottawa occupies a sizeable portion of the neighbourhood and many students rent in the surrounding area. Osgoode Chambers is situated just two blocks east from the University of Ottawa.

A distinction is made between the legacy tenants who rented at Osgoode Chambers prior to the renoviction and the new tenants Smart Living Properties has started renting to after the renoviction. Prior to the renoviction, the rooming house units at Osgoode Chambers could have been considered affordable housing, even if, per square foot, tenants paid more than apartment market rents. Rooming house units at Osgoode Chambers generally went from between \$400 and \$600 before Smart Living Properties' renoviction. The rooming house units are affordable and accessible, in the broader context of actually available housing in the City of Ottawa. Significantly, the wait time for subsidized, rent-geared-to-income public housing units is years-long. Rooming houses fill this gap, and they are often the only housing option available some people.

The Osgoode Chambers property is not and has never been public or subsidized housing. Some tenants paid lower rent than others because of the length of their tenancies (some being decades-long) and the current Ontario housing laws relating to rent control (rent cannot be raised above the relatively low annual provincially regulated increase during a tenancy in a rental that was built before November 2018). The consumption of affordable housing in this case is done in the interest of creating luxury dorm-style units for university students at the nearby University of Ottawa. In their pursuit of consuming affordable housing, Smart Living Properties is prioritizing a tenant population that is more desirable to them, a base with greater purchasing power from whom they can extract higher rents and whose image increases the speculative value of the property. The landlord is supplanting affordable housing with luxury housing.

It is unclear how many of the rooming house units were occupied when organizing began in the summer of 2020, but organizers spoke to at least 40 tenants at the beginning of the anti-displacement project. Most units are quite small and include room for a bed and a kitchenette (mini fridge, sink, hot plate, small cabinet). Legacy tenants who have lived at the rooming house for the longest usually pay the lowest amount for their rent, based on Ontario vacancy control laws that prohibit the landlord from raising the amount charged for rent above a provincial standard during a tenancy. Legacy tenants living at Osgoode Chambers include a variety of people, from more transient students to older adults who have lived in the rooming houses for decades. They have many different identities and experiences, including students, older adults, disabled people, people living with addiction, workers, retirees, newcomers, those whose main income was social assistance, and people who were formerly homeless. Residents rely on the lower rents at Osgoode Chambers. All these tenants are special and interesting in their own ways, with their own needs, histories, relationships, and realities. They have very alive worlds and are active in their home neighbourhood.

Prior to March 2020, Osgoode Chambers had seen a variety of owners since the 1962 conversion into private rental rooming houses. This long history of ownership has been characterized by a great deal of maintenance neglect, or slumification, by landlords. Thus, condi-

tions in these rooming houses were poor and while there have been minor improvements since tenant organizing began, conditions are still largely characterized by neglect. In March 2020, Osgoode Chambers was purchased by the current landlord and developer, Smart Living Properties. Tenants received their first N13 notices of eviction three months later, in June 2020. Over the two years of organizing that followed, the number of tenants living at Osgoode Chambers dwindled as the landlord pressured them to move out. Approximately 20 tenants were participating in organizing in the summer of 2020. By April 2021, many tenants had moved out and organizing took place with the remaining seven tenants. Below we narrate a timeline over the course of 2020–2021 that documents examples of informal practices from above (on the part of the landlord and municipal actors), as well as how tenant organizers deployed informal tactics from below in efforts to resist renovictions and assert residents' demands to stay put.

Timeline of Events

On June 30, 2020, tenants of the Osgoode Chambers rooming houses received their first N13 notices from Smart Living Properties. Smart Living Properties is an Ottawa-based landlord that has purchased many properties in the neighbourhood in recent years. While organizing with Osgoode Chambers tenants, we met tenants from two other Sandy Hill buildings purchased by Smart Living Properties who had all received N13s for the purpose of renovation. Smart Living Properties has also been in the news recently for an attempted renoviction of tenants in a rental village called Manor Village in Ottawa's west end. Some tenants have lived in these buildings for decades, pay low rent, and have not seen necessary maintenance work completed on their homes (Tunney, 2022). The patterns reveal that Smart Living Properties tends to target particular buildings and neighbourhoods, issue renoviction notices to existing tenants, perform renovations, and rent these units at much higher prices. Based on their website, this landlord partly specializes in offering luxury dorm-style housing to students. University of Ottawa students are a significant tenant population in Sandy Hill. By issuing N13 notices to Osgoode Chambers tenants, the landlord is seeking to remove the dynamic rooming house population and supplant it with a student population.

In mid-June 2020, before the renoviction notices were issued, one Osgoode Chambers tenant reached out to Herongate Tenant Coalition (HTC) for support. The HTC led a high-profile fight against a mass eviction and demolition of 150 below-market-rent townhomes in 2018 that confronted the landlord and garnered considerable media attention (Crosby, 2020; Hussein & Hawley, 2021). Separately, another Osgoode tenant reached out to a community legal clinic in Toronto, which supported a high-profile organizing campaign and rent strike against a large rent increase, and was also then put in touch with HTC. A member of the HTC contacted other tenant organizers in Ottawa who had started organizing in their respective neighbourhoods against evictions. A number of people then came together to support the Osgoode Chambers tenants. Informed by experience organizing with the HTC and other eviction defense groups, tenant organizers mobilized and engaged in a diversity of informal tactics to attempt to assert Osgoode Chambers residents' right to stay put.

Instances of informality from below in this case are varied. One act of informality included the organization of an initial tenant meeting for Osgoode Chambers tenants. The purpose of this July 2020 meeting was to allow tenants to come together, connect and begin to strategize a response to the attempted eviction. Flyers announcing the meeting were printed and delivered door-to-door at the rooming house properties by organizers. Following this, a meeting was held, and many of the rooming house tenants attended. At this meeting, names, numbers, and addresses of tenants were collected, and an email list as well as a phone tree were organized. By August 5, 2020, tenants had come together to write their first letter to the landlord. This letter demanded the landlord halt the eviction process and detailed the tenants' intent to stay put. In this letter, tenants also offered their own compromise that would allow them to remain in their homes. Their proposal was to move to the half of the rooming house buildings on Osgoode Street that were not under repair while the other half of the buildings were renovated. Following the completion of the first half of the renovations, tenants would move into those newly renovated buildings and the remaining construction could be completed on the rest of the buildings.

Following the delivery and receipt of this letter, the landlord offered tenants three “packages,” as termed by the landlord. Two of the packages were offers of money in exchange for tenants’ compliance with ending their tenancies. One was simply the provincially mandated sum the landlord was obligated to pay individual tenants in the case of legally ending a tenancy, along with an offer to help find a new place to live, while the other was more money but no help finding a place. The third package, titled “No Cooperation,” was a threat from the landlord to bring tenants to the Landlord and Tenant Board for eviction. For those tenants who were displaced, some faced homelessness or a return to homelessness, subsequent renoviction from other poorly maintained housing, or a life further constrained on an even smaller budget eaten up by rental costs. Tenants had a variety of responses to this initial round of offers from the landlord. Some tenants accepted them and moved out, others pushed for higher payments, while others decided to continue to fight for a deal that would allow them to stay in their homes. These deals and the landlord’s absolute refusal to engage in any conversations about maintaining tenancies, even in the context of the right of first refusal as laid out in the *Residential Tenancies Act*, is a stark example of how formality and informality transpire in relation to renovictions in Ontario. The formal route includes compliance with the right of first refusal, while the informality deployed from above was used to pressure tenants to move out, and to offer poor, working-class, and variously marginalized people cash as a meager compensation for displacement and the consumption of affordable housing.

This deal-negotiation phase of the renoviction extended past October 31, 2020, which was the requested move-out date listed on the N13 notices. Tenants were not evicted on October 31 because they did not have a hearing at the Landlord and Tenant Board. There was no hearing scheduled because the landlord never filed for a hearing. Likely the landlord was over-confident they could muscle tenants out of their homes informally. The tenancies of those who remained in their homes and who chose not to take compensation remained intact at this point. Following this phase, the landlord began light construction on some of the rooming house buildings, both occupied and unoccupied buildings. The landlord also continued to offer deals to remaining tenants to permanently remove them from the properties via

agreements to end tenancies. The offering of deals consistently ignored tenants' requests to be negotiated with as a collective and their requests to stay in their homes.

Throughout this phase of the renoviction, tenant organizers engaged in various types of informal organizing from below, outside the realm of regulation. Demand letters were delivered to the landlord agents' homes and places of work. On September 20, 2020, tenant organizers held a large book sale to raise funds for their fight. The book sale was an informal act because, like the rest of this organizing, it existed outside of all formal, institutional entities. While it was an organized event, it relied on donations of books from tenants, organizers, and our informal relationships with friends. The aim of this event was multi-purposeful: to raise funds for potential legal expenses, to generate a public awareness of the struggle that was based in tenants' own narratives and experiences, and to meet neighbours and generate tangible solidarity and support through connection. Further, tenant organizers used this book sale and social media generally to share the tenants' narratives. The development and sharing of these narratives are a key example of informality in that tenants were able to represent themselves on their own terms through informal avenues such as Facebook and Twitter. These social media posts included information about further actions like phone zaps (organized flooding of landlord phone lines with complaints and demands from organizers and supporters) and a rally held at the Smart Living Properties offices. Social media was also used to share tenants' experiences and generate public awareness and support against the renovictions.

Tenant organizers continued to push for the landlord to comply with their demand to stay in their homes throughout the autumn of 2020. Primarily, tenants wrote letters as a collective and sent these communications to the landlord. Because both investors and the landlord ignored these communications, tenant organizers decided to hold a rally at the landlord's offices on November 25, 2020. At this rally, a small group of about 30 people gathered in front of the converted house that serves as the Smart Living Properties' office in central Ottawa. Eventually, rooming house tenants who attended the rally convinced Smart Living staff to negotiate with them on the spot. Although the landlord did not concede to any tenant demands during

these negotiations, the residents viewed the rally as a success as it forced the landlord to address and communicate with the group as a collective, where they had previously refused to engage in any collective conversations about tenants remaining on the properties. Further, this negotiation is an example of direct engagement with the landlord, rather than mediated or formal engagement. Tenants acting as a collective is an important informal practice as well. This act is one that pushes back against social compliance through refusal to be engaged with by the landlord as individual, legal subjects through legal avenues and institutions. When tenants assert that they be engaged with by the landlord as an informal group, they demand that the rules of engagement be on their own terms. This demand works to reorient power away from informal and formal legal practices from above. When negotiations take place informally, tenants gain ground against attempted displacement through resisting social compliance and in the spirit of the right to stay put.

By the end of 2020, Smart Living Properties intensified renovations and internal demolition in the Osgoode Chambers rooming house buildings where many tenants continued to live. On December 15, 2020, the landlord issued a second set of N13 forms to the remaining rooming house tenants. The requested move-out date on the forms was listed as April 30, 2021. This time, Smart Living also immediately filed for a hearing at the Landlord and Tenant Board, which they had not done with the previous N13s. The decision to file for a hearing signaled a shift from informal governance to formal legal practice on the part of the landlord, as a reaction to tenant organizing against the initial eviction notices.

The significance of the landlord's expectation of compliance with the original N13 move-out request cannot be taken for granted. Similarly, the tenants' decision to stay in their homes in the face of N13 notices is seemingly uncomplicated, but its importance cannot be overstated. The tenants' decision to stay in their homes is truly the linchpin of the success of their fight. This deceptively simple act is one of the most political and tenacious in this ongoing series of events that would also implicate the role of municipal actors in eviction governance in the time leading up to the Landlord and Tenant Board hearing. Tenant organizing efforts and research undertaken by movement

participants shed light on the role of the City of Ottawa in renoviction governance and practice in their relations with property owners, in this case Smart Living Properties. As remaining tenants experienced worsening conditions as a result of ongoing renovations, as well as the neglect and deterioration of the units in which they still lived, organizers began to receive results from the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) requests that they had submitted to the City of Ottawa.

Freedom of Information and the Landlord-Municipal Relationship

Tenant organizers had submitted multiple requests for information about the Osgoode Chambers properties, which included information on tenant complaints about maintenance, city bylaw response and enforcement of repairs, property ownership information, and information on the buildings themselves, including blueprints, inspections, and building code violations. To better understand the role of municipal actors in the renovictions process, organizers also requested all records of communications between the municipality and the landlord surrounding the timeframe of the renoviction. The disclosures revealed the informal interventions in the rooming house renoviction on the part of the municipality, including around issues of disrepair and neglect (City of Ottawa, 2020-00325, 2021-00115, 2021-00062).

Disclosures outlined the City's bylaw office had received the tenants' multiple complaints about poor living conditions, including a lack of heat in their units during renovations in February of 2021 (City of Ottawa, 2021-00062). The bylaw office responded to these complaints in two ways. First, they informed tenants to contact the landlord to address the issues. Second, the bylaw officer addressing the complaint reached out to the landlord via email to ask if they had received any complaints of heating issues. When the landlord communicated that they had not received complaints (whether or not this was true), bylaw took them at their word and did not follow up on the tenant complaints. This was the extent to which bylaw addressed the heating issues for the first few weeks that complaints were made. In another report, a bylaw officer stated that he informed tenants to immediately call 3-1-1 (the City of Ottawa) when they do not have vital services like heat (City of Ottawa, 2021-00062). Bylaw in one case extended the benefit of the doubt to the landlord regarding ongoing

issues of neglect related to heating, during one of the coldest months of the year. In another case, they gave conflicting information to tenants regarding correct practice and their entitlement to essential utilities. This is representative of informal practice from above because the actions of a governing entity such as bylaw are uneven, inconsistent, and favour the development and eviction interests of the landlord.

When the bylaw officer arrived to inspect the properties in relation to tenants' heating complaints on February 9, 2021, he saw the internal demolition that had been done in the rooming houses. After seeing this construction, the bylaw officer decided to return for another inspection with a building code official. As a result of this inspection, the City of Ottawa issued multiple city orders. These orders included a stop-work order (regarding Smart Living Properties' construction), an order to remedy an unsafe building, an order to comply, and an order to prohibit occupancy of an unsafe building. Despite that these orders offer directives to the landlord, multiple officials delivered these notices directly to tenants in their homes. These officials included Ottawa Police Services, a City of Ottawa social worker, an SLP property manager, and two construction workers. In the process of delivering these notices, this group intimidated tenants and informed them that they legally had to leave the buildings and accept the help of the social worker in finding alternative housing. In effect, municipal actors were assisting the landlord in removing remaining residents from their homes.

One of the FOI disclosures also revealed that there had been a meeting between bylaw building code officers, Ottawa Police Services, and a City of Ottawa social worker to plan the delivery of the orders to tenants (City of Ottawa, 2021-00062). It became clear that there was a concerted, collective effort on the part of the municipality to remove the tenants from their homes, despite their tenancies remaining fully intact as they had not yet had a Landlord and Tenant Board hearing to rule on the N13 notice. Thus, this decision to use orders prohibiting occupancy, intimidation and threat, and city resources represents the city's informal practice. The choice of the municipality to invest such a great deal of effort into the removal of tenants, rather than toward regulating the construction of the landlord and enacting

measures to protect tenants from the harms associated with the renovations, is an example of how elite actors use formal governance practices informally in concert with one another to facilitate gentrification and urban redevelopment, accelerate displacement, and further marginalize residents. Our research reveals a clear bias in favour of the landlord and developer on the part of the municipality.

Discussion and Concluding Thoughts

Landlords like Smart Living Properties play a critical, but not singular, role in the consumption of affordable housing in Ottawa. The role of municipal actors in this process adds analytical depth to how urban informality from above is practiced in relation to eviction and displacement in affluent cities such as Ottawa. The value of the informal practice of tenants staying put in their homes cannot be overstated. The choice to stay and work together despite receiving two N13 notices and despite the city prohibiting their occupancy of the units was no small feat. This act was the core to their success in maintaining their tenancies and remaining housed. This final push to stay in their homes forced the landlord into finally negotiating with tenants collectively and outside of the Landlord and Tenant Board regarding their request to continue living in Osgoode Chambers. For two months after the delivery of the orders prohibiting occupancy, tenants continued to stay put and forced the landlord to negotiate with them collectively. Eventually, mere days before the Landlord and Tenant Board hearing for the N13s, the landlord finally offered to move the tenants into one of the unrenovated buildings. The tenants successfully negotiated new leases at the same rent they were paying (some tenants even negotiated their rent down). The tenants did eventually attend the hearing, but it was merely a formality at that point to obtain a consent agreement. Tenants had made the agreement to stay within informal conversations outside of the hearing, and the hearing was used to conclude the N13s issued.

The informal practice from below of staying in one's home, rather than engaging with the informal practices from above of the purely legal realm, successfully and materially challenged renovation. Further, developing and bolstering informal tenant organizing tactics has potential implications for how people engage with the Landlord and Tenant Board (or choose not to). The Osgoode Chambers case shows

that pushing the landlord to negotiate outside of landlord-tenant tribunals can provide security of tenure. Put simply, in less than a year, tenants did what no existing policy, law, non-profit organization, or institution could do for them; they maintained their tenancies in the face of a renoviction process through their use of informal practices from below.

The municipality's decision to focus on the removal of tenants, rather than on the regulation of the landlord's behaviour and construction choices, reveals how the landlord and state collaborate informally in the service of improving property and hastening the removal of less-desirable tenants with the purpose of replacing them with those paying higher rents. The landlord has already started renting out renovated units to new tenants at \$1,400 per month, according to its website, a cost almost three times higher than what legacy rooming house tenants were paying (Smart Living Properties, 2023).

The Osgoode Chambers case offers an opportunity to understand how informal practices are enacted from above in attempts to transform urban environments, as well as from below in efforts to assert residents' right to the city and moreover the right to stay put in their homes under threat. Informality as a concept is materially valuable to the Osgoode Chambers context because, as Roy (2005) highlights, "[it] is the right to the city that is at stake in urban informality" (p. 155). It is informality from below — tenant organizing against landlord and municipal action — that challenges and has the potential to stop displacement. In spaces like housing that are increasingly protected for development, rather than for everyday life, tenant organizing asserts this everyday life, this right to stay put, in the interest of resisting displacement.

References

August, M., & Webber, C. (2019). Demanding the right to the city and the right to housing (r2c/r2h): Best practices for supporting community organizing. Parkdale Community Legal Services.

- Baranski, J. (2007). Something to help themselves: Tenant organizing in San Francisco's public housing, 1965–1975. *Journal of Urban History*, 33(3), 418–442. <https://doi.org/10.1177/0096144206297136>
- Bayat, A. (2007). Radical religion and the habitus of the dispossessed: Does Islamic militancy have an urban ecology? *International Journal of Urban and Regional Research*, 31(3), 579–590.
- Brownlee, J., & Walby, K. (Eds.). (2015). *Access to information and social justice in Canada*. Arbitrator Ring.
- Crosby, A. (2020). Financialized gentrification, demoviction, and landlord tactics to demobilize tenant organizing. *Geoforum*, 108, 184–193. <https://doi.org/10.1016/j.geoforum.2019.09.011>
- Crosby, A. (2021). Ontario's eviction crisis. *The Leveller*, February 15. <https://leveller.ca/2021/02/ontarios-eviction-crisis/>
- Davis, M. (2004). Planet of the slums. *New Left Review*, 32(1), 5–34.
- Diwan, F., Turman, W. Baird, D., Mehta, N., Petrovic, A., & Doucet B. (2021). Mapping displacement in Kitchener-Waterloo: Report. *Social Development Centre Waterloo Region*.
- Dreir, P. (1984). The tenants' movement in the United States. *International Journal of Urban and Regional Research*, 8, 255–79.
- Evictions Ontario. (2021). <https://www.evictionsontario.ca/>
- Gustafsson, J., Hellström, E., Richard, A., & Springfeldt, S. (2019). The right to stay put: Resistance and organizing in the wake of changing housing policies in Sweden. *Radical Housing Journal*, 1(2), 191–200.
- Hussein, Nima, and Josh Hawley. 2021. "Uneven Development, Discrimination in Housing and Organized Resistance." In F. Baqir & S. Yaya (Eds.), *Beyond free market: Social inclusion and globalization*, (pp. 141–156). Routledge.
- Huron, A. (2018). *Carving out the commons: Tenant organizing and housing cooperatives in Washington, DC*. Vol. 2. University of Minnesota Press.

- Juravich, N. (2017). “We the tenants”: Resident organizing in New York City’s public housing, 1964-1978. *Journal of Urban History*, 43(3), 400–420. <https://doi.org/10.1177/0096144217702302>
- Juris, J. (2007). Practicing militant ethnography with the Movement for Global Resistance (MRG) in Barcelona. In S. Shukaitis, & D. Graeber (Eds.), *Constituent Imaginations* (pp. 164–78). AK Press.
- Juris J. S., & Khasnabish, A. (2013). The possibilities, limits, and relevance of engaged ethnography. In J. Juris, & A. Khasnabish (Eds.), *Insurgent encounters: Transnational activism, ethnography, and the political* (pp. 367–390). Duke University Press.
- Larsen, M., & Walby K. (Eds.). *Brokering access: Politics, power and freedom of information in Canada*. UBC Press.
- Lefebvre, H. (1991). *The production of space*. Blackwell.
- Luscombe, A., & Walby K. (2017). Theorizing freedom of information: The live archive, obfuscation, and actor-network. *Government Information Quarterly*, 34(3), 379–387. <https://doi.org/10.1016/j.giq.2017.09.003>
- Marcuse, P. (1999). Housing movements in the United States. *Housing, Theory and Society*, 6(2), 67–86.
- Muller, F. & Segura, R. (2017). The use of informality: Urban development and social distinction in Mexico City. *Latin American Perspectives*, 44(3), 158-175.
- Ottawa Neighbourhood Study. (2022). Sandy Hill. <https://www.neighbourhoodstudy.ca/949sandy-hill/>
- Polanska, D., & Richard A. (2021). Resisting renovictions: Tenants organizing against housing companies’ renewal practices in Sweden. *Radical Housing Journal*, 3(1), 187–205.
- Pull, E. (2020). Displacement: Structural evictions and alienation. *ACME: An International Journal for Critical Geographies*, 19(1), 364–373.
- Purdy, S. (2004). By the people, for the people: Tenant organizing in Toronto’s Regent Park housing project in the 1960s and 1970s. *Journal of Urban History*, 30(4), 519–548.

RenovictionsTO. (2022). <https://renovictionsto.com>

Residential Tenancies Act, 2006, S.O. 2006, c.17.

Rodimon, S. (2018). “We have the law, we need the access!”: Activism, access and the social organization of abortion in New Brunswick. PhD diss., Carleton University.

Routledge, P. (2013). Activist ethnography and translocal solidarity. In J. Juris, & A. Khasnabish (Eds.), *Insurgent encounters: Transnational activism, ethnography, and the political* (pp. 250–268). Duke University Press.

Roy, Ananya (2005). Urban informality: Toward an epistemology of planning. *Journal of the American Planning Association*, 71(2), 147–158.

Roy, Ananya (2009). Why India cannot plan its cities: Informality, insurgence, and the idiom of urbanization. *Planning Theory*, 8(1), 76–87.

Roy, Ananya. (2012). Urban informality: The production of space and practice of planning. In R. Weber & R. Crane (Eds.), *The Oxford handbook of urban planning* (pp. 691–705). Oxford University Press.

Smart Living Properties (2023). *150 Osgoode*. Accessed February 14, 2023. <https://www.smartlivingproperties.ca/residential/146-152osgoode>

Smith, G. (1990). Political activist as ethnographer. *Social Problems*, 37(4), 629–48.

Sztandara, M. (2021). “We are fed up... being research objects!” Negotiating identities and solidarities in militant ethnography. *Human Affairs*, 31(3), 262–275.

Thurber, A., & Fraser, J. (2016). Disrupting the order of things: Public housing tenant organizing for material, political and epistemological justice. *Cities* 57, 55–61.

Tribunals Ontario. (2020). Landlord and Tenant Board: Form N13. https://tribunalsontario.ca/documents/ltb/Notices%20of%20Termination%20&%20Instructions/N13_Instructions_20200728.pdf

Tunney, J. (2022, September 1). Some Manor Village residents staying put after eviction deadlines pass. *CBC News*.

<https://www.cbc.ca/news/canada/ottawa/evictions-ottawa-manor-village-1.6569088>

MFIPPA Disclosures Cited:

#1: City of Ottawa 2020-00325

#2: City of Ottawa 2021-00062

#3: City of Ottawa 2021-00115