



## Feedback in response to the draft amendment to *General Regulation – The Residential Tenancies Act*

**The council recommends that the draft regulations be revised to expand the classes of persons who may make a declaration as third-party verifiers that the tenant has been subjected to domestic violence, intimate partner violence, sexual violence, or criminal harassment.**

Requirements of proof of violence to access early lease termination in the case of violence must take into account that there continues to be shame and stigma attached to experiences of violence. Many survivors of violence hesitate to come forward because they fear they will not be believed or their experiences will be minimized or they will be blamed for the violence.

We reiterate our original recommendation that a variety of sources should be able to provide verification. While the list of third-party verifiers that is included in the draft regulations is promising, the council is concerned that the following classes of persons are not explicitly listed in the draft regulations:

- social workers (regardless of whether or not they are affiliated with any of the programs or services listed in the draft regulations);

- staff and volunteers of community-based organizations other than transition house or second stage housing or the province's Domestic Violence Outreach Program (e.g. sexual assault centres, women's centres, family resource centres, settlement services organizations, etc.);
- mental health professionals such as counsellors (regardless of whether or not they are affiliated with any of the programs listed in the draft regulations); and
- faith leaders.

This recommendation aligns with practices in other jurisdictions. Six of the nine other provinces with similar provisions to allow for early termination of a lease broad lists of third-party verifiers which include the classes of persons in New Brunswick's draft regulations as well as social workers, lawyers, counsellors, and workers at sexual assault, settlement and housing organizations. Ontario's legislation is the broadest and merely requires a signed statement from the tenant (on a prescribed form) indicating that they are terminating their lease on the basis of violence or another form of abuse.

