

FACILITATOR'S GUIDE

ABOUT LAWPRO

LAWPRO is owned by the Law Society of Upper Canada and is licensed to provide professional liability insurance and title insurance in numerous jurisdictions across Canada. Through its malpractice insurance program, LAWPRO insures over 25,000 lawyers in private practice in Ontario as well as providing them with risk and practice management information under the practicePRO® banner. LAWPRO's TitlePLUS® title insurance program is available to thousands of Canadian lawyers and Quebec notaries to better meet their clients' needs for professional legal advice and superior protection for their real estate transactions.

ABOUT THE ONTARIO JUSTICE EDUCATION NETWORK (OJEN)

The Ontario Justice Education Network (OJEN) is a charitable organization dedicated to promoting public understanding, education and dialogue to support a responsive and inclusive justice system. OJEN's programs bring together leading justice and education sector representatives to collaborate on initiatives designed to foster understanding of the justice system. As a result of the efforts of hundreds of volunteers including judges, justices of the peace, lawyers, court staff, educators and community representatives, OJEN is able to facilitate public legal education opportunities for youth throughout Ontario. All of OJEN's classroom resources are available for free in French and English. To find out more about OJEN's programs and resources, visit www.ojen.ca.

ABOUT THIS RESOURCE

This resource provides an introduction to real estate and housing law in Ontario, including the various considerations and processes involved in purchasing and renting a home. Students will develop their financial literacy and negotiation skills through interactive activities on budgeting, mortgages, and how to rent or purchase a residential property. Students will examine the comparative advantages between buying and renting, and analyze the conflicts that can arise in a real estate transaction. They will learn about the rights and responsibilities of landlords and tenants, and develop the practical skills necessary to navigate these situations through a series of mock negotiation exercises. They will also learn about the protections with respect to housing provided under the *Ontario Human Rights Code*. The aim of this set of activities is to expand students' knowledge of real estate and housing law in Ontario, and to give teachers the tools to build students' capacity to make critical, informed, and responsible housing decisions. Finally, students will examine the intersection of housing and human rights by considering what it means to have "adequate" housing and whether a right to adequate housing should be protected under the *Canadian Charter of Rights and Freedoms*.

GOALS OF THIS RESOURCE

- To build students' financial literacy and negotiation skills in the context of real estate and housing, which is equally applicable to their general growth and development of life skills that are useful in everyday interactions.
- To enhance students' knowledge and understanding of the processes involved in renting and purchasing a residential property.
- To develop students' critical thinking of the potential conflicts and barriers in real estate transactions, and build practical skills to overcome them.
- To provide opportunities for students to develop and demonstrate their advocacy skills and oral and written communication through experiential learning.



USING THIS RESOURCE

Designed for students in grades 9 through 12, this resource is divided into six distinct modules. Each module can be used as a stand-alone resource and the modules do not need to be taught in sequential order. Teachers should note, however, that a more holistic understanding of the concepts will be achieved by doing so.

Within a particular module, teachers may select individual activities based on the prior knowledge, skills and needs of their students. Your expertise as an educator will be an invaluable tool for adapting the content of the activities to correspond to your subject areas, grade levels, and students' backgrounds.

Please note that although the guide refers to teachers and students, the activities are adaptable and would be equally useful in many learning environments, and not only formal learning settings.

MODULE 1 – INTRODUCTION TO REAL ESTATE

FOCUS QUESTION – What is real estate and what is the difference between renting and buying?

Overview: This module introduces students to real estate law, and the terminology used in real estate markets. It invites students to examine the long-time debate between renting and buying a home. Students are asked to look at the comparative advantages and disadvantages of each type of real estate transaction. The module also introduces students to financial literacy in the context of real estate. Students are asked to complete their own budgeting exercise based on a variety of lifestyle choices to see which would be more affordable: renting or buying. This assists with students' understanding of financial planning required for real estate and contributes to their core competencies.

MODULE 2 – DEVELOPING YOUR NEGOTIATION SKILLS

FOCUS QUESTION – What is negotiation and how can different negotiation skills be used strategically?

Overview: This module introduces students to negotiation concepts and skills, which are integral to any real estate transaction. Students are invited to look at different types of negotiation styles, with a particular focus on the differences between interest-based and position-based negotiating. Students are asked to analyze different negotiation scenarios and identify the most appropriate negotiation strategy. This module will prepare students to analyze and resolve conflicts through a multi-perspective approach in future modules. This skill is easily transferable to everyday challenges in all fields.

MODULE 3 – RENTAL HOUSING

FOCUS QUESTION – What important processes, rights, and responsibilities should tenants and landlords be aware of?

Overview: This module introduces students to residential lease transactions and rental housing law in Ontario. Students will look at legislation that governs rental housing law, including the rights and responsibilities outlined in Ontario's *Residential Tenancies Act*. Students will have the opportunity to engage in experiential learning through a mock negotiation of a rental agreement. Students are expected to work in pairs to create a negotiation plan, as either landlords or tenants. Through this activity, students can apply what they learn from this module and use what they learned from Module 2. This will enhance students' advocacy, persuasive, and critical-thinking skills, and reinforce why and how negotiation is a key part of real estate transactions.

MODULE 4 – PURCHASE AND SALE OF A HOME

FOCUS QUESTION – What processes and considerations are involved when buying and selling a home?

Overview: This module introduces students to the three stages of purchasing and selling a home: the Agreement of Purchase and Sale (APS), due diligence, and closing. It also provides an overview of the basic principles of contract law, and how they relate to the APS in the real estate context. Students will explore the financial realities involved in buying and selling a home, including the additional costs and conditions associated with such transactions. Students will have the opportunity to engage in experiential learning through a mock purchase and sale of a home where they will create a negotiation plan, as either buyers or sellers.

MODULE 5 – MORTGAGES

FOCUS QUESTION – What is a mortgage?

Overview: This module asks students to think critically about financial planning in the real estate context by focusing on mortgages. Students will be introduced to the basic concepts and structure of a mortgage, such as amortization and payment schedules. They will build on their financial literacy and budgeting skills, and enhance their understanding of financing a home through a mock mortgage negotiation activity.

MODULE 6 – HOUSING AND HUMAN RIGHTS

FOCUS QUESTION – What human rights protections are there in Ontario with respect to housing, and should access to adequate housing be recognized as a right?

Overview: This module introduces students to the issue of discrimination in the rental housing context, and the protections provided by the *Ontario Human Rights Code (the Code)*. It engages students in a discussion about adequate housing, and asks them to explore how the *Canadian Charter of Rights and Freedoms* could play a role in giving people whose right to adequate housing has been infringed a mechanism by which to claim the right, through sections 7 and 15.



CURRICULUM CONNECTIONS

This resource has been developed for use in courses that deal with issues such as financial literacy, budgeting, conflict resolution, property law, economic issues associated with housing, constitutional rights, human rights, social justice, and ethics, among others.

BUSINESS STUDIES

Introduction to Business, Grade 9 or 10, Open (BBI10/20)

Accounting

Accounting Essentials, Grade 11, Workplace Preparation (BAI3E)

Financial Accounting Principles, Grade 12, University/College Preparation (BAT4M)

CANADIAN AND WORLD STUDIES

Civics

Civics, Grade 10, Open (CHV2O)

Economics

The Individual and the Economy, Grade 11, University/College Preparation (CIE3M)

Making Personal Economic Choices, Grade 12, Workplace Preparation (CIC4E)

Analysing Current Economic Issues, Grade 12, University Preparation (CIA4U)

Geography

Issues in Canadian Geography, Grade 9, Academic or Applied (CGC1DP)

Regional Geography, Grade 11, University/College Preparation (CGD3M)

World Geography: Urban Patterns and Population Issues, Grade 12, University/College Preparation (CGU4M)

World Issues: A Geographic Analysis, Grade 12, University Preparation or College Preparation (CGW4U/C)

History

Origins and Citizenship: The History of a Canadian Ethnic Group, Grade 11, Open (CHE3O)

Law

Understanding Canadian Law, Grade 11, University/College Preparation (CLU3M)

Understanding Canadian Law in Everyday Life, Grade 11, Workplace Preparation (CLU3E)

Canadian and International Law, Grade 12, University Preparation (CLN4U)

Legal Studies, Grade 12, College Preparation (CLN4C)

Politics

Politics in Action: Making Change, Grade 11, Open (CPC3O)

Canadian and International Politics, Grade 12, University Preparation (CPW4U)

SOCIAL SCIENCES AND THE HUMANITIES

Equity Studies

Gender Studies, Grade 11, University/College Preparation (HSG3M)

Equity, Diversity, and Social Justice, Grade 11, Workplace Preparation (HSE3E)

Equity and Social Justice: From Theory to Practice, Grade 12, University/College Preparation (HSE4M)

World Cultures, Grade 12, University/College Preparation (HSC4M)

Family Studies

Exploring Family Studies, Grade 9 or 10, Open (HIF10/20)

Housing and Home Design, Grade 11, Open (HLS3O)

Living and Working with Children, Grade 11, College Preparation (HPW3C)

Managing Personal and Family Resources, Grade 11, College Preparation (HIR3C)

Dynamics of Human Relationships, Grade 11, Open (HHD3O)

Raising Health Children, Grade 11, Open (HPC3O)

Individuals and Families in a Diverse Society, Grade 12, University/College Preparation (HHS4M)

Issues in Human Growth and Development, Grade 12, University/College Preparation (HHG4M)

Parenting and Human Development, Grade 12, Workplace Preparation (HPD4E)

Nutrition and Health, Grade 12, University Preparation (HFA4U)

Nutrition and Health, Grade 12, College Preparation (HFA4C)

Families in Canada, Grade 12, University Preparation or College Preparation (HHS4U/C)

Personal Life Management, Grade 12, Open (HIP4O)

General Social Science

Introduction to Anthropology, Psychology and Sociology, Grade 11, University/College Preparation (HSP3U/C)
Challenge and Change in Society, Grade 12, University/College Preparation (HSB4U)

Philosophy

Philosophy: Questions and Theories, Grade 12, University Preparation (HZZ4U)

GUIDANCE AND CAREER EDUCATION

Career Studies, Grade 10, Open (GLC2O)
Designing Your Future, Grade 11, Open (GWL3O)
Leadership and Peer Support, Grade 11, Open (GPP3O)
Advanced Learning Strategies: Skills for Success After Secondary School, Grade 12, Open (GLS4O/GLE4O/GLE3O)
Navigating the Workplace, Grade 12, Open (GLN4O)

INTERDISCIPLINARY STUDIES

Applied Journalism, Grade 11, Open
Information Management for Successful Living, Grade 11, Open
Building Financial Security, Grade 12, University Preparation
Issues in Human Rights, Grade 12, University Preparation
Utopian Societies: Visions and Realities, Grade 12, University Preparation
Aging and Society, Grade 12, Open

NATIVE STUDIES

Aboriginal Peoples in Canada, Grade 10, Open (NAC2O)
Current Aboriginal Issues in Canada, Grade 11, University/College Preparation (NDA3M)
Aboriginal Beliefs, Values, and Aspirations in Contemporary Society, Grade 11, College Preparation (NBV3C)

ASSESSMENT AND EVALUATION

PERFORMANCE ASSESSMENT

The use of an extensive range of assessment strategies, both reflective and traditional, allows for ongoing feedback to students and teachers to ensure that intended learning outcomes are met. Assessment strategies should reflect the full range of student learning, and therefore must incorporate a variety of assessment activities. In so doing, the diverse backgrounds, needs and learning styles of individual students may be taken into consideration as students are given a variety of opportunities to demonstrate their knowledge and skills.

Performance assessment may include, but is not limited to the following:

- Formal and informal observations
- Teacher-made and other tests
- Oral and written communication tasks
- Self-assessments
- Learning logs or journals
- Reflective writing
- Questionnaires
- Student-teacher interviews
- Peer feedback
- Activity-based tasks/problems
- Anecdotal records or observations of what students do and say
- Development and application of specific criteria to assess student performance (e.g., rubrics, rating scales, checklists)
- Examination of students' work and application of criteria in assessment



ADDITIONAL RESOURCES

LAWPRO

<http://www.lawpro.ca/>

OJEN Resources

www.ojen.ca/resources

ACORN Canada

<https://www.acorncanada.org/>

Advocacy Centre for Tenants Ontario (ACTO)

<http://www.acto.ca/>

Association of Municipalities Ontario

<http://www.amo.on.ca/>

Canada Mortgage and Housing Corporation

<http://www.cmhc-schl.gc.ca/en/index.cfm>

Canada Without Poverty

<http://www.cwp-csp.ca/>

Canadian Housing and Renewal Association (CRHA)

<http://chra-achru.ca/en/>

Centre for Equality Rights in Accommodation (CERA)

<http://www.equalityrights.org/cera/>

Charter Committee on Poverty Issues

<http://www.povertyissues.org/>

Community Legal Education Ontario - What Tenants Need to Know About the Law:

<http://www.cleo.on.ca/en/publications/tenant-saccess>

Co-operative Housing Federation of Canada

<http://www.chfc.ca/index.asp>

Federation of Canadian Municipalities

<http://www.fcm.ca/>

Federation of Metro Tenants' Associations

<http://www.torontotenants.org/>

The Financial Consumer Agency of Canada (FCAC)

<http://www.fcac-acfc.gc.ca>

Get Smarter About Money

<http://www.getsmarteraboutmoney.ca/>

The Homeless Hub

<http://www.homelesshub.ca>

Housing and Land Rights Network

<http://www.hlrn.org/>

Housing and the Human Rights Code – Centre for Equality Rights in Accommodation (CERA)

http://www.equalityrights.org/cera/?page_id=74

Housing, the Charter, and International Law – Centre for Equality Rights in Accommodation (CERA)

http://www.equalityrights.org/cera/?page_id=79

Human Rights in Housing Video Clip - Centre for Equality Rights in Accommodation (CERA)

<https://vimeo.com/31499918>

Journal of Law and Social Policy - Volume 24 (2015) A Road to Home: The Right to Housing in Canada and Around the World

<http://digitalcommons.osgoode.yorku.ca/jlsp/>

Know Your Rights: Housing Discrimination is Against the Law - Centre for Equality Rights in Accommodation (CERA)

<http://www.equalityrights.org/cera/wp-content/uploads/2012/05/CERA-Know-Your-Rights.pdf>

Landlord's Self-Help Centre

<http://www.landlordselfhelp.com/>

Landlord and Tenant Board

<http://www.sjto.gov.on.ca/ltb/>

Landlord and Tenant Board – Information for New Tenants

<http://www.sjto.gov.on.ca/documents/ltb/Brochures/Information%20for%20New%20Tenants.html>

Landlord Connect

<http://www.landlordconnect.ca/>

Ministry of Municipal Affairs and Housing

<http://www.mah.gov.on.ca/index.htm>

Ontario Coalition against Poverty (OCAP)

<http://www.ocap.ca/>

Ontario Human Rights Code

<https://www.ontario.ca/laws/statute/90h19>

Ontario Human Rights Commission – Human Rights and Rental Housing

http://www.ohrc.on.ca/en/social_areas/housing and <http://www.ohrc.on.ca/en/learning/human-rights-and-rental-housing>

Ontario Ministry of Municipal Affairs and Housing

<http://www.mah.gov.on.ca/page11.aspx>

Ontario Non-profit Housing Association

<http://www.onpha.on.ca/onpha/web>

Ontario Real Estate Association

<https://www.orea.com/>

Residential Tenancies Act

<http://www.ontario.ca/laws/statute/06r17>

Residential Tenancies Act: The Basics

<http://yourlegalrights.on.ca/resource/76624>

The State of Homelessness in Canada 2014 – Homeless Hub

<http://www.homelesshub.ca/sites/default/files/SOHC2014.pdf>

TitlePLUS Home Buying Guide – Canada

<https://www.facebook.com/titleplushomebuyingguide/app/195646697137509>

TitlePLUS Real Simple Real Estate Guide

http://www.titleplus.ca/real_simple_real_estate_guide/

United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

<http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

Your Legal Rights

<http://yourlegalrights.on.ca/>