



October 31, 2022

### **An open letter to the City of St. John's:**

We are writing to express our grave concern and to protest the City of St. John's decision to evict Ms. Shirley Cox from Riverhead Towers on October 31, 2022. Ms. Cox, an 82-year-old woman who uses a wheelchair, has no other wheelchair-accessible and affordable housing options available to her.

### **BACKGROUND:**

Ms. Cox called CBC Radio in an act of desperation, seeking help with an eviction notice she received from her landlord, the City of St. John's. The City has not disclosed their reason for eviction to Ms. Cox. She believes it may be because she smokes cigarettes outside the main entrance of Riverhead Towers rather than in a designated smoking area. Ms. Cox cannot use the designated smoking area because the pathway to the area is not wheelchair accessible.

CBC journalist Anthony Germaine and NDP MHA Jim Dinn have both visited Ms. Cox in her apartment, and both have publicly stated that Ms. Cox does not smoke in her apartment and that there is no discernible odor of tobacco in her home. MHA Dinn confirms that the designated smoking area would be very difficult for her to reach using her wheelchair.

MHA Dinn has sought assistance for her from various community organizations, but with the current housing crisis, coupled with the scarcity of wheelchair-accessible affordable housing, finding an alternative home for her is unlikely.

Ms. Cox has expressed that she will not be forced into a care home, which is her right as a competent, independent adult. She has also said that she likes living in Riverhead Towers as she has formed friendships there and that moving would isolate her from her social community.

She has also stated that she would be safer on the street than in a shelter, a fact that was verified by the Executive Director of "Solutions for Seniors," an organization that the

City recommended as a resource. Ms. Cox faces elevated risk of exploitation and physical or mental violence because of her disability, gender, and advanced age. Research suggests that women who are disabled experience various forms of abuse and violence at a rate of 50% to 100% higher than average. (Source: <https://www.dawncanada.net/issues/women-with-disabilities-and-violence/>)

## **STATEMENT FROM THE CITY**

On Oct. 27<sup>th</sup>, in response to a request for information from Anthony Germaine (CBC), Councilor Ravencroft released the following statement on behalf of the City.

*“Regardless of circumstance, issuing an eviction notice is the most difficult decision with which staff in the housing division are faced. It is always our last resort, and it is not executed without proper consideration and due notice.”*

## **OUR RESPONSE**

“Regardless of circumstance...”

Given the well-documented forms of discrimination that marginalize, exploit, and exclude Persons with Disabilities, women, people of advanced age, and people who live in poverty scrupulous regard must be applied to circumstances of Ms. Cox. She faces marginalization at many intersections (disability, gender, age, and socio-economic status) and each of these factors exacerbates the risk of harm she is facing. Careful regard must be given to these circumstances by the city when making decisions that impact her access to the basic need of housing.

“It (eviction) is always our last resort.”

We propose the following two alternatives to eviction:

1. As a disability-inclusive landlord, the city can opt to address and correct the accessibility barrier that makes it impossible for her to access the smoking area to which all other non-disabled tenants have access.
2. As a disability-inclusive landlord, the city can opt to work with Ms. Cox to identify an accessible alternative area where she can smoke with the same ease as can non-disabled tenants.

Have either of these alternatives been attempted?

“It (eviction) is not executed without proper consideration.”

Given the absence of disability-informed, poverty-informed, and trauma-informed decision-making processes, it is our position that “proper consideration” has not taken place.

## **CONCLUSION**

We believe that evicting Ms. Cox from her home is an extreme and unnecessary measure. Evicting Ms. Cox exposes her to grave risk of harm given her disability, age, gender, and socio-economic status, coupled with the lack of affordable and accessible housing available.

The city’s refusal to disclose the reason for her eviction, further raises concern. If it is related to her smoking, the city has a duty to accommodate her by making the route to the designated smoking area accessible.

We urge the City of St. John’s to re-consider evicting Ms Cox from her home. This decision is generating discomfort and fear for Ms. Cox and among other vulnerable residents in our community who are worried about her well-being and about the precedent this sets.

To those reading who share our concern, we ask that you email the city to voice your support for Ms. Cox and ask that they do not proceed with her eviction. You can reach all councilors by emailing [council@stjohns.ca](mailto:council@stjohns.ca).

Sincerely,

Disability Justice Working Group  
The Social Justice Co-op of NL