

# Licensing & Housing Safeguards

## Current State Impact Report Executive Summary

December 2025

NOVA SCOTIA DEPARTMENT OF OPPORTUNITIES AND SOCIAL DEVELOPMENT



# Table of Contents

*Executive Summary* ..... 3

*Key Findings (Emerging Themes)*..... 4

*Regulatory Landscape*..... 5

*Existing Licensing Standards and Oversight* ..... 5

*Sector Engagements & External Research*..... 7

*Jurisdictional Scan Overview*..... 8

*Phase 3 Timeline*..... 9

*Next Steps* ..... 9

*Appendix: Support Providers Engaged*..... 10

## Executive Summary

The Disability Support Program (DSP) is undergoing a transformative shift from institutional housing models to community-based supports, guided by the Nova Scotia Human Rights Remedy (the Remedy) mandate. This transition requires the development of a safeguarding framework that ensures participant safety while promoting autonomy, dignity and choice.

Phase 2 of the Housing Safeguards project assessed the current DSP licensing and regulatory landscape to understand the baseline requirements needed for the successful implementation of community-based housing.

The review identified several critical risks: current building code and licensing standards are not aligned with the Remedy, limiting housing options. None of the existing licensing items are fully aligned with future requirements, and oversight mechanisms for unlicensed homes remain undefined. Without safeguards in place, DSP risks non-compliance with its 2028 remedy mandate.

This report will serve as a reference point for the development of housing safeguards in Phase 3 to co-design person-centered safeguarding standards in collaboration with Office of Fire Marshal (OFM), the OSD Licensing Team, Service Providers and participants. These standards will be essential to meet 2028 transition target for 1,360 individuals.



## Key Findings (Emerging Themes)

Phase 2 engagements and research identified six primary themes that will frame the foundation for the design and future implementation planning of safeguards in Phase 3a and 3b.

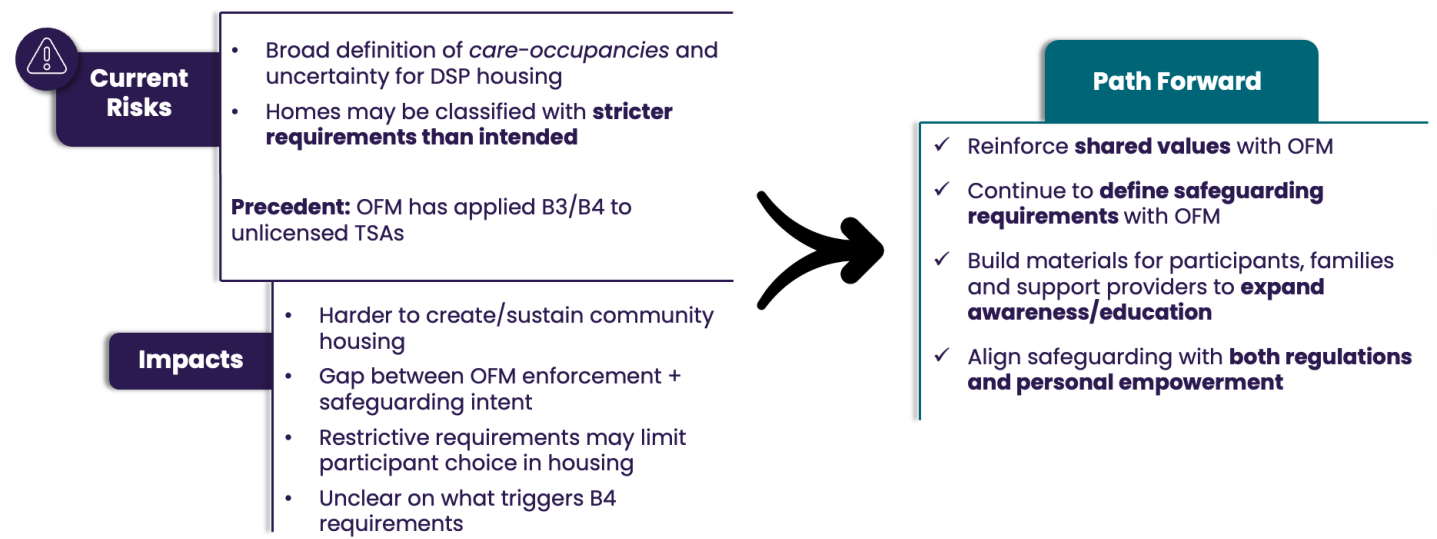
These themes underscore the need for safeguards that are collaboratively designed, respect participant autonomy, align with Authorities having Jurisdiction (AHJs), are clearly communicated and enforced, and are rooted in Remedy-aligned best practices. The themes are highlighted below:

1. **Balance Safety + Independence:** Safeguards must protect participants while respecting their autonomy and dignity of risk as DSP expands community supports. The future model must avoid replicating institutional controls and support individualized decision-making and self-determination.
2. **Understanding Regulation:** Current regulations, building codes (B3/B4) and licensing standards may limit housing options, delay transitions as required by the Remedy's mandate. There is a need to clarify how regulations apply to unlicensed and community placements.
3. **Need for New Standards:** The shift away from institutional care requires the development of new participant-centred standards for both unlicensed and licensed (e.g., SOH) housing supports. These standards must include diversity of participant needs and include various living arrangements such as home share, private rentals and family-supported housing.
4. **Partnerships + Collaboration:** Success of future safeguards will depend on alignment across DSP partners, including OFM, landlords, participants, families, and support providers.
5. **Clear, Consistent Oversight:** Uncertainty in oversight roles, responsibilities, accountability, and enforcement may limit access to safe, respective housing. A clear oversight framework is needed to define monitoring and compliance across different housing models.
6. **Learning from Other Jurisdictions:** National and international models demonstrate flexible, person-centred approaches that can inform DSP's housing safeguarding model.

# Regulatory Landscape

The current regulatory environment presents challenges to DSP’s transition towards community-based housing. Phase 2 raised questions about the existing licensing standards and the Remedy’s approach. Phase 3 will establish clear alignment between DSP and OFM on residential requirements:

- **Building Code Constraints and OFM Oversight:** The 2020 National Building Code of Canada (NBCC) adopted in Nova Scotia introduced care-type occupancy classifications that triggered B4 requirements – such as emergency lighting, sprinkler systems and first-floor only occupancy.



# Existing Licensing Standards and Oversight

Through the work, the OSD Licensing Team collaborated with DSP to review the existing licensing standards and understand how current requirements can evolve to fit the new model. DSP will take this information and work to develop the future Housing Safeguard Standards, though, as of now, no immediate changes are being made to DSP Licensing.

- Red Light** – 78 items were designated as mis-aligned with the future Remedy framework, 15 recommended to be removed, and 63 redirected to other initiatives
- Yellow Light** – 51 items will require further development or redefinition to align with the Remedy.
- Green Light** – No items were identified to fully align with the Remedy and be ready for adoption without changes.

The OSD Licensing team's subject matter expertise created the baseline for developing the Housing Safeguard Standards in Phase 3. As the work progresses, the Licensing team's role will continue to inform the transition toward unlicensed, community-based housing and oversight.

Through the working sessions with OSD Licensing, the Red assessed items reflected the outdated institutional-based models and don't fit with community-based models of support under the Remedy service model. This included institutional requirements such as dining space regulations, resident council record-keeping, and menu planning systems. Yellow assessed items, identified areas that remain important for resident safety and quality of life, such as housing standards, home maintenance, and emergency planning, but need to be redefined to better reflect the Remedy and will be built into the future Housing Safeguard Standards

### **Areas of Development Identified:**

- Opportunity to establish clear oversight structures for unlicensed homes
- Potential to provide guidance on the application of B3/B4 codes, helping participants and providers better understand requirements and timelines
- Opportunities to define the future role of licensing within unlicensed housing models.
- Opportunity to incorporate lived experience and individualized risk assessment into oversight/licensing standards

### **Path Forward:**

The project team is continuing to work with the OFM to align National Building Code of Canada (NBCC) requirements and co-develop safeguarding standards with the OFM that align code requirements with participant autonomy levels. Phase 3 will focus on:

- Clarifying regulatory needs and compliance roles
- Defining licensing responsibilities in a mixed housing model
- Building a flexible framework that supports both licensed and unlicensed homes
- Ensuring participants' needs are met

## Sector Engagements & External Research

To understand current best practices, the project team engaged with DSP support providers throughout Nova Scotia and conducted a jurisdictional scan to examine how safeguarding principles have been successfully incorporated in other community-based housing models.

### Support Providers Engagements

Two workshops were held with external support providers and their associations, who emphasized the need for clarity, flexibility, and collaboration to ensure participant and staff safety without recreating institutional barriers. Key themes from service provider engagements include:

- **Oversight Questions:** Oversight is regarded as inconsistent and restrictive, including existing DSP licensing requirements, which are seen as outdated and not aligned with diverse community needs.
- **Unclear Regulations:** Standards and accountability structures are not well defined, and there are concerns over medication, future tenancy applications, and follow-ups.
- **Housing Access:** Providers called for collaboration with municipalities, developers, and accreditation models to ensure sustainable housing options.
- **Defining Future Standards:** Service providers are interested in contributing to the future development of standards and recognize the need for change.
- **Operationalizing Safeguards:** Enacting safeguards under the future world of expanded community placements will require further clarification.

### Expanded Engagement Strategy for Phase 3

As the project expands to Phase 3, the project team is planning to consult with:

- **First Voice Participants** to ensure safeguards align with individual needs and are clearly communicated to those accessing DSP supports.
- **Support Providers** to gather feedback on standards and determine accountability measures across the sector
- **OSD Licensing Team** to validate the developed standards and inform the approach to operationalize the oversight processes
- **OFM** to clarify regulatory requirements and ensure community supports align with participant needs
- **DSP Leadership** to secure approval and alignment on proposed standards

# Jurisdictional Scan Overview

The project team completed a jurisdictional scan of legislation and best practices across Canada and internationally to better understand licensing approaches and safeguards in community housing. Following summarizes several strategies identified through the scan:

### Risk Model

**Adopt a two-layer approach** (premises-based + person-centred) to build into DSP Housing Safeguards.

### Working Relationship

**Formalize DSP–OFM collaboration** through an agreement with clear roles and knowledge sharing

### Levels of Support

**Define safeguards by tiered support levels** (e.g., care needs, service hours, self-evacuation ability)

### Autonomy & Safety

**Co-develop emergency plans** with participants, families, staff, that are informed by the OFM to balance rights and safety.

### Checklists

**Use simple self-audit tools** for families and providers to strengthen safety without adding licensing burdens

The scan also presented key documentation that DSP will use to model the development of future Housing Safeguard Standards. This includes a series of housing design and safety checklists shared below.

### Checklist for Moving into a New House

If you don't already have one, it is worth using a checklist like the one below to assist people, so that things are not forgotten. Here is an example.

Before moving	Issues to consider	Done
Tenancy agreement	Keys for front & back doors work	
Bond – letting fee	Keys for front & back doors work	
Connecting power	Oven & stovetop functions are in working order	
Connecting phone	Fixed heating is in working order	
Change address	Bathroom items are in working order	
Notify	Toilets are in working order	
Doctor/specialists	Taps are all in working order	
Bank/s	Doors – bedrooms entrance, exit, linen cupboard	
Work and Income	Shelving	
Family/whānau	Hot water cylinder – temperature reading is correct	
Any other services	Walls	
	Wash tubs	
	Blinds/curtains	

### Fire Safety Checklist (UK)

Check content of Fire Risk Assessment. It should include:

Persons at risk:

- Confirm that persons especially at risk including known fire hazards or risks attributed to tenants, visitors, etc.

Check fire strategy and evacuation arrangements:

- Confirm that the fire safety strategy and evacuation plan (may be assisted or self-evacuation) is appropriate to the way the building is designed, furnished, staffed, managed and takes into account the level of dependency of the residents.
- Confirm that the fire safety strategy and evacuation plan is appropriate and that staffing levels are sufficient if assisted evacuation is in place.
- Check means of escape routes and final exit doors
- Review arrangements for ensuring Tenants/Service Users/Residents' awareness of the fire evacuation strategy.

Check fire detection and alarm system

- Confirm BS 5839-1 Category L2 fire detection and fire alarm system (or L1 if appropriate due to vulnerability of residents or other factors). Smaller premises can follow LACoS Guidance and install BS 5839 Part 6 system.
- Confirm maintenance and testing regime is appropriate and completed.
- Telephone enabled fire detection and fire alarm system – see Checklist for Sheltered Housing if appropriate to confirm arrangements

Check Staff Training

- Confirm the role of staff and effectiveness of training in evacuation. Confirm understanding of staff by asking questions. Confirm records indicate training regime is appropriate and completed.
- Confirm fire alarm zone maps in place and in accordance with staff understanding of what different zones are called

Check Emergency Lighting, Fire Exit Signage, Fire Fighting equipment

- Confirm appropriate provision and maintenance/testing regime is appropriate and completed

Reduce risks:

- Confirm appropriate smoking policy is in place and is effective, monitored and supervised (check for discarded cigarette butts). Check that there are individual smoking risk assessments for residents. Refer to Checklist for Smoking Risks.
- Residents with Serious Outstanding Risks – make referral (e.g.: refer to LFB Home Fire Safety Risk Referral Matrix)

### Universal Home Design Checklist (UK)

home checklist

#### ENTRANCE

ESSENTIALS:

- Door at least 36 inches wide, to allow for a 34 inch clear opening when the door is open at a right angle.
- No step at entry.
- Push door, swing or leading at the same level as the floor inside the house (no step up or step down to enter house).
- Door locks that are easy to operate, such as keyless locks with a remote control or keypad.
- Lower style door handles (not round doorknobs).
- Peripherals at heights for adults, children, and people using a wheelchair: or sideways lock, remote control along one or both sides of the door).
- Good lighting both inside and outside the entrance.
- No raised threshold – much easier for wheelchairs, rolling luggage, etc., and reduces the risk of tripping.
- A mat, canopy, or awning to protect the entrance from rain and snow (essential when you have no raised threshold under the door).
- Amply landing space both outside and inside the entry door (5 feet by 8 feet for the outside landing). The outside landing should be set off to the side (on the handle edge of the door) to be out of the way of the door swing.

WORTH CONSIDERING:

- Lighted doorbell.
- Intercom system (can be connected to your regular telephone or to a special speaker).
- Handy shelf outside the door (such as on the porch railing) to set down items while you open the door.
- House number in large, simple, color contrast lettering easily visible from the sidewalk and street.
- Push button power door (works great when your hands are full).

When you have an immediate need, limited resources, and limited time (prepare an evacuation plan)

The assessed impacts, alongside insights gathered from the regulatory landscape analysis, stakeholder engagements, and best practices review, will guide the targeted mitigations and safeguard development in Phase 3.



## Phase 3 Timeline

DSP is targeted to transition approximately 1,360 participants currently residing in institutional settings into safe community-based housing by 2028.

The next 12 months represent a key period for safeguard development and implementation, without which DSP risks possible:

- Delays in community transition timelines
- Limited information regarding housing options
- Limitations in housing options that align with DSP Safeguards
- Inconsistencies across service providers, regulators and families

Once safeguards are developed and finalized, DSP must operationalize the oversight mechanism; train support providers, families and staff; and adjust standards based on evolving needs.

## Next Steps

In Phase 3, the project team will define and propose Housing Safeguarding Streams (i.e., physical infrastructure, emergency requirements, etc.) The project team will hold validation sessions with project partners to create community-living safeguarding requirements.

During this phase, the project team will establish accountability/operational structures, including reporting pathways, role responsibilities, and response mechanisms, to ensure safeguards are maintained in community-based supports across Nova Scotia.

## Phase 3 Deliverables

- **Develop** safeguarding streams and implement remedy-aligned safeguarding standards
- **Define** operational requirements, including an oversight framework and clear DSP/OSD role responsibilities
- **Establish** comprehensive accountability and reporting mechanisms for DSP service providers
- **Submit** required policy updates for safeguarding implementation

## Appendix: Support Providers Engaged

Two workshops were held with external support providers and their associations, who emphasized the need for clarity, flexibility, and collaboration to ensure participant and staff safety without recreating institutional barriers. The following groups participated in these engagements:

- Sunshine Care Homes
- Quest
- Sunset Community
- The Meadows Community
- Community Living Centres
- The Colchester Residential Services Society (C.R.S.S.)
- Metro Community Living
- L'Arche Cape Breton
- Queens Association for Supported Living (QASL)
- Our Neighbourhood Living Society
- Balsam (Riverview Enhanced Living)
- Colonial Community Services
- Continuing Care Association of Nova Scotia (CCANS)
- Diverse Abilities Nova Scotia (DANS)
- Nova Scotia Community Living Organizations (NSCLO)

