The NETHERLANDS
Organisation: Nederlandse Woonbond
Rapporteur: Ronald Paping, Director
E-mail: rpaping@woonbond.nl
www.woonbond.nl

Tenure structure, in % of total stock, 2012
Owner occupied housing: 60%
Social rental: 30% (social housing organisations)
Private rental: 10%

Initial rent – is it free or regulated?
The rents are regulated for 90% of the rental dwellings in the Netherlands. Rents are regulated for all rental dwellings (flats and houses) with a rent below €711/month (2016). These dwellings are often called “social dwellings”. Rents are assessed through a points system. Points are given for size, equipment, market value and so on. Points correspond to a certain maximum rent.

Can tenants challenge the initial rent?
Yes, in court, by the Rental Commission – Huurcommissie, if the tenant suspects that the rent is too high for his/her flat. This is possible within the first 6 months, to prevent the flat from becoming unregulated/liberalized. A landlord can ask for a rent above €711 and thereby making it an unregulated/liberalized rental dwelling - but a tenant can challenge this increase if he/she thinks the number of points, when recalculated, would lead to a lower maximum rent. There are 1.600 challenges every year, concerning the initial rent. About 80% are won by tenants!

How often can the rent be increased?
Once a year, usually on July 1, on an official form.

Any limitations to increases?
- Regulated flats: rent increase according to inflation + income related increase.
- Unregulated/liberalized flats: No, freely negotiated between landlord and tenant. The system for a yearly increase is a clause in the rent contract. It often has inflation as a basis.

Tenant must challenge rent increases within 2 months, with the Rent Commission – but only for regulated rents. A tenant can challenge a new rent, if he/she suspects that the rent is too high according to the system of points. A tenant who challenges the rent pays €25 in advance and if his challenge is successful this sum is returned.

Duration of leases
In the Netherlands tenants have indefinite/unlimited duration of lease in the regulated/social sector, as well as in the unregulated/liberalized sector. Lease protection is strong!

Under a number of conditions there are also time-limited leases of 5 years, especially for students and young adults up to 28 years of age. And since the 1st of July 2016, limited leases up to 2 years are also possible. In exceptional cases, it is however possible to agree upon a minimum time, of usually 1 year.
**Notice periods**
Landlords can very rarely give notice; only for rent arrears, violation of duties of care, or misconduct, etc. And also in proven cases when the landlord needs the premises for his own use.

For tenant: 3 months if time limited lease.
For tenant: 1 month if unlimited.

**Security deposit**
1 months’ rent is most common, sometimes 2 months’.
3 months’ rent is considered unreasonable, by courts.
Deposits should be returned immediately, after the return of the dwelling.
Problems rarely occur, but it happens.