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Germany, and the ‘rent brake’

Tenants in Germany play an important part in the housing sector. Germany is a land of tenants – almost every second German rent their home. In Germany’s biggest cities, like Berlin, Munich, Hamburg and Cologne, 75 to 85 percent of the inhabitants are tenants. For the tenant, the dwelling means the centre of his existence and home for him and his family. The economically weaker position of the tenant versus the landlord requires legal compensation schemes. The social tenancy law must be constantly expanded and improved, so that landlords and tenants can meet as equals.

The German Tenants’ Association, DMB, appreciates the current housing and urban development policies and tenancy law measures of the federal government. After at least two terms of political idleness, a few important corrections have been made to the neo-liberal economic and housing policies, such as the capping of rents for re-letting; in German – the Mietpreisbremse, the rent brake.

The introduction of the rental brake corresponded to a long-standing demand of the German Tenants’ Association. Other European countries have already adopted laws, similar to the German rent brake. Somewhat different laws,

yes, but with the same basic goals in mind, namely affordable housing and protection against rent increases.

Another improvement has been to protect tenants against displacement from their residential environment through gentrification.

Unfortunately, it can be stated that while the German rent brake is unduly limited in its effect, it is nevertheless an important step for greater tenant protection. This step must be followed by others.

The German Tenants’ Association welcomes and supports the initiative of the Federal Minister of Justice Heiko Maas, to further implement tenancy improvements in the coming year. For Germany it is very important to strengthen the social rent law in order to support social cohesion in our countries.



Lukas Siebenkotten, Director,
Deutscher Mieterbund e.V.

C A L E N D A R

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February 19–2: Australasian Housing Researchers Conference, Auckland, New Zealand

February 20: General assembly of the Mietervereinigung Österreichs, Vienna, Austria

March 15: World Consumers Rights Day

March 16–18: European Regional Meeting for Habitat III, Prague Czech Rep.

May 9–11: Housing for Africa, in Johannesburg, South Africa

April 11–12: International Conf. on Housing and Urban Environments, Venice Italy

April 12–15: National Congress on Housing and Homelessness, Montréal Canada

May 27–28: Housing Activism: Beyond the West, Stockholm, Sweden

June 17–19: Swedish Union of Tenants AGM, Trollhättan Sweden

June 28–30: CIH Housing and Exhibition conference 2016, in Manchester UK

June 28–30: ENHR annual conference, Belfast, Northern Ireland

July 25–27: Prep. Com. 3 for Habitat III, Jakarta, Indonesia

September 13–15: UN ECE Committee on Housing and Land Management, Geneva

October 7: National conference on Housing and Water, by CNL, France

October 14–16: IUT congress, Glasgow Scotland

October 17–21: UN Habitat III, in Quito, Ecuador

For more information on conferences and other events: www.iut.nu/conferences.htm

The market will not solve the housing shortage

There is a strong consensus that we need more inclusive and stronger democratic societies. We all acknowledge that access to decent affordable housing in integrated societies where everyone can feel 'at home', is one of the fundamental pillars in well-functioning democratic societies. Exclusion, poverty and insecurity foster fear and hostile environments.

With the recent terrorist attacks in Paris, in Beirut, in Sharm el-Sheikh and so many more in the towns and cities of the Middle East, it is hard not to link these atrocities to the social situation in many of our communities. As I see it, poverty, alienation and a desperate lack of any positive signs for a better future are some of the main causes for this development.

So do our societies provide for this human right to a decent home? Yes, for many of us who have a steady job and can rely on the market to provide us with good and, for us, affordable homes.

But for all others? The simple answer is 'no'. Neither society, nor the market, has been capable of providing enough decent affordable homes in a safe environment to low income citizens.

Throughout the years the Market has lobbied for more deregulated housing markets, and to leave any housing deficits for them to fix. Has this happened, anywhere? The simple answer is again 'no'.

And honestly, does anyone really believe that the market is interested in providing homes to low-income households? It's simply not their job, their task. The market does not have this social responsibility.

Every time when I hear this mantra 'we need more market solutions, or 'let the market deal with any deficiency of housing' – I say: "don't believe in them". The market alone does not deliver affordable housing for low income households. Because the concept of supply and demand simply does not work in housing, like it does for cars and dishwashers.

How then can we supply the housing market with more affordable housing?

As a person with a low income cannot step right into a bank and ask for a loan...we basically talk about 'affordable rental housing'!

We need more tenure neutral housing policies. Today,

homeownership is often promoted by governments, and financially sponsored in various ways. Tax deductible interest rates on mortgages are still a possibility in many countries. Why sponsor those households which are already in a fairly good housing position? Yes, maybe during election times...

Cities, local authorities, should retain ownership of their land, and not sell it to investors. And they should also buy up land when available, like in Vienna. Local authorities can then more easily plan their communities, and do not have to sell to the highest bidder – which often makes housing expensive already from the start.

Avoid the Right-to-Buy, and privatisation of social/public housing. Why transfer common assets, tax payers' money, to private individuals?

We need mechanisms that control rents, also in the private rental sector, as long as there is an acute shortage of homes. E.g. linked to the Consumer Price Index, or tied to inflation, or mechanisms to compare rents (Mietspiegel in Germany), and rent caps like in Berlin, and now also in Paris.

Need for housing subsidies, and allowances, either object (building-) oriented, or subject oriented, to primarily tenants – public and private tenants. But also provide allowances to homeowners, to make it possible to stay in the home during a period of economic difficulties.

All in all...

The state, the governments, local authorities, etc, should reclaim the initiative and undertake the task of supplying all citizens with good affordable homes. There is no way around it!

– The world needs more publicly owned homes – not less!

– We need more political involvement in housing – not less!

We must understand affordable rental housing as a key community infrastructure.

We need more construction, administration and ownership of social/public housing by governments and local authorities, or by the non-profit sector. The private sector is of course welcome to contribute – but then always with a requirement of permanent affordability.

And, rents can be totally deregulated, free and market based – when we have a balanced housing sector. When that wonderful principle of supply and demand is achieved.

That will be the day..!

Neither society, nor the market, has been capable of providing enough decent affordable homes in a safe environment to low income citizens.

Text Magnus Hammar, Secretary General IUT



Future Challenges of Social Housing in Europe

Europe is presently experiencing a need for new affordable housing that we have perhaps not witnessed since the end of WWII. Hundreds of thousands of refugees from the Middle East and Africa need housing, not tomorrow but today. This at the same time as many of our own young people also need affordable housing. Furthermore, many of our housing estates built in the 1960's and 1970's are in great need of renovation. The challenges are somewhat overwhelming – but not impossible.

This was the background when 35 high-level experts from the European housing sector met in November to discuss the future challenges of social housing in Europe.

The meeting, at the Vienna House in Brussels, gathered experts from the municipal, social and cooperative as well as the private housing sector, cities and regions and their associations and also representatives from the European Commission, the Council, the European Investment Bank (EIB) and other institutions.

The workshop dealt with financing models, EU funding, the impact of country specific recommendations and how state aid rules affect social and affordable housing.

Michaela Kauer, director of Vienna House, said that: “We have seen decisions which have endangered well established social housing systems in several EU member states”.



Michaela Kauer

Michaela Kauer gave an example from her own home city: “Vienna is growing by 30.000 new inhabitants every year; thus, there is a clear need to invest in affordable homes, a major challenge for the city’s budget. Unfortunately, under present EU regulations, long term public investments are defined as debts, thus adding to the national deficit.”

Dr Orna Rosenfeld, adjunct professor at the Paris Institute for Political Sciences and an advisor on social housing for the UN Economic Commission for Europe, led the session on “Financing models for housing in

cities, regions and states”.

Dr Rosenfeld stated that: “The most fundamental question facing Europe today is whether Europeans can still afford to live in Europe. Housing affordability issues have serious ramifications for the health of wide European as well as national economies. High housing costs and high debt levels reduce savings and affect investment in other sectors that are essential to the long term growth of the economy.”

Sorcha Edwards, Secretary General of Housing Europe, explained that: “The European Commission estimates that over 1 million homes will be refurbished with the help of the European Structural and Investment Fund 2014-2017. Housing Europe reports that 77 percent of operational programmes allow investment in housing. Now the challenge is to mobilise at local level and make this happen”.

Sorcha Edwards further said: “When bundling private funds with public funds, it is necessary to tackle two issues i.e. how the risks are shared between private investors and tax payers, and the criteria for the allocation of public guarantees.”

Barbara Steenbergen, Head of the IUT Brussels Office, spoke on the impact of EU state



Dr Orna Rosenfeld



Sorcha Edwards

aid/competition policy on social housing.

Barbara Steenbergen said that: “With the revision of the State Aid package and the agenda for the Regulatory Fitness and Performance (REFIT) programme of the EC we have a double chance to get rid of legal, financial and administrative burdens that hamper investment in social and affordable housing. One drawback is the narrow definition of the target group for social housing imputed by the EC, leading to instability and market caution.”

Other participants highlighted the need to earmark funding for social housing in public budgets as well as minimum quotas for social rental housing in areas with shortages. We should focus on object subsidies to help increase supply, and prevent shifts to subject subsidies only, which result mostly in inflated prices in the rental sector.

Another important point was the question of the real construction activity and whether social and private housing providers had the same market access when constructing social housing. The problem is that investment is currently missing in both sectors, i.e. private and social. Affordable housing should be seen as a service, an investment with a social return.

The event was co-organised by the IUT Brussels offices and the City of Vienna.

Text Barbara Steenbergen, IUT Brussels



View over Old City, Stockholm.

The Swedish Model in a nut-shell

Mariell Juhlin, new head of policy department at the Swedish Union of Tenants, explains the Swedish Housing Model.

Q: What is the Swedish Union of Tenants, SUT?

Mariell: SUT, established in 1923, is a membership based organisation, made up of 530,000 tenant households. Our main task is to, by law, represent Swedish tenants in annual rent negotiations, with both public and private landlords. Today we represent some 90 percent of all tenants. We also represent our members in rent tribunals, over matters such as rent increases or other legal issues they might have with the landlord.

Q: How are rents set in Sweden?

Mariell: Rents are determined without state intervention, through collective bargaining between the three parties; local representatives of The Swedish Union of Tenants, and

representatives of the public and private landlords. Negotiations generally have two points of departure: the utility value of flats in a particular area and changes to the cost of building and managing the housing. The utility value system provides a framework for rent negotiations and means that the difference in rent between flats of similar standard and location should not differ by more than 5 percent.

Disputes between private landlords and tenants are usually resolved by Regional Rent Tribunals. These tribunals are central government administrative authorities managed by a district rental tribunal officer and members representing the public and private landlords as well as tenants. Rent negotiation disputes between



Mariell Juhlin

public landlords and tenants go through a separate arbitration body.

Q: How come landlords, including the private, agree to this system?

Mariell: This system of collective bargaining has advantages for both parties. It strengthens the bargaining power of tenants whose position would be much weaker vis-à-vis the landlords on their own due to information asymmetries. For the landlord, collective bargaining is a cost-effective way of negotiating rent increases for several hundred or sometimes several thousand tenants through just one process. Negotiations with individual tenants would be much more time-consuming and expensive.

Q: What are the typical rent increases?

Mariell: We always try to keep rent increases in line with or under the rate of inflation (e.g. the consumer price index). Increases can vary, depending on whether the landlord can show that he has carried out major improvements to the properties. The latest rent increases averaged 1.1% across Sweden.

Q: History of Swedish rent negotiation system?

Mariell: Bad standards of housing, overcrowding, vermin and rising rents sparked rent strikes in the 1920s. In the 1930s the growing power of the tenants' union gave tenants a better position in relations with their landlords. In 1942 the government froze rents and rent-setting became state-controlled but was gradually phased out in the 1950s and finally abolished in 1975. In 1958 all rent control was abolished for the public housing sector, and replaced by annual negotiations between the SUT and the public housing landlords, and later private rental sector landlords joined.

Q: What are the challenges for the Swedish rental sector?

Mariell: There has been serious underinvestment in housing in Sweden over a prolonged time period. Housing has for many years slid further down the political agenda and this has also meant less public investment, leading to a housing deficit. Since 1991 Sweden has not had a Minister responsible for housing and no other portfolio.

Sweden currently has a large influx of immigrants, asylum seekers, new Swedes, who need somewhere to stay.

The shortage of housing is much greater than the market can handle. Today's rate of construction of housing is not good enough, and that needs to be addressed.

Tenant's bond money should work also for tenants

For over six months, the Tenants Union of New South Wales has been campaigning for an increase in funding for the 19 Tenants' Advice and Advocacy Services operating across New South Wales. These services are funded with tenants' money, via the interest accumulated by bond money held by the Rental Bond Board.

Much of this interest is retained by the Government in surplus. But tenants' services have had no increase in real terms for over 12 years, despite a 25 percent increase in the number of tenants in the state over that time. And so the services are now stretched thin, forced to turn back those needing help on a regular basis.

With the backing of over 1,500 supporters, the TUNSW took the campaign to NSW Parliament, formally presenting a petition to bring funding up to speed with the needs of the rental market in the years to come.

The **More Bang For Your Bond** petition was presented in November at a special event at the NSW Parliament House. Tenants, Tenant Advocates and Members of Parliament came to voice their support. A dozen MPs attended, from across the political spectrum, plus many other advisers and representatives from legal, community and housing peak organisations.

However it was a tenant, Milly, who stole the show. She spoke about her experiences as a tenant and the importance of her local Tenants Advice and Advocacy Service, TAAS. Her speech hit home perfectly on the struggles of so many tenants and highlighted important areas for law reform.

"A couple of years ago I was renting a house directly through the owner. We were on a periodic agreement when the owner fell ill and required the house back. He wanted to give us two weeks' notice to vacate, so of course, we panicked. Finding a house in the Sydney rental market is challenging under the best of conditions.



Milly, a tenant in NSW, has years of experiences from renting privately in Australia.

I called my aunt who told me about the Tenants Union, so I gave them a call. The friendly gentleman on the phone gave me some advice and told me there was more information on their website. The information contained told me that the minimum required notice was 30 days. Armed with this information I was able to negotiate with the owner so we weren't going to end up homeless, which was a real possibility as I had just quit my job and my housemate was a casual waitress.

Several houses and mishaps later, I was again renting a house and I had a falling out with my co-tenant. I gave her my four weeks' notice but things got ugly and she refused to return my bond. The Rental Bond Board holds the bond for the whole house and don't return portions of the bond to individual tenants. If one tenant leaves it needs to be negotiated between the two parties. So it felt that she suddenly had control of all my money.

My local TAAS and Advocacy Service

walked me through, step by step, how to communicate with the real estate agent, how to behave in such a way that I was in the right, when I should give my keys back, what to do about a condition report and documenting the house upon exit. TAAS gave me all of the tools that I needed to get my bond back and because of their handholding I was able to successfully retrieve my money."

Milly's story is not uncommon. Her rental history is a cardboard cut-out experience shared by many other tenants around NSW and throughout Australia.

"I have trouble imagining how people manage these issues without the support of the Tenant Union and Tenants Advice and Advocacy Services and I cannot state strongly enough how vital they have been as my aids through the rental world, said Milly."

Text and photo provided by courtesy of the Tenants Union of New South Wales



Western Australia in need for housing reforms

In Australia, home ownership has always been considered part of the 'Australian dream' – where many people hold the belief that home-ownership is the key to a better lifestyle and symbolic of success and stability more generally.



For some time the preferred investment for Australians has been the property market. Roughly one third of Australians rent, one third own their own home, and one third own their own home and investment properties. This mix, coupled with the taxation practices that have promoted this investment, creates some unique political challenges.

Despite, or perhaps as a direct result of, Australia's economic success in recent years, Australia has experienced a 'housing affordability crisis,' in which rising house prices have made it difficult for many to afford to purchase or rent housing. This particularly

impacts younger Australians, low to medium income earners, and older women.

Recent reports indicate some cooling in the housing market, but we are yet to see structural reform required to ensure access to affordable housing for all.

The Senate Economics Reference Committee's recent inquiry found that "undoubtedly, Australia has a housing affordability problem – the challenges are complex, diverse and interact differently in different parts of Australia."¹ The UN Special Rapporteur on Housing also identified that Australia was in the grips of a serious housing crisis during his visit back in 2006.

Unfortunately, rising demand for social housing, coupled with decades of underfunding, makes it very difficult to access housing. Many of these people have no options but to depend on marginal forms of private tenure, including caravan park living, accommodation in boarding houses, and couch surfing – short term stays with family and friends.

Western Australia is in need for reforms. Tenancy WA focuses its law reform efforts on improving outcomes for tenants in this State and has been advocating for new laws and systemic change in a number of areas.

There is a need shift the culture from housing as an investment, towards one that recognises housing stock as homes and a human right. Key to this is a shift away from standard 12 month leases to longer periods of secure tenure.

Indigenous Australians often face discrimination in the housing sector and disproportionately experience overcrowding, homelessness, eviction from public housing and over representation in the prison system. Tenancy WA has been working for systemic change to reduce the high levels of eviction from public housing for Aboriginal families. Populist 'three strikes' evictions for disruptive behaviour are unfortunately resulting in increasing childhood homelessness.

Domestic violence is the leading cause of homelessness for women and children. Western Australia is the only Australian State which has not introduced laws to provide a clear process for victims of violence to either leave their tenancy or take over the tenancy and remain in the home, with a fair settlement of the liabilities. We continue to advocate for law reform in this crucial area.

In addition, Boarders and lodgers are still reliant on the common law in Western Australia, and we are working in partnership with community housing providers to lobby for new laws to provide regulation and consumer protection for people living in boarding and lodging accommodation.

For more information on Tenancy WA and our work please visit www.tenancywa.org.au – which has links to our recent policy submissions, news updates and fact sheets on Western Australian tenancy law.

¹ Economics Reference Committee, Parliament of Australia, Out of reach? The Australian housing affordability challenge, Report (May 2015)

Text Dean Tingey,
Solicitor Tenancy WA





FAVIBC event
in Vic, north of
Barcelona.

Ley de Arrendamientos Urbanos, or Urban Rental Law. The autonomous municipalities are responsible for the regulation of housing rentals, but only Catalonia has regulated them so far.

The Catalan government considers that Airbnb has committed a severe infringement by advertising apartments on its website which have not been properly registered with the authorities. Moreover, it offers rooms in private houses, which is prohibited in the Regulations of Catalonia.

Also the hotel industry has felt the impact of Airbnb, and accuses Airbnb of undermining the state's economy and not contributing tax-wisely. The hotel lobby also criticizes the lack of security and guarantee of hygiene and health, and, overall, the lack of regulation and protection of the main rights of customers, leading to unfair competition with the more regulated accommodation options like hostels and hotels.

Airbnb is currently negotiating with Barcelona's city council and the Government of Catalonia in order to be able to continue its activity in Barcelona.

FAVIBC, an IUT member since 2003, works with the residents' associations in Catalonia and works with the local, autonomous and State institutions in the improvement of the quality of life of communities. FAVIBCs' work covers the whole range of neighbourhood activities and is everywhere to be seen in the everyday life of the Catalan neighbourhoods. The residents in each estate have organised themselves in resident/neighbour associations which make up FAVIBC. One major objective is the implementation of different projects in social housing neighbourhoods, like assisting residents to establish small businesses, or to open local shops and day care centres.

Source FAVIBC, Social Programs Department, www.favibc.org

FAVIBC: Federacio D'Associacions de Veïns D'Habitatge Social de Catalunya, in English: Federation of Social Housing and Neighbourhood Associations in Catalonia.

More people rent in Catalonia and Spain

Today, eight out of ten Spanish households are owners, the highest homeownership rate in all of western Europe. But Catalonia, like all of Spain, is facing a change in the perception of home-ownership.



The combination of credit restrictions, high unemployment and general uncertainty about the future Spanish economy, have curbed the real estate market, and people who need housing now turn to the rental sector. In Catalonia, the share of households that rents increased from 16,6 percent to 19,8 percent, between 2001 and 2011.

The high indebtedness of many mortgaged Spanish families, the defaulting processes, together with evictions and/or falling prices of homes are somewhat revising the image and meaning of homeownership – and as consequence, the meaning also of renting a home.

The values which have been tradition-

ally related to home-ownership, like safety, stability, investment and capital accumulation, are being revised due to the new reality in which we live. Nowadays young people cannot take it for granted that they will have a steady job, get married, buy a home and have children. And Spanish people are reconsidering the values related to home ownership.

Airbnb, a website for people to list, find, and rent lodging, has met opposition in several popular tourist cities around the world, including Barcelona. According to Reuters, Airbnb had around 18,600 listings in Barcelona alone in August, the third highest number in Europe. Opponents say that many landlords prefer to let their flats to tourists via Airbnb, rather than letting them to Catalonians for longer term leases via the regular rental market.

This situation has caused the Catalan government to act. In July the government imposed a €30,000 fine on Airbnb because its business model was considered illegal. In September another fine was imposed.

This was made possible by a new law introduced by the Spanish government,

Slovenian tenants and human rights

In June 2014, after ten years, the European Court of Human Rights, ECHR, ruled with its final judgment in favour of the Republic of Slovenia and considered that the state had not violated the human rights of applicants – tenants of denationalised, restituted, dwellings.

The whole procedure began with a so called collective complaint, which was filed in March 2004 by 429 citizens, all members of the Association of Tenants of Slovenia. This complaint against the Republic of Slovenia, under Article 34 of the European Convention on Human Rights, stated that, due to the housing reform in year 1991, these citizens were deprived of their properties and homes. The complaint also said that these tenants were discriminated against in comparison to other categories of tenants, who were able to purchase their rental dwellings. Also, the complaint said that these tenants had no access to the courts, when they wanted to contest violation of their rights

and that they were deprived of effective legal remedies.

We, Slovenian tenants, were not only surprised, but also horrified by the decision of the ECHR. This decision was not expected due to the fact that the European Committee of Social Rights of the Council of Europe, in September of 2009, fully consented to the statements of the tenants – that the human rights of former holders of specially protected tenancies were indeed violated. We were not able to imagine that it was possible that two completely opposing legal interpretations of the same content could be rendered so differently by two European institutions that work under the same roof.

The judgment had, and will continue to have, serious consequences; the ECHR has by this judgment given Slovenian authorities a free hand with further violations. The decision means that they will neither acknowledge nor remedy the inflicted injustices.

Due to the privatisation of publically-owned dwellings after 1991, about 90 percent of all dwellings are today owner occupied, and

only 10 percent are rental dwellings. Privatisation was not possible for tenants of denationalised dwellings, in houses privately owned before 1945.

The housing sector in Slovenia is neglected, and political parties have shown little interest in housing for several years.

A National Housing Program was passed by Parliament in November 2015 – a program which consists of a list of wishes and unfunded programs. Like going shopping without money!

The National Housing Program aims also to abolish non-profit rents and replace them with so called “expense rents”, based on market value and a calculated profit for the landlord. It is assumed that these “expense rents” will be 25 percent higher than today’s non-profit rents. Such rents would drastically worsen the situation for this category of tenants, of whom approximately one third cannot pay regularly even today’s non-profit rents and other housing related costs.

A housing supplement is intended to assist financially and socially weak households, yet there is a grounded apprehension that there will not be sufficient funding for everybody who will be in urgent need of it.

The National Housing Program emphasises that there is a lack of rental homes and that such homes need to be built. But this and the following years’ budgets do not contain any money for this purpose. Today, the Republic of Slovenia sets aside only 0,02 % of GDP for housing.

There are now 6,600 applicants waiting for a non-profit dwelling. But as only some 450 non-profit dwellings per year were released during the last six years, the waiting period is very long. We would need at least 8,000 new rental dwellings to fulfil the necessary needs of our population.

Text Tanja Šarec, President of the Association of Tenants of Slovenia
This is an edited and abridged version of Ms Šarec’s text.
For full text: www.iut.nu/Slovenia_Dec_2015.pdf



View from Ljubljana river.

PHOTO: BY PERMISSION WIKIMEDIA COMMONS. PHOTO MICHAEL GRMEK

OCR, South Africa, monitors tenant's rights

The Organisation of Civic Rights', OCR, overall goal is to empower and support tenants by infusing a greater sense of meaning, purpose and belonging that would enable them to organise themselves.

OCR further protects and enforces tenant's rights regarding their living conditions, secured tenancy and where possible, secure ownership rights. The OCR provides free service to tenants in several major South African cities.

Most tenants who turn to the OCR are assisted through its daily intake of complaints. We handle cases across a range of tenant-related issues, from simple intervention to legal representation at no cost to the mainly poor tenants.

From May 2012 to September 2015, the total number of cases was about 6500, of which OCR dealt with almost 4500 cases directly. The majority of the tenants' grievances are related to illegal actions against them, approximately 900 cases, and another 780 instances of OCR intervening in main-tenance related matters.

"Tenants find us mostly via the web, or from friends, through articles, and from previously assisted tenants," says Dr Sayed Iqbal Mohamed, chairman of OCR. "I also have a standing column in the Durban Based newspaper Daily News."



Sayed Iqbal Mohamed.

The cases handled by the OCR include notices to vacate, exorbitant rent increases, landlords resorting to self-help measures, like illegal water and electricity disconnection, illegal lockouts, illegal seizure of personal belongings, etc.

"Currently we assist some 83 families from the New Guelderland farming community, 64 km north of Durban," says Dr Mohamed. "These tenants are third generation sugarcane farm workers, who were facing heavy rent increases and evictions. They have challenged the owners to improve their



One of the tenants in the New Guelderland farming community who are facing eviction.

living conditions and to provide them with secured tenancies and possible secure ownership rights."

Two specific national legislative changes were achieved in 2015. The first change concerns the Rental Housing Amendment Act 35, of 2014. OCR has repeatedly asked for changes, and was invited to the national Parliament to make its presentation on habitability, on the necessity of written leases, on training of members and improved appeal mechanism to the Rent Tribunal's rulings, and on rent regulations.

OCR's substantive contributions are now contained into a well-crafted amended law that will provide greater protection to tenants and significantly entrenching habitability, and also landowners' duty to maintain and write leases. The law also further protects landowners' rights and at the same time extends the protection of prospective tenants, tenants' family and visitors.

The amendments were signed by President Zuma into law, on November 5, 2014. But we still await commencement date for the changes to become operational.

Second change concerns lifts in residential buildings. Residents, among them, the elderly, infirm and people with disabilities who live in high rise buildings, have to endure tremendous hardships because of dysfunctional and non-functioning lifts.

"We have been campaigning and lobbying for eight years to make lifts that are shut down for safety reasons, functional and operative within a specified period," says Dr Mohamed.

Surveys provide valuable information, and, the facts and figures can be powerful tools in lobbying for change and engaging stakeholders to bring about meaningful changes in improving the conditions of people. One such survey was recently conducted among migrant and student tenants. There have been many incidents of university students being locked out and prospective students scammed by persons fraudulently claiming to be landlords.

Text provided by Dr Sayed Iqbal Mohamed, chairman OCR



Peaceful protest in Tuzla to demand justice for the Srebrenica massacre.

Bosnia and Herzegovina, together with Sweden: Aims at improving living conditions for tenants

In the early 1990s, housing privatization was one of the first steps taken during the transition from socialism to a market economy in the former Republic of Yugoslavia.



Large multi-family buildings, built and maintained by the central government and rented to citizens at highly subsidized rates, were sold on extremely favourable terms and sometimes given away to the tenants who occupied them. The buildings were transferred to the condominium form of ownership, with the residents becoming owners of their own apartment along with a share of the common property. More than 90 percent of former state tenants became homeowners within a few years.

The transition process was halted in Bosnia and Herzegovina (BiH) due to the war conflict of 1992–95, which delayed the con-

vergence of BiH with other post-socialist countries in central and eastern Europe.

Devastation, large-scale displacement and emigration characterized the initial period of recovery after the war. As a result of the give-away privatization, local governments were left with few public housing units.

Today, high unemployment, around 44% in 2013, and a rental market largely based on a black market of subletting, describe the difficult situation facing many citizens in BiH.

The **HOLICOB** project was launched in June 2014, to contribute to long term strategic work for improved housing and living conditions for people in the cities of Tuzla and in Sarajevo. HOLICOB is an exchange program primarily financed and coordinated by the Olof Palme International Center and Swedish Union of Tenants (SUT) Aros-Gävle region.

As mentioned, most homes in Bosnia

and Herzegovina are flats for homeowner-ship, condominiums. Affording such a flat today is not a reality for the majority of the people in BiH. A large majority of people who happened to end up with an extra flat rent them out on the ‘black market’, meaning without any registration or lease contracts. This situation leaves these tenants virtually without any protection from sudden rent increases, notices to quit, etc. The situation is even more dire among young people, with unemployment rates reaching 60 percent.

Representatives from the provincial council of Tuzla and Sarajevo, together with Alexander Kuzmicki, head of the legal department of SUT Aros-Gävle, form part of the steering group for the project.

Alexander Kuzmicki says:

“Through this exchange project we are hoping to contribute to the mapping of the housing situation in BiH. Also, how the housing situation and the housing environment impact on mental health and overall social living conditions.

We will also assist in defining the rent law legislation in BiH, and empower tenants in regard to their rights and obligations.

We further hope to start a network of tenants in Bosnia and Herzegovina in 2016, and a service, a marketplace, for available rental dwellings.”



Alexander Kuzmicki.

A **Youth Exchange Program** is also being set-up, where young people from both countries share experiences about their housing situation and living conditions in the respective countries, and also to learn about the Swedish Union of Tenants. Young adults, students and unemployed young people, have also been the target groups for several workshops. Meetings have also been conducted with representatives of homeowner associations, who often also have difficulties in affording and maintaining their homes.

Alexander Kuzmicki sees it as self-evident that organization such as the Swedish Union of Tenants should participate in such projects. “We are one of the largest NGOs in Sweden, and we have existed for almost 100 years. Despite that, I believe that we have much to learn from each other. We have also a responsibility to share our experience and knowledge on an international level,” says Alexander Kuzmicki.

UNECE launches flagship publication on social housing

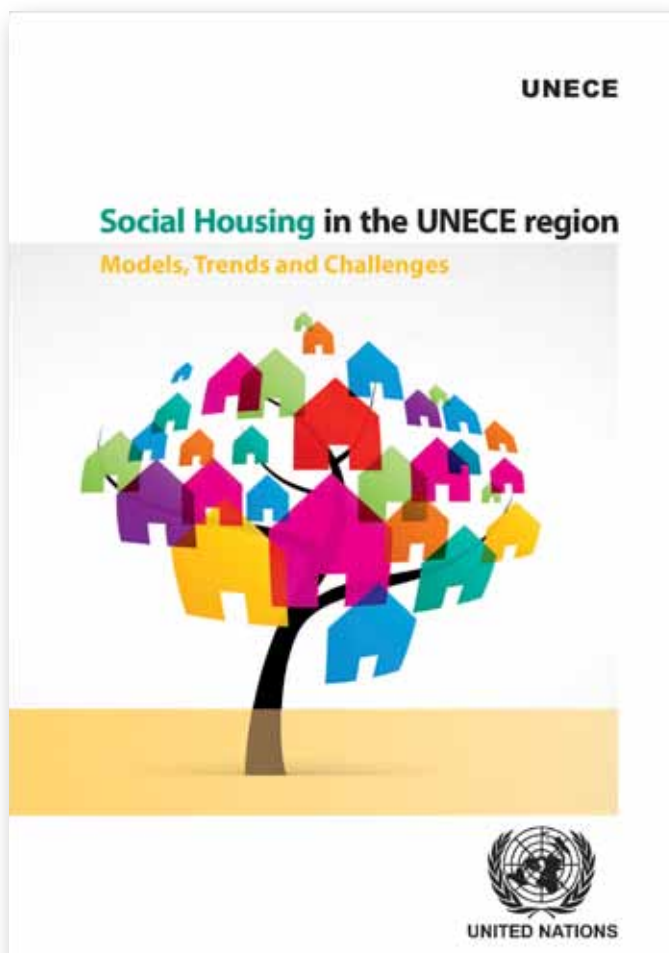
Decent affordable housing is the bedrock upon which to build healthy lives, strong and resilient cities, and thriving national economies. The housing sector in the global north is still trying to bounce back from the financial crisis of 2008.

This new study brought by the UN Economic Commission for Europe (ECE), and its 56 member countries, highlights that at least 100 million low- and middle-income people in the UNECE region are housing cost overburdened; they spend more than 40 percent of their disposable income on housing.

High housing costs for low-income households leave limited resources for other basic needs, such as food, health, clothing and transportation. Even in the countries with substantial funds for social housing the waiting lists are marking historical records. Lack of access to decent affordable housing corrodes neighbourhoods, the economy and the future. Ambitions for sustainable development are likely to be thwarted by its absence.

In nearly all UNECE countries there is some support for those who cannot afford market housing costs, through social housing. However, in addition to traditional vulnerable groups, such as the low- and no-income groups, refugees and homeless, new vulnerable populations are emerging, including the ageing and the young – first-time buyers and renters.

As a result, even in countries with a long tradition of social housing and sizable social housing funds, the demand for social housing is not met. Observed waiting lists for social housing are breaking historical



records, reaching 1.8 million people in the United Kingdom, 1.7 million in France and 1.17 million in Ukraine. In the United States of America, there is a shortage of 5.3 million social housing homes while the waiting period for this type of housing in the Russian Federation is estimated to be 20 years.

The housing sector needs to respond to the current housing need, adjust to new dynamic of the housing markets and meet new aspirations, such as energy efficiency and customer adjusted design. The majority of our member States are presently in the process of reassessing their housing policies.

The study provides a comprehensive overview of current trends in housing provision, including housing supply, choice and quality. The publication also tells how social hous-

ing is financed in the regions, and addresses the uniqueness of national housing systems through analysis of 'social housing' definitions. Furthermore, it examines challenges related to decentralisation and governance. Significantly, the UNECE social housing provides guidance for policymakers whose actions can have an effect on where and how people live.

Lack of affordable housing and fundamental housing market failures are described, and the study suggests ways to deal with these deficiencies and failures. The study proposes an integrated approach that joins efforts to improve social housing supply and funding, energy efficiency, health, increasing housing choice to meet demographic changes. It also looks at how to promote better social housing governance, how to developing public-private-partnerships for cost efficiency, and how to shift from home ownership focused to tenure neutral policies.

The UNECE study 'Social Housing in the UNECE Region: Models, Trends and Challenges' has an important role in bringing social housing to the forefront of the housing agenda in the 56 countries of the UNECE region. It is a part of integrated efforts to support sustainable urban development in the region and economic development. The study examines the current trends, challenges and social housing models in the UNECE region. It provides recommendations for possible future activities based on an extensive literature review of housing issues in over 50 countries and interviews with over 30 representatives of governments, private and third-sector organizations.

The study is available via www.unece.org/publications/oes/welcome.html



PHOTO: ADAM JONES, BY PERMISSION WIKIMEDIA COMMONS

Two housing worlds in Rio de Janeiro.

The world and the UN are gearing up for Habitat III

The world has changed drastically since the first UN Habitat conference in Vancouver, in 1976. But in many ways governments around the world are facing the same challenges today as they did forty years ago.



Urbanization continues, and cities grow. Three cities are now estimated to have over 20 million inhabitants; Shanghai, Karachi, and Lagos. In 2014, 54 percent of the global population lived in urban areas, up from 34 percent in 1960.

The UN has called the conference, Habitat III, to “reinvigorate” the global political commitment to the sustainable development of towns, cities and other human settlements, both rural and urban. The product

of that reinvigoration, along with pledges and new obligations, is being referred to as the New Urban Agenda. That agenda will set a new global strategy around urbanization for the next two decades.

The conference will be the first time in 20 years, since Habitat II in Istanbul 1996, that the international community has collectively taken stock of fast-changing urban trends and the ways in which these patterns are impacting on human development, environmental well-being, and civic and governance systems worldwide.

Much of the Habitat III agenda, as well as the debates around setting that agenda, will be of key interest to broader civil society; environmentalists, urban planners, legal advocates, labour and rights watchdogs, housing right’s advocates, immigration workers, and many more.

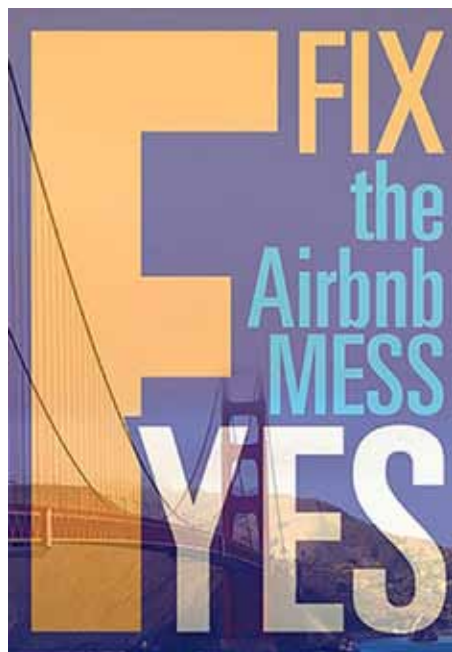
To end housing poverty, one of the targets for the New Urban Agenda, we must continue to prioritize adequate affordable housing for all. While sustainable cities are very important, Habitat III should recognize the integral role that housing plays in ensuring sustainable cities. Furthermore, the conference should bring up the importance of security of tenure and housing rights, as well as tenure neutral housing policies.

Habitat III will take place in Quito, Ecuador, from 17–20 October, 2016.

Regional conferences are taking place in 2015 and in 2016: for Europe (ECE-region) in Prague, Czech Republic, March 16–18, and for Latin America in Toluca, Mexico, April 1–3, 2016.

3rd Preparatory Committee will take place in Surabaya, Indonesia, July 25–26, 2016.

Text Magnus Hammar / IUT



Airbnb lives on in San Francisco

Voters in San-Francisco rejected a proposal to restrict short-term rentals following an \$8 million campaign by the Airbnb, with 55 percent of citizens voting against.

The failure of Proposition F is a victory for the company which has been targeted by affordable housing advocates and tenants' rights attorneys.

The Proposition F aimed to crack down on short-term rental properties. The measure was closely watched around the country as other cities struggle with vacation rental regulations.

Supporters of Proposition F said by turning their units into short-term rentals, landlords are further limiting the long-term housing that's available and pushing lower and middle class residents out of San Francisco.

Proposition F wanted to limit all short-term rentals to 75 days a year. Currently the limit is 90 days when the primary resident is not present, and unlimited if the home is occupied by the host at the same time.

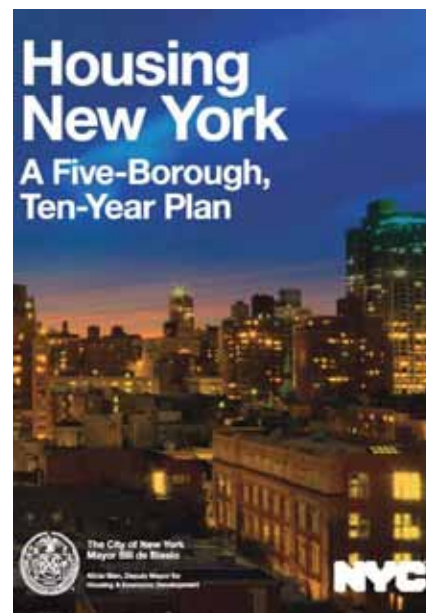
Source: Los Angeles Times

The Mayor of New York has a Plan

Housing New York is a comprehensive plan to build and preserve 200,000 units of high-quality affordable housing over the next 10 years. Furthermore, the plan aims also to strengthen rent regulations, and protect tenants facing harassment.

"The city shall create opportunities for New Yorkers with a range of incomes, from the very lowest to those in the middle class, and will foster vibrant and diverse neighbourhoods," says Mayor Bill de Blasio.

The affordable housing crises in NY City – the background: The gap between rents and incomes; over the past decade, average rents in NY rose by more than 10 percent, while wages stagnated. High rents burden tenants; 55 percent of tenant households are "rent-burdened" and 30 percent are "extremely rent burdened". There has been insufficient housing production; the market has not met the needs of existing residents, let alone new ones. There is a



limited supply of affordable units; despite significant public investment, only a fraction of eligible New Yorkers served. NY is a growing city; 230,000 new residents arrived since 2010 and 600,000 more are expected by 2040.

Source: NY City, Department of City Planning

'Trickle-down' is bad news for tenants in the US

Low-cost housing hit with bigger rent increases say rent inflation is higher for lower-cost housing units than for higher-cost units.

Tenants in all price brackets are being handed rent increases, but those at the bottom-end of the housing market are getting hit hardest.

"Rent inflation is consistently higher for lower-cost housing units than it is for higher-cost units," say researchers at the Federal Reserve Bank of New York.

The researchers examined data from the American Housing Survey's (AHS) for 1989–2013 to estimate inflation rates for rents and utilities, and found "trickle-

down" housing may bear the brunt of the blame for hitting low-cost tenants with proportionally larger rent rises.

The median asking rent in the U.S. rose by 6.2 percent from \$756 a month in the second quarter of 2014 to \$803 in the second quarter of this year, with data from the U.S. Census Bureau.

More than one in four tenants, or around 11.2 million households, were severely burdened by their rent – they spent more than 50 percent of their income on rent – according to 2013 data, up by more than 3 million since 2000, according to research from Harvard University's Joint Center for Housing Studies (JCHS).

Source: www.cnbc.com



PHOTO: SWISS ASSOCIATION OF TENANTS

Board members of the Swiss Association of Tenants celebrating 100 years of tenant protection.

A century of commitment for tenants' rights

Swiss tenants have held their centennial General Assembly. They marked this event in November in the company of guests from the tenant associations in Austria, France and The Netherlands.

The first National Assembly of Swiss tenants was held on 31 January 1915 in bilingual Bienne, or Biel in German, in north western Switzerland. 25 delegates gathered behind closed doors, following a proposal from an already established tenant group in Geneva.

The Swiss Union of Tenants became known as the Mieterverband in the German-speaking part of Switzerland. Urban sections of the Mieterverband soon stood up to defend their members' rights and took action for cheaper and better housing. It was not until the 1960s that sections in the French-speaking part of Switzerland were established – under the name of Association Suisse des locataires, ASLOCA, and grew in strength.

The current Tenant Law of 1990, although it does not ensure sufficient protection for

tenants, has curtailed the worst abuses in the rental housing sector.

In 2010 the three language-based federations, the German SMV, the French ASLOCA and the Italian ASI, unified and established a national and professional secretariat in Bern.

The 215,000 members from 21 sections now form a rising and recognized force in Switzerland. This year, the delegates of the General Assembly launched a popular initiative for more affordable rental housing. The initiative is supported by Swiss housing cooperatives, trade unions and various political parties. The collection of at least 100,000 signatures is necessary to bring the proposal to Parliament. Then the proposal will be voted on, at a referendum.

If the voters endorse this amendment of the constitution, it would double the annual construction of affordable rental housing across the country.

So, 100 years after the first congress, tenants finally have the potential to change Swiss housing policy.

Text Pierre Zwahlen, Deputy Secretary-General of ASLOCA Suisse



PHOTO: MAGNUS HAMMAR/UT

IRELAND

Some rent 'control'...

Rental prices have shot up by the biggest ever rise since before the recession after the Government moved to control the market. The average rent in Dublin is now €1,409, a rise of close to 9 percent in the past year.

The Irish government has finally agreed a package of measures designed to give 'rent certainty' to tenants until supply increases.

The package includes: Landlords will only be allowed to increase their rents once every 24 months rather than 12 months as at present – for the next four years, and landlords will have to give 90 days' notice of any increase – up from 28. Landlords will also have to provide evidence that any future increases are in line with the local market rate and inform tenants of their legal right to challenge them.

Tenants will have stronger protection against unscrupulous landlords who falsely declare they need to sell the home or move in a family member. Finally, landlords will have to sign a statutory declaration and face fines if it is invalid

Sources: <http://julesbirch.com/>

FRANCE

EIB lends €500 million for affordable rental housing



On 3 November 2015, the French government signed a €500 million loan

with the European Investment Bank. The loan is aimed at financing a construction recovery programme. Coming on top of the €900 million increase in the SNI Group's capital by Caisse des Dépôts and other funding, this loan will enable the SNI Group to build 12 000 affordable rental housing units in areas where there is a shortage by 2019, according to the EIB. SNI is the leading social landlord in France, managing 263,000 homes.

Source: European Investment Bank

IUT congress 2016

IUT 90 years

Come to IUT's congress in Glasgow, and celebrate IUT's 90th anniversary together with friends and colleagues from around the globe.

TPAS Scotland invites one and all to Scotland to share experiences, best practises and stories from the many worlds of housing. We will get to know Scottish hospitality and traditions, enjoy Scottish food and drinks and we will meet old, and make new, friends.

TPAS Scotland, the Scottish government and the Wheatley Group are the main supporters and sponsors.

Congress starts on the morning of October 14, and ends by lunch time on October 16.

More information will be posted on www.iut.nu

Welcome to Glasgow!



Welcome to Scotland says Tony Kelly, Elaine Scoular, Lesley Baird, Emma Meldrum and Jane Ballantyne!



CZECH REPUBLIC

A concept of a new social housing law



The Czech government has approved a concept on social housing as proposed by the Labour and Social Affairs Ministry. The concept, which is to serve as a framework for a law on social housing, envisages three forms of housing for the needy:

Firstly, crisis housing for people who are in acute need of housing, for a maximum duration of six months. Secondly, social housing provided by the municipalities and of lower standards. Thirdly, affordable housing also provided by the municipalities and of normal standard quality. The tenants of these affordable homes will sign two-year initial leases with the municipality. Tenants' financial situation will be checked annually, and rents can be raised by up to 15 percent if the households' income increases.

The Czech Labour Ministry is counting on a big portion of the money now used for housing benefits being transferred in the future into the financing of the country's social housing system.

Sources: Radio Praha and Housing Europe

SERBIA

Homes for Roma

A house with 15 flats for the most vulnerable Roma families was opened in Belgrade in September. The construction of the building in Jabučki Rit is part of a broader programme "Let's Build a Home Together" funded by the EU and implemented by the City of Belgrade in partnership with Housing Center and Danish Refugee Council. The lead project implementing partner is the UN Office for Project Services – UNOPS.

The project aims at providing 200 most vulnerable Roma families displaced from Belville with adequate housing conditions. The Belville settlement in Belgrade was, until 2012, home to more than a hundred Roma families, many were refugees from the war in Kosovo and economic crisis in Southern Serbia.

Source: Housing Center, www.housingcenter.org.rs



DENMARK

A third of Danish homeless are 18-29



A new survey by the National Welfare Centre in Copenhagen has revealed that every third homeless person in Denmark is aged 18-29. Indeed, almost 1,200 young people are without any form of permanent hous-

ing in Denmark – a number which has doubled since 2009. These young people often do not sleep on the streets but stay temporarily with friends and relatives. Lars Benjaminsen, member of the European Observatory on Homelessness has said that this "alarming development" is due to the lack of affordable housing.

Source: FEANTSA