

GLOBAL TENANT



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September 2015



Brussels
the capital of Europe, where citizens
find housing unaffordable

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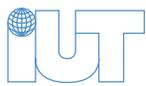
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Brussels. Built as worker's house in 1901

Photo: Steve Cadman, by permission

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The Dutch Woonbond celebrates 25 years

In 1990 three Dutch tenant organisations came together to form a strong national tenant organisation. The Dutch Woonbond is today an influential and powerful organisation, with local tenant organisations as members. Today we represent almost 1,6 million households, more than half of all the tenants in The Netherlands.

Looking back, we see many changes in the field of social housing. Non-profit housing corporations have a long and strong tradition in The Netherlands. In the 1990s these corporations were allowed more freedom from the government and became very rich, as a result of higher rents and a rise in the prices of properties. By way of contrast, the influence of the tenant's organisations declined in the 1990s and the following decade, in spite of the fact that we managed to accomplish a law for tenant participation.

But, a well-known fact is that a coin has two sides, and recent history has revealed the 'other' side. From 2008 many housing corporations got into trouble because of fraud, scandals, mismanagement and big losses, which led to a parliamentary investigation in 2014.

A very important conclusion was that the corporations' activities, using their tenants' money, were not often for the benefit of tenants. Also, tenants had no say about these activities.

In the new Housing Law 2015 the position of tenants' organisation is strengthened. The main goal for the Woonbond in the coming five years is now to strengthen the Dutch tenants' organisations and make them more competent and more representative.

But first we celebrate our National Tenants Day on 10 October together with the 25th anniversary of the Woonbond, with IUT members as important guests.



Ronald Paping
 General Manager
 Nederlandse Woonbond

CALENDAR

2015

September 21–23: Annual conference of Tenancy WA, Perth Australia

September 25: FEANTSA, European Research Conference on Homelessness, Dublin

September 25–26: Dublin Tenants Union and IUT meet in Dublin

October 5: International Tenant's Day 2015

October 5–7: National Affordable Housing conference, Spokane WA, USA

October 6–7: Thematic meeting for Habitat III, Montreal, Canada

October 7: National conference on housing and water, by CNL, in Paris

October 10: Tenant's Day and Dutch Woonbond 25 years, Utrecht, the Netherlands

October 21–22: Regional meeting for Habitat III in Asia-Pacific, Jakarta Indonesia

October 28–30: Australia: National Housing Conference, in Perth WA

November 6–8: TPAS Scotland AGM, in St Andrews

November 11–13: IFHP Summit in Berlin, Germany

November 18–20: European Housing Agenda Conference, by Habitat for Humanity, in Berlin

December 14–15: UN ECE Committee on Housing and Land Management, Rome (tbc)

2016

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

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

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

May 5–7: 100th Anniversary of CNL and National Congress in Montpellier, France

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

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

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

Rental housing in England 2015 and onwards

The elections in 2015 returned a majority Conservative government who have now issued many statements of intent regarding increasing the supply of housing in England but seem to offer little to ensure an adequate supply of rented accommodation, especially social housing.

One of the pledges is to ensure that 200,000 new homes are built, to be made available to those under 40. Unfortunately these will not be rental homes, but sold at a 20% discount.

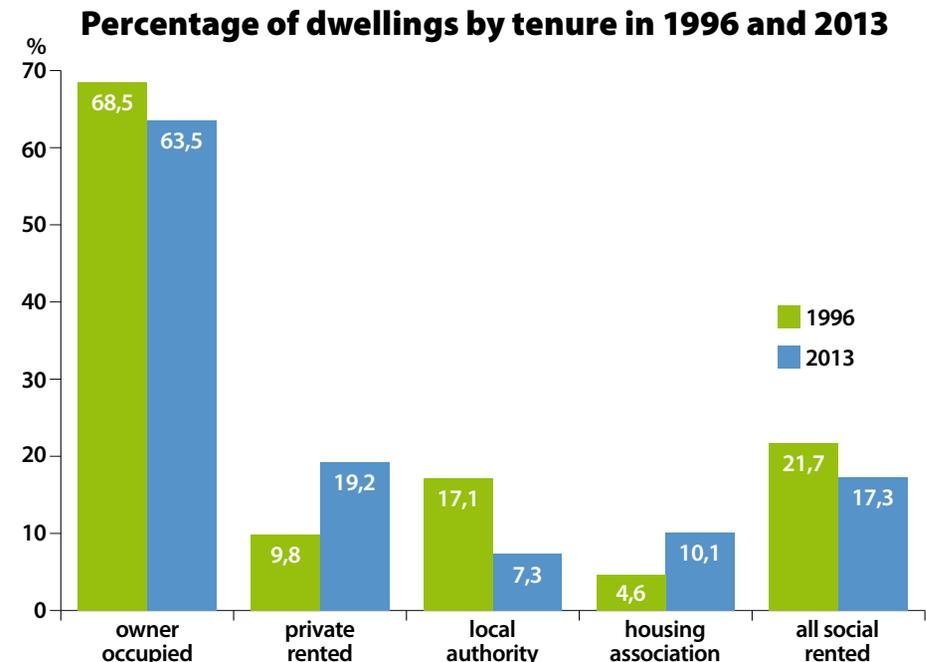
Right-to-Buy will be extended to tenants of Registered Social Providers, RSPs, (housing associations) in the near future. Social housing, provided by Local Authorities (LA) together with RSPs, dropped by about almost five percent from 1996 to 2013, from almost 22 to 17 percent of total stock, mainly due to Right-to-Buy of LA stock. The loss of LA stock has not been balanced by enough growth of RSP stock despite new builds.

Yet, by primarily transfer of stock from LA to RSP, the latter sector has grown considerably and now represents about 10 percent of all homes.

Private rented accommodation has almost doubled since 1996 and now represents almost 20 percent of the housing market in England and Wales with home ownership having dropped to around 64 percent. Whilst it has been indicated that there may be a move to greater protection for tenants in private rented accommodation there are no firm plans available at the present time.

Private rented tenants have no protection for rent levels and rents are set at market level. Rents are reviewed annually and almost all are only granted an Assured Shorthold Tenancy where the usual period for the contract is for 6 or 12 months. As a result, the average tenancy period for a private tenant is only 20 months.

“High-value properties”, owned by local authorities, will go on sale when they become vacant. Whilst they have stated that this will enable both the building of new



Sources, Gov.UK and DCLG:
1996: English house condition survey, dwelling sample
2013: English housing survey, dwelling sample

lower cost social rented homes and the production of funds to assist with housing association right to buy, the practicality of this in many urban areas must be queried. The cost of land in many inner-city areas is so high, and available sites so scarce, that the building of new social homes is not practical. The availability of suitable social housing, within the area in which families are settled, will become increasingly difficult.

Bedroom Tax, officially called Under Occupation Tax, has affected some 660,000 homes. This tax affects people of working age living in social housing who have spare bedrooms and has resulted in their housing benefit being reduced considerably. To assist, Local Authorities have spent almost £100 million (€142,4 million) helping those in need but further reductions in finances for these authorities means that the future of this support is in severe doubt.

“Pay to stay” will be forced to “high income social tenants”. The government has announced that from April 2017 local authority tenants earning more than £30,000 (€42,700), in London £40,000 (€57,000), will

be regarded as “high income social tenants”. This means that they will be required to pay market rents for their homes. Government estimates are that nine percent of all secure local authority tenants will be affected by this change. This coupled with a total benefits cap that is being reduced even further means that there will be increasing pressure upon existing tenants to give up their tenancies.

Fixed term tenancies, as opposed to the default “life time “secure tenancies, have been possible since 2011 for Local Authorities. The government have advised that a further review will be carried out. The aim is to limit the use of “life time” tenancies “to ensure “households are offered tenancies that match their needs and make best use of social housing stock.”



Text Richard Hewgill, TPAS
England representative
www.tpas.org.uk

Flanders needs more tenure neutrality

Flanders, in the north of the country where most people speak Dutch, is one of three regions in Belgium. The other two regions are Wallonia, the predominantly French-speaking southern region, and the Brussels-Capital Region. Flanders, with a population of approximately 6.4 million inhabitants, has its own parliament within the Belgian Federation.

Since 2014, the region has possessed the legal capacity to build its own housing policy. In this context, the Flemish Platform of Tenants (Vlaams Huurdersplatform) is fighting for a housing policy based on affordability, housing quality and housing security for tenants, with respect for the fundamental right to adequate housing.

The Huurdersplatform, as well as local tenant unions, have been recognized since 1998 by decree of the Flemish Parliament and subsidized by the Flemish Government. Besides influencing policy, the Platform also supports



the local Flemish tenant unions and the network of social housing tenants, called VIVAS.

Each of the five provinces in Flanders has its own provincial tenant union-organisation, which gives legal advice to tenants, private and social, in 37 cities. Individual tenants can have juridical and legal advice in exchange for a one-year membership fee of €12 – €17. The counsellors will assist the tenant in all kind of rental disputes and can initiate a solution.

The Flemish tenant unions have altogether almost 25,000 individual members and 486 organisational members, mostly welfare organisations and local authorities. In 2014 the unions provided over 35,000 episodes of advice with a total staff of 55 persons. The Flemish Platform supports these local unions in building knowledge of legislation and also facilitates the practical organisation of their work.

VIVAS, the network of tenants in social housing, defends the rights of social tenants in general. They come together every month to stay informed about the newest legislation and exchange experiences to develop viewpoints and influence policy. Once a year, the Platform organises a congress for social tenants with some 300 delegates. As such, VIVAS is the organisation where participation of social tenants is brought to a higher level.

Most Flemings own their homes, around 70 percent of total households. Another 20 percent rent in the private market. Less than 7 percent rent a social dwelling which is significantly below the need. The high rate of home ownership stem from a long period where governments encouraged this by financial and fiscal injections. The gain of the subsidies is taken away by an overall rise in housing prices.

The private rental market has become a residual market, because of the incentives to buy property and the very small social housing sector. Knowing that almost 52 percent of the private tenants pay more than 30 percent of their income for rent and knowing that more than 30 percent of these tenants do not have enough income left to live in decency after paying their rent, it is inexplicable that only 2.1 percent of the tenants receive some kind of rental subsidy and that there are no rental regulations on base rents. The quality of these dwellings does not reach the existing quality standards, and there is no or little correlation between the high rents and the quality of rental dwellings.

A more tenure neutral policy, together with a larger social rental sector and a social inspired regulation of the private rental market with targeted and regulated support for supply-side measures, is what the Huurdersplatform would like to see realized. A further reduction of the home ownership subsidies is also necessary.

A strong platform of tenants is necessary to improve the affordability and quality of the rental market, while also defending housing security and making sure access to the rental market is guaranteed.



PHOTO: SMILEY.TOURIST BY PERMISSION WIKIMEDIA COMMONS

In the 16th century Antwerp was noted for the wealth of its citizens. The houses of these wealthy merchants and manufacturers have been preserved throughout the city, as well as some bars like Het Elfte Gebod, The Eleventh Commandment.

Text Joy Verstichele,
Coördinator Vlaams
Huurdersplatform vzw
www.vlaamshuurdersplatform.be



Brussels, where access to affordable housing proves difficult

All signs indicate that the gap is widening between incomes and rents. In Brussels, the capital of Europe, rents rise as incomes fall...while residents foot the bill.



For years, wage increases have not kept pace with steadily rising rents and poorer households suffer most in this context is obvious. Yet less is known about the scale of problems facing these households.

Our understanding of the housing crisis in Brussels is ultimately based on imprecise data about poverty and the difficulties facing renters.

An important fact is that wages in Brussels tend to fall. Today, around one third of Brussels residents are at or near the poverty line¹.

Still, rents continue to rise in the capital. In 2012, 60 percent of Brussels' tenants paid a median rent of €650. A full-time cashier in a supermarket earns about €1,100, after tax. The annual average income after taxes in Brussels in 2012 was €13,312.

Between 2004 and 2013, adjusted rent prices increased, on average, 2 percent each year; rent prices therefore jumped 2 percent above indexed wage increases.

A consequence of high rents is that a significant part of the population either lives in overcrowded, poor quality homes, or is forced to move away from the region.

In line with an approaching demographic boom, during which the population is expected to grow by around 10 percent between 2012 and 2020, there is a risk that housing conditions will worsen..



One of many vacant houses in Brussels.

Brussels has far too little social housing. At the end of 2013, there were almost 40,000 social housing units, equal to 10 percent of the total housing stock. That means that fewer than one in ten housing units in Brussels is subsidized and social.

For the same year, there were approximately 44,000 social housing applications filed, which is a record. This figure only counts households currently enrolled on waiting lists, not the total number of households that qualify for housing subsidies according to their income levels.

Currently, tenants have to wait for a minimum of 10 years before being granted access to public housing. The wait is even longer for large families.

Large numbers of today's units do not meet current livability standards and are outdated, in poor repair and would normally be slated for significant renovations. Due in large part to years of poor maintenance, there are no new residents replacing those moving out. By the end of 2013, 2,275 public housing units in Brussels were empty and will not see new tenants. Significant funds have been set aside by the Brussels Region to pay for renovations, €506 million in all for quadrennial programs between 2010 and 2017. But renovations proceed at a snail's pace.

Vacant houses are common in Brussels. For nearly twenty years, estimated 15,000–30,000 houses have stood vacant in Brussels, with around 55,000 units. Adopting a new Housing Code in 2013 in Brussels means in part that these numbers should come into sharper focus. An important protocol in the Code should help: water and electrical utility companies are required to provide the Regional government with lists of housing units where water

or electricity consumption has been (nearly) zero over the preceding year.

The policy should improve our understanding of how many empty houses remain in the Region while accelerating the return of rental units to the market. If not, allowing housing units to remain vacant is a violation of the Housing Code and may be punished by fines.

Source: Rassemblement Bruxellois pour le Droit à l'Habitat, www.rbdh.be



¹ In Belgium in 2011 the poverty line is set at €12,005 per year, in other words, €1,000 per month for an individual. For a single parent with two children, the poverty line is fixed at €1,600 per month. For a couple with children, it is €2,101 per month.

Woonbond celebrates 25 years

The Dutch tenants union, Nederlandse Woonbond, celebrates its 25th anniversary in October.

To many readers it might seem as an easy task, advocating tenants' rights in a country with perhaps the largest social housing sector in the world, and with good legislation for tenants. But without tenants fighting for their rights, things would probably have looked very different.

The Netherlands comes from a strong tradition of publicly funded housing associations. Since the beginning of the 20th century, there has been a Housing Act. After World



War II, the country was rebuilt by housing corporations. But all that has long gone.

By the time Woonbond was formed out of three existing organisations in 1990, privatisation was seen as the logical next step for housing associations. In 1994, they were turned into semi-private corporations. Tenants' influence threatened to disappear. Woonbond faced its first major challenge, but succeeded. Eventually, a law was passed to secure tenants' influence in housing corporations.

During the 25 years in which Woonbond

has existed, the Netherlands has mostly had right-wing and neo-liberal governments. Time and again, they have unleashed attacks on affordability and legislation protecting tenants. Sometimes they succeeded – but never without a fight with the tenants. Woonbond and most of the Dutch people value the Dutch housing model.

Woonbond has a strong position among tenants. More than half of all of all Dutch tenants, 53%, are members of the Woonbond, which gives Woonbond the strength and mandate to continue fighting for the tenants in the Netherlands.

Text Erik Maassen, Nederlandse Woonbond, www.woonbond.nl

More affordable rental housing is needed in Switzerland

Even if Switzerland is a nation of many tenants – more than 60 percent of the Swiss live in rented accommodations – our country is not a tenant's paradise.

The rents are very high and there is no rent control in the private market which dominates the rental sector. ASLOCA, Association Suisse des locataires, now launches an initiative for more affordable rental housing.

In big cities and prosperous areas, there is also a big shortage of available rental homes. In 2014, the average vacancy rate in Switzerland was only 1%, and even lower in cities like Zürich (0,76%), Geneva (0,39%) and only 0,23% in Basel. It is a well-known fact that the vacancy rate should be 1,5% or 2% at least, for a functioning housing market.

More and more people are compelled to live far from their workplaces, in other cities, in other cantons or even in neighbouring France or Germany.

Considering that the various authorities – federal, cantons or municipalities – do not deal seriously with this problem of lack of affordable rental housing, ASLOCA is



ASLOCA initiative for more affordable rental housing; Family needs a home!

launching an initiative, for more affordable housing. The proposal is to make an amendment to the federal Constitution, which would force the 26 cantons and the municipalities to build more affordable housings. ASLOCA's demand is that 10% of new residential buildings should consist of affordable rental housing.

Furthermore, ASLOCA proposes that cantons and municipalities should be granted a pre-emptive right on undeveloped land for the purpose of building affordable housing. This undeveloped land belongs today to private companies or individuals or to public or former public entities like the Swiss Federal Railways or the Swiss Army.

The army does not need the major part of their land anymore due to the reduction in the size of the Swiss army. Accordingly, this land could be used to build affordable housing.

This is the beginning of a long battle: first ASLOCA has to gather 100,000 signatures of citizens, and then the initiative will be discussed by the Parliament and finally submitted for the approval of the population via a referendum.

For more information about the initiative in French, German and Italian: www.zahlbaremieten.ch

Text François Zutter, ASLOCA Switzerland.



The Welsh Language Act provides that the Welsh and English languages be treated equally in the public sector. The 2011 census showed that Welsh is spoken by about 20 percent of the population of Wales.

A view from Wales, and TPAS Cymru

Wales, with over 3 million people, is often seen as a country of mountains and song, a small but perfectly formed country that has often been overshadowed by its larger neighbour England. However things have been starting to change with the establishment of the Welsh Government leading to devolved powers in certain areas. This is certainly true in housing as some of the developments in Wales are certainly considered to be ahead of England and central powers in Westminster, London.



TPAS Cymru (Tenant Participation Advisory Service) is the national tenants and landlord participation service for Wales. TPAS Cymru is a resource hub of information and expertise in advising on and promoting good practice in tenant participation for the benefit of tenants and

social landlords alike. The work covered is wide ranging and includes delivering training, projects, events, sharing good practice and crucially working with tenants to empower them.

Wales has its own government, making policies and laws on devolved matters for our country. The Welsh Government has responsibility for housing as well as areas such as health, education, language and culture and public service and it's an exciting time for housing.

Owner occupation remains the largest tenure type at 70 percent, of the total housing stock, in 2014. This figure has remained static over the last 15 years when compared to 74 percent in 2000. However the most change can be seen in the rented sector.

Local Authority or council tenancies have plummeted from 15 percent in 2000 to only 6 percent in 2014. This is in direct correlation to the position of registered social landlords (RSLs) or housing associations which have changed from 4 percent in 2000 to 10

percent in 2014. This came about due to the large scale stock transfers of Local Authority stock to registered social landlords.

The private rented sector is probably where the most significant change has occurred, increasing from 7 percent in 2000 to 14 percent in 2014, and still rising. This is due in part to the overwhelming demand for rented properties that the social rented sector is currently unable to fulfil.

A major development in housing in Wales is The Renting Homes Bill (Wales) which proposes a single legal framework for renting a home from a Local Authority, Housing Association or private landlord. This bill would give greater clarity and consistency in the rights and responsibilities of all those who rent and will also cover a wide range of other related areas such as domestic violence, eviction and helping young people.

Since the start of Right-to-Buy (RTB) in 1981 over 45 percent of social housing stock has been sold and this has put increasing pressure on the limited stock available. Earlier in the year the Welsh Government consulted on proposed legislation to end Right-to-Buy / Right to Acquire, to protect the already severely diminished social housing stock and this has received major support.

Wales has taken decisive action to protect its social housing and this is at odds with current English housing policy. A recent pledge of the new Conservative government is to increase RTB to housing associations enabling the most valuable stock to be sold off, which has brought about considerable opposition.

Currently there is a sea change happening in regard to housing policy in Wales with the 'one housing system' approach of the devolved government contrasting sharply to the increasing tendency of England to concentrate on home ownership. However this approach will also have to cope with the impact of policies not devised in Wales. Clearly current austerity and welfare benefit cuts mean that there are limits to what devolution in housing can achieve.

Interesting times lie ahead.



Text David Lloyd,
Director TPAS Cymru

Rent control to be applied in Paris

After a long and winding legislative process, rent control will be finally applied in France. Paris will be the pilot city from August 1.

Rent control concerns new or renewed leases in the capital: it aims to prevent landlords from charging rent that is more than 20 percent above the local comparative rent or 30 percent less than the same benchmark. The local comparative rent will be set yearly according to four criteria: type of rental (furnished or unfurnished), number of rooms, year of construction and, last but not least, location (14 different areas have been identified). The benchmark rent for each of those areas will be based on data collected by the local rental observatory.

'The French tenant union CNL has long supported rent control legislation, however this system is based on already-overvalued prices' said CNL President Eddie Jacquemart to BFM TV. '600 euros for a one-room apartment of about 20 m² is considered to be fair according to the forthcoming regulation', he said.



'An extra rent may be charged according to "particular qualities", which are not well-defined by the law, thus paving the way to abusive increases', said Mr Jacquemart.

Considering that rents have gone sky-high, increasing by some 50 percent in the last ten years, and that this system will not apply to existing leases, Mr Jacquemart said that 'The government should have stopped all rent increases for some years and then discussed a fairer control mechanism. The



PHOTO: MAGNUS HAMMAR / IUT

only way to lower rents in Paris is through the construction of new social housing units, as this would moderate the demand in the speculative sector.

Social housing is the answer

In June CNL launched the "Resolution for another policy on social housing". The resolution criticizes the State's disengagement from an ambitious social housing policy. The resolutions states that; "The government seems to forget the big housing scarcity in our country, the overburden that housing costs constitute for many tenants and

that housing is primarily a human right. The reforms under discussion may undermine the functioning and organization of social housing".

The Resolution asks for "a return to object-subsidies to stimulate the not-for-profit sector" and for "more democracy in social housing estates through the introduction of a union status for tenant representatives".

Resolution is available via www.iut.nu/Media/CNL_Resolution.pdf

Source Confédération Nationale du Logement, CNL

Ireland's growing, but insecure, private rental sector

Of the many problems facing Ireland after its economic collapse in 2008, the crisis in the housing sector is one which continues to dominate headlines and, despite much debate, seems set to persist.



However the problems in this sector find their causes not only in the property bubble which character-

ized the Celtic Tiger, but also in a housing policy which for decades placed an almost obsessive emphasis on homeownership and on the privatization of social housing.

The Dublin Tenants Association, DTA, emerged from the debris of this crisis. DTA is a peer-advocacy and tenant support group set up in early 2015 by a group of tenants concerned by the deepening housing crisis in the country.

The credit bubble which drove the Irish economy in the late 1990s and the early part of this century ensured that homeownership remained at high levels but also led to an expansion of the private rented sector as the availability of cheap credit drove the sale of buy to let mortgages.

Housing policy in Ireland throughout the second half of the 20th century was characterized by a regime of subsidies designed to encourage homeownership. This led to a sharp rise in this sector, culminating in a 79 percent rate of homeownership in 1991.

After the 2008 financial collapse buying a home became increasingly difficult and the private rented sector continued to grow. This growth can also be attributed to the abandonment of any substantial policy of social housing construction by the Irish state from the 1980s onwards.



PHOTO: ROBZLE, WIKIMEDIA COMMONS

Grafton Street, Dublin.

According to the Irish Independent, the private rented sector tenants have increased by 52 percent in just 18 months, from December 2013.

Limited security of tenure and weak protection against rent increases can be blamed on the Residential Tenancies Act 2004 (RTA), a relatively conservative piece of legislation.

This weak regulation has led to severe problems for tenants in the sector, especially regarding rent levels. In Dublin rents have increased by 26 percent since 2011.

This rise in rents, coupled with the decline in social housing provision, has left

many low income households facing severe financial difficulties and in the most severe cases, homelessness. Over 30 percent of households in the private rented sector rely on State supports which have been roundly criticised for providing inadequate protection.

The Dublin Tenants Association was formed in order to provide tenants with information as regards their rights, to provide support for tenants facing difficulties and to get tenants to come together in order to share their experiences, educate themselves and defend their right to decent, affordable, and secure housing.

Given the extent of the housing crisis in Ireland and the increasing difficulty in finding affordable rental properties the DTA was founded on the idea that a strong tenant voice was needed in order to put political pressure on the government to introduce measures to help solve the crisis.

The association aims to provide tenants with a voice in order to campaign for legislative reform, and advocates the introduction of rent controls and long term leases so that renting becomes a viable long term, affordable, and secure option for those who do not wish to buy their own home.

Ireland has not traditionally had strong tenant led organisations due to the relatively small rental sector. Given the continuing growth in this sector, the association, based in the Stoneybatter area of Dublin, hopes to be first of many in the city and throughout the country so that Irish tenants have a strong voice in the future.

Text Fionn Toland, Dublin Tenants Association, <https://dublinterants.wordpress.com>





PHOTO: CHRIS PHILLIP, PERMISSION BY WIKIMEDIA COMMONS

Atherton Gardens Estate in Fitzroy Melbourne, during Gertrude Street Projection Festival.

Victoria, with tenants as second class citizens?

Victoria, with 5,9 million people, is a small southern state in Australia, with more than 450,000 tenant households or just over one in four of all households.



Victoria has a very low percentage of social housing, only about 4 percent of all households. Many low-income and disadvantaged people are reliant on the largely unregulated private rental market for housing. Like many developed countries, Australians are obsessed with home purchase but the flip side of this obsession is that tenants are often treated like second class citizens.

Imagine this; a relative stranger arrives at your door with a camera and video recorder. He enters the house to take photographs of your personal possessions for the purpose of advertising your rented home for sale. You try to object but he does not care and con-

tinues to take photographs and video to post on the internet. This is only possible because the stranger is your landlord.

In Victoria, this is a common practice that can occur at any time within a tenancy and can happen simply by the landlord giving you a notice of entry to the premises and whether or not you have agreed. When this issue was examined by the previous State Government, they concluded that this treatment was perfectly reasonable because tenants in Victoria had only a very limited right to use of the rented premises and there was no need for this limited right – or the tenant's privacy – to interfere with the landlords commercial activity.

Many low income tenants pay more than 50 percent of their income on rent not including the rising costs of energy and water. Rents have increased in excess of the general rate of price inflation for most of the last decade including in the period when house prices

for sale fell in real terms.

The Tribunal that hears disputes between landlords and tenants mostly deals with applications for evictions from landlords and the majority of these applications are based on the tenant being in rent arrears. However there are also a large number of no-fault reasons for eviction that tenants have very limited rights to challenge.

Tenancies in Victoria are very short, only about 15 months on average, mainly due to the ease with which landlords can seek possession of the premises combined with changing circumstances for tenants. Longer tenancy agreements for a fixed or definite term are uncommon as landlords and real estate agents often prefer to offer only 12 month fixed-term agreements. This creates difficulties for those tenants that want to settle in a particular area especially for families who want to ensure their children have stable access to school.

There is no minimum standard to ensure the quality of rented housing in Victoria. For low income tenants who often have to settle for cheaper substandard dwellings in the competitive private rental market this can mean the absence of basic facilities or unsafe conditions. Dwellings can lack adequate heating in the cooler parts of Victoria, making them chronically damp and mould prone, and lack cooling in the warmer parts of Victoria. There have been a number of tragic situations where tenants have died due to faulty appliances, inadequate fire safety or unlawful building works.

As social housing, which is primarily public housing, is very limited and turnover is proportionately small, almost all the allocations of public housing are to tenants with complex needs.

The new State Government has announced that they will review the residential tenancies law to improve security of tenure and other basic tenant protections. Tenants Union of Victoria will be submitting a comprehensive program for law reform. Time will tell whether the Government has the courage to implement effective reforms or is just content to tinker.



Text Mark O'Brien CEO
Tenants Union of Victoria
www.tuv.org.au

Toronto, a tenant-city

Forty years ago, tenants in Toronto, Canada joined together to start the Federation of Metro Tenants Associations (FMTA). The FMTA has played a key role in advocating for better rights for tenants in Toronto and providing tenant services. Today, the need for the FMTA is stronger than ever. With a 50 percent tenant population, Canada's largest City is also a Tenant-City.



Tax incentives and subsidies which created most of the current stock of rental housing dried up in the 1980's. Since then, construction in the City has focused almost exclusively on condominium development. In the last 10 years, condo construction has accounted for almost 70 percent of new buildings in Toronto, with purpose-built rental making up only 8 percent.

The results have been predictable: a crushing reduction in the amount of available rental housing and exponential growth in rents. Toronto is now one of the most expensive cities to live in in Canada.

This crunch has had a devastating impact on marginalized populations and those who are 'hard to house.' Social housing stock is deteriorating rapidly and constantly the subject of negative press. Financial scandals, poor management and decrepit conditions grab headlines, while solutions to the underlying problem – funding for repairs and new housing – is ignored.

Canada created much of its current housing stock before the 1980's through public housing programs for low-income families, with costs and subsidies shared by regional governments. These programs – government run and cooperative housing – created affordable housing units and fought homelessness.

But in 1993, Canada's National Affordable Housing Program was axed and a National Strategy was abandoned. Housing advo-

cates throughout Canada have been pushing hard for Canada to finally readopt a National Housing Strategy ever since, as we remain the only country in the G8 without one.

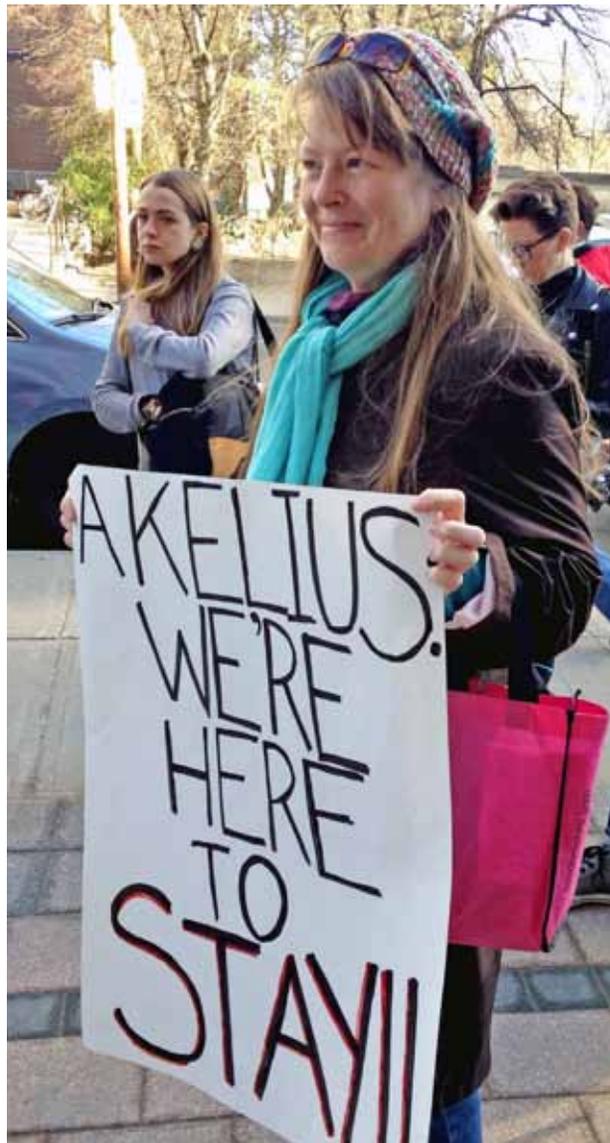
Toronto has rent control for sitting tenants, while new tenants can be charged whatever the market will bear. This has led to landlords attempting to force tenants out with threats, a lack of maintenance and in some cases illegal evictions. Weak enforcement of the law has meant that much of this illegal activity has gone unpunished.

Finding a new place to live in Toronto now involves showing up to a potential viewing with line ups and many tenants agreeing to illegal conditions in order to sim-

ply find a place to live. Additionally, some rental accommodations are being locked in at higher rents due to an equally explosive home-ownership problem. Escalating home prices have led an average house price in Toronto of \$1 million, approx. €700,000. The extremely high cost has led to a flood of secondary rental units to cover the cost of mortgages.

Text and photo

Geordie Dent
Executive Director
FMTA, Toronto
www.torontotenants.org



Swedish landlord Akelius has stirred up emotions in Toronto. Akelius, a large multinational real-estate company based in Sweden, entered the Toronto real estate market in 2013 and has bought up 2,000 units since.

Complaints have plagued the company since with accusations that the company is refusing to do maintenance, reducing services and applying for large rent increases for sitting tenants or trying to force them out. When tenant vacate a unit, Akelius will renovate it heavy and increase the rent by 40 – 50 percent, or more.

The state of affairs has created a dire situation for many of the tenants in Toronto. But thankfully, it has also created push back. Akelius' actions and those by similar landlords have led to a renaissance of tenant association development in the City...and they've had success. Akelius just settled a court case and agreed to pay a group of tenants \$50,000 in order to compensate them for the loss of their superintendent.

See also

<http://stopakelius.com>

Malcom X, gentrification and housing as a human right

Every day the Metropolitan Tenants Organization works with renters who are facing the negative effects of gentrification and other economic forces that threaten their housing. Thousands of low-income renters and homeowners are displaced every year by a property law system with misplaced priorities.



The insights of visionary Black leader Malcolm X, who would have been 90 this year, are key to the discussion around gentrification and housing. Malcolm X championed a new vision, reframing the character of the struggle for equality from civil rights to one of human rights. He also raised the concept of self-determination as essential to any struggle for equality.

What is gentrification? From the perspective of the community members, gentrification is the loss of community (and individual) control over the land they live on, a forced displacement of residents from their homes and their communities. It generally occurs in low-income neighborhoods in which people of color reside. Gentrification is not a haphazard process that happens by accident. It is systemic in nature and sanctioned by a faulty legal system.

Gentrification is not just a modern-day occurrence. The foundation of current gentrification can be traced to the very beginning of the United States. In 1823, the US Supreme Court in *Johnson v. McIntosh* legitimized the concept of ownership through conquest. In *Johnson*, the Court held that “savages” (the Court’s term for Native Americans) had no right to sell or control the land because the land was “discovered” by settlers.

The case is important to understanding gentrification because the Court declared that the indigenous population does not have any inherent right to determine the use of their land. In this case, the Court ruled that the colonization of the continent had in fact erased the slate and thus nullified any Native people’s claims to the land.

If we look at what is happening today in major cities throughout the US, the same principles and legal precepts are at work. Now, instead of military might, overpowering economic forces are pushing low-income people of color out of their neighborhoods and often out of the cities and into the suburbs.

Investors and their partners in the public institutions have “discovered” these communities and swooped in to take control of abandoned and vacant properties, at first; but soon all properties in these neighborhoods become targets for takeover. The outside investors then develop the land to fit the needs of the downtown elite. They build new and high-cost apartments and high-rises and demolish and get rid of properties suitable for people of more modest means.

This means families who have often lived in these neighborhoods for decades are forced to relocate. Tenants in particular, because of the lack of a secure tenure, face an onslaught of economic pressures to move. Outside investors will often close buildings and evict all the tenants as they develop properties to cater to wealthier non-community members in an effort to get them to move into the community. Tenants are then forced to find and move into an ever-shrinking supply of affordable housing.

At the same time, landlords are increasing the rent as the neighborhood becomes “hot.” In the end, the vast majority of the tenants will be forced out. It is beyond their means to resist these economic forces on their own. For instance, in Chicago, more than 50 percent of tenants are rent burdened, meaning more than one-third of their income goes to housing costs.

Many of the same racist justifications for this conquest are still at play today. Gentrification is often explained away as a needed phenomenon. The community “needs” the often White and well-to-do invaders to move into the neighborhood to improve it.

Many of the same racist justifications for this conquest are still at play today. Gentrification is often explained away as a needed phenomenon. The community “needs” the often White and well-to-do invaders to move into the neighborhood to improve it. In other words, the current residents are not “invested” in the neighborhood, as they are “not good enough” to develop it on their own. The local culture is destroyed as new, wealthier people flood into a community.

What would it mean if housing was a human right? It certainly means more than just ensuring a roof over one’s head. It means making sure that everyone has decent, safe and accessible housing. It is hardly a home if that home does not have heat during the winter, or is infested with mold and other pests. Housing needs to be affordable. If housing becomes so expensive that a person needs to decide whether to eat or pay the rent, then they



PHOTO: TARNIE, BY PERMISSION CREATIVE COMMONS

will always be at risk of losing their housing. Housing also needs to be stable. People should be able to choose where they live. No one should be forced to move just because someone else wants to live there.

So, how can we change policies and begin moving toward a human rights framework based on community needs, as it relates to gentrification? To begin with, we could implement:

- Laws to end lockouts, self-help evictions outside of the legal system: No tenant or homeowner should lose their home without due process.
- Mandatory inspections laws: Municipalities and other government agencies need to be responsible for ensuring that all residential properties meet certain codes of health and safety.
- Just cause laws: A property owner should be required to have a justifiable reason to evict a resident. No one should have their tenure interrupted because of discrimination, retaliation or any other unfair reason.
- Laws to limit foreclosures: Banks and other agencies ought to be held accountable for their actions in creating the housing crisis.
- Property tax laws: Property tax laws should pro-

mote stability. Tie property taxes to the purchase price of buildings, which would help keep taxes affordable for long-term residents and in addition provide low-income residents with tax relief.

- Rent controls: This can take two forms. Rent increases could be regulated by law to give current tenants the opportunity to continue to live in their homes. Or secondly, current residents could receive a rental subsidy to make up for the increase in rent due to gentrification.
- Create community-based zoning boards: These boards can regulate zoning changes and give communities control over development.
- Create eviction-free zones: Activists and legal services providers work to prevent any eviction in these areas of gentrification to slow down the development process and challenge the investor-invaders' assumption that they can do what they want.

All these potential policies and actions can begin to ameliorate the effects of gentrification and provide communities with a legal and moral basis to fight gentrification and promote housing stability. No one should be forced to move from their home against their will.

A mural in New York City featuring Malcolm X and other great African Americans.



Text John Bartlett, executive director of the Metropolitan Tenants Organization in Chicago.

NAHT's 21st Save Our Homes conference

The National Alliance of HUD Tenants (NAHT) is a national membership organization of resident groups in the US. NAHT advocates for 2.1 million lower income families in privately-owned, US federally HUD-assisted multifamily housing. NAHT held its 21st annual conference in Washington DC, June 20–23.



PHOTO: SVEN BERGENSTRÄHLE

NAHT protesters and residents in Washington D.C.'s Chinatown, rallying against a developer who plans to terminate the building's Section 8 rent subsidies that expire this fall. Also, the plan is to tear down the building in Museum Square and replace it with a new apartment complex targeting the luxury rental market.

Low income tenants in the US are under siege! Two years ago, NAHT helped reverse deep “sequester” budget cuts that threatened to throw tens of thousands out on the streets. But in 2015, the deep cuts passed in 2011 kick in again.

Already, Congress has voted to slash \$5.3 trillion over 10 years, 2/3 from programs aiding the poor and middle class. HUD, Housing and Urban Development, rental housing faces another 10 percent cut below the 14 percent already cut since 2010.

Facing deep cuts, Public Housing agencies nationwide are selling off land and buildings to private investors, replacing hard won low income housing with less secure rental vouchers. Meanwhile, Congress has voted to reduce taxes on the ultra-rich and big corporations, slash Medicare, Medicaid and Food Stamps, increase war spending,

and eliminate health coverage for 16 million Americans, according to NAHT.

More than 360,000 low rent HUD apartments have been lost since 1996 due to owner decisions to prepay or opt-out of HUD programs. Another 100,000 have been lost through HUD foreclosure. In recent years, tenants have been challenged as 40 year mortgages expire and HUD rent controls end on their apartments. NAHT has launched a national strategy to save our homes in response.

As well as distinguished plenary speakers, the four day conference offered over 20 workshops that included topics such as “How to start, and to sustain and fund, your tenant group”, “How to fight urban displacement and gentrification” and “Enforcing the right to organize in HUD houses”.

The conference ended with the delegates boarding buses to go to Washington's Chinatown where a rally was held in support of 300 low income families, whose homes are to be replaced by 825 luxury condominiums.

Also on the last day, NAHT took their messages to the Capitol Hill, to meet with representatives of key Congressional offices to advance NAHT's political agenda.

IUT President, Sven Bergensträhle, presented IUT's work and aims, and gave NAHT IUT's full support for the tenants' struggle in the US.

‘I am very impressed by the fighting spirit,’ he said. ‘In a country where more than one third of the population rent their homes, tenants' rights must be brought to the forefront. Gentrification and loss of affordable homes must be stopped!’

Sources Sven Bergensträhle and NAHT

New York City voted to freeze rents

For the first time in 46 years, the NY Rent Guidelines Board, RTG, voted 7–2 to freeze rents for rent stabilised tenants signing new or renewal one-year leases in the year beginning October 1.

Tenants who opt for two-year leases would pay up to 2% more. Over one million homes in New York City are rent-regulated, representing almost two thirds of the rental stock.

The freeze followed what had then been a record-low rise last year, a 1 percent increase in one-year leases and a 2.75% increase in two-year leases, during Mayor



PHOTO: MAGNUS HAMMAR / IUT

Tenants & Neighbors in New York is one of several groups who have for long fought for a rent freeze. Over one million households can now breathe a sigh of relief – at least for a year. From left; Katie Goldstein, Darren Praseutsinh and Delsenia Glover.

Bill de Blasio's first year in office. The RGB is appointed by the Mayor and consists of nine members, two tenant representatives, two landlord representatives and five members of the public.

Tenant leaders had also pressed the state Legislature to end “vacancy decontrol,” which deregulates empty apartments once their rent exceeds \$2,500. But the changes adopted by the Legislature fell short of what tenants wanted, said Sheila Garcia, a tenant organizer and one of two tenant members of the Guidelines Board. “This saves the year of the tenant,” she said of the vote to freeze rents.

Source The Wall Street Journal



Crown Heights tenants demonstrate against landlord's harassment, and gentrification of their neighbourhoods.

Brooklyn tenants go further

Tenants in Crown Heights, Brooklyn, fight gentrification through collective bargaining

Instead of depending on unreliable government officials to defend them, Crown Heights Tenant Union, CHTU, has decided to push for collective bargaining agreements between tenants and landlords that would write protections for tenants directly into the deeds of rented buildings. CHTU's ultimate goal is to negotiate a neighbourhood-wide contract between landlords and tenants that would regulate future rent increases, codify standards on repairs and renovations, guarantee automatic lease renewals

and protect tenants from displacement and harassment, putting the brakes on skyrocketing rents that have forced many long-time residents to leave the neighbourhood.

"The landlords are so powerful politically that we felt we had to confront them directly if we wanted to get real concessions, and the only thing that is truly binding is a contract," says Joel Feingold, organiser and one of the founding members.

This model has helped CHTU build an alliance between old and new residents that lies at the heart of its organising strategy.

Source <http://inthesetimes.com>

More tenants in the US

The nation's homeownership rate has been falling for eight years, down to 63.7 percent in the first quarter of this year from a peak of over 69 percent in 2004, according to a report released in June by Harvard University's Joint Center for Housing Studies.

The flip side of the decline in homeownership is a boom in rentals and a significant rise in the cost of renting. On average, the number of new rental households has increased by 770,000 annually since 2004, the center's report said, making 2004-14 the strongest 10-year stretch



Many homeowners in the US have had to hand over their homes to the banks, who are now renting out the properties.

of rental growth since the late 1980s.

Many people living in rentals were once owners; they lost their homes to foreclosure and now have such damaged credit reports that they find it nearly impossible to qualify for a mortgage. Others are trapped because lenders have significantly tightened credit standards after the abuses of the boom era.

Source New York Times

DENMARK

New rental law



A broad majority of the Danish Parliament decided on a new Rent Control Act in the spring of 2015. The law confirms and reinforces the control of rents in Denmark and it is more easily understood by tenants and landlords than the previous law.

The rent control act emphasizes tenants' rights and duties in various situations, especially when moving in, and out, like less compulsory repairs for the tenant when moving out.

The new law states that rent increases should be set according to the general net consumer price index on price increases.

Source: The Danish Tenants Organisation (LLO)

GERMANY

Rent cap lowers rents



On June 1, landlords in Berlin were barred from increasing rents by more than 10 percent above the local average. Such controls were already in place for existing tenants but have now been extended to new contracts. Berlin became the first German city to make rent caps a reality. The capital's price brake was introduced under a new nationwide law allowing local governments to introduce rent caps in areas where there is high upward pressure on rents.

The rent brake has had immediate effects. A study in August showed that rents in Berlin had sunk by 3,1 percent within a month.

Source: www.thelocal.de

Declaration against evictions



The IUT Board, in Stockholm on May 8-9, signed a Declaration against evictions.

The text highlights the problems which followed the financial crisis of 2008, notably rising rent levels which led to evictions and housing exclusion in several countries.

The text suggests measures to guarantee security of tenure (notice to quit is very short in some countries) as well as an alert and support mechanism for people threatened by evictions. Financial assistance schemes and rapid rehousing cost less than evictions and help prevent homelessness, the IUT Board emphasised.

Read the Declaration via www.iut.nu/Media/Declaration_May2015.pdf

SENDER: International Union of Tenants
Box 7514, SE-103 92 Stockholm
SWEDEN

SWEDEN, STOCKHOLM

Sharp decrease in rental housing



Rental housing stock in the inner city of Stockholm decreased by 20 percent between 2006 and 2013. Rental housing now represents 45 percent of the total stock in the whole of Stockholm city, but only 34 percent in the inner city. The decrease is mainly due to the privatization of public municipal housing. Some 26,000 flats were privatized between 2007 and 2014. Privatization of public housing in Stockholm was stopped in 2014 when the red-green majority won the local elections.

However, homeownership is still financially supported in Sweden through generous tax reliefs.

Thirty percent of the interest on loans is tax deductible. Also, repair and maintenance as well as conversions and extensions are tax deductible – for homeowners – up to a certain amount per year.

Source: Swedish Union of Tenants / Magnus Hammar

JAPAN

Tenants in subdivided flats



Many of Tokyo's poorest tenants have since the 1950s found a roof over their heads in so called cubicles, miniature flats sub-divided by plywood boards. And as the cost of living goes up in Tokyo so does the number of cubicles. In 2007 there were 400 houses with 7,000 beds. In 2013 there were an estimated 1,700 houses with 19,000 beds.

Examples from a survey of subdivided flats conducted in 2013–2014 by the government, disclosed that one tenant paid €193 /month for a bunk-bed, on 2,7 m², while another tenant paid €448 for 4,4m².

Source: Kazuo Takashima, JTA



PHOTO: KOK LENG YEO, BY PERMISSION WIKIMEDIA COMMONS

SCOTLAND

Campaign for private tenants



The Living Rent Campaign is a coalition of groups and individuals determined to improve the situation for private renters in Scotland. Activities so far have included collecting consultation responses to the Government's private rented sector reform consultation and direct lobbying of the Scottish parliament. Also, the Campaign asks Scotland's politicians to back rent controls.

Branches of the Living Rent Campaign operate in Edinburgh, Glasgow, Aberdeen and Stirling and the Campaign is actively seeking to expand to new parts of the country.

Find out more via www.livingrent.org



IUT congress in Glasgow, October 14–16 2016

TPAS Scotland is hosting the next IUT congress in Glasgow, a city historically well known for its struggle for tenant's rights.

Also, in 2016 IUT will celebrate its 90th anniversary.

So, please make a mark in your calendars and we will get back to you with more information later on. Hope to see you in Glasgow!

Greetings to you all from the IUT Secretariat and the TPAS Scotland team!

IUT – UN Economic Commission for Europe (ECE)



In May, Magnus Hammar, Secretary General of the IUT, was elected vice chair of the UN ECE Real Estate Market Advisory Group for a two-year term. Dr. Giampiero Bambagioni, University of Perugia Italy was elected chair and as vice chair Kari Aina Eik, Secretary General of Organisation of International Economic Relations, Vienna Austria.

The Advisory Group is a team of specialists, which assists the Committee on Hous-

ing and Land Management and the Working Party on Land Administration to develop stronger housing real estate markets.

The activities of the Advisory Group address topics of energy efficient housing; affordable and social housing; housing finance; property valuation and registration; land markets and land administration. Magnus will also bring in the importance of 'tenure neutrality'.

Find out more: www.unece.org/housing/advisory-group.html

NIGERIA

50% of Nigerians need social housing



Stakeholders in the Nigerian real estate financing sector have said that more than 50 percent

of Nigerians cannot afford homes developed by private sector investors and, therefore, need social housing. Furthermore, about 85 percent of Nigerians still live in rented apartments and pay more than 40 percent of their annual income as rents, while less than five per cent out of the remaining number purchase homes through mortgages.

According to the Managing Director, Infrastructure Bank of Nigeria, Mr. Oyinloye, the sector is plagued by untapped potential, especially in the residential real estate subsector.

He said that "There's nowhere in the world where social housing is left to the private sector, where the pricing won't be right for those who really need housing."

Source: www.punchng.com