

# GLOBAL TENANT



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**Cover photo:** Mural of aboriginal boy,  
Melbourne, by AWOL crew

## Where to for Australian tenancy laws?

Surprisingly we have quite weak tenancy laws here. Readers may not know that in Australian jurisdictions tenants can receive a notice to leave without stating any reason. And the most common length of tenancy agreements is 6 or 12 months. This underlying threat of eviction without grounds at the end of these short term leases undermines tenants' confidence in pursuing other rights for fear of a costly retaliatory eviction.

These laws stem from a time when renting was a transition between living in the family home and buying your own. But the Great Australian Dream of homeownership is slipping from the grasp of many who now remain in the private rental market long term, or forever. Governments increasingly see the private rental market as a policy response to low to moderate income householders as social housing becomes highly targeted.

Tenant advocates have long argued for removal of eviction without grounds – to date, without success. New research conducted by the Tenant's Union of Queensland showed that only 20 per cent of forced evictions of callers to our advice service over a three month period were for reasons of breach of agreement. The rest

were evictions without grounds often resulting from a disagreement between tenant and agent or landlord. Relocation, especially when it is forced and unexpected, is costly to tenants and the community – financially, socially and emotionally.

Australian tenancy laws however, seem squarely focussed on the property rights of the landlord over the housing rights of tenants and tenancy law reviews focus on ensuring that the rights of owners and tenants are appropriately balanced.

Meanwhile, tenant advocates will continue to try to have 'without grounds' removed as a reason to end a tenancy. Until that happens, Australian tenants remain in an insecure and second class tenure.



**Penny Carr**  
Statewide Coordinator  
Tenant's Union  
of Queensland

## C A L E N D A R

2013

**February 6–8:** 7th Australasian Housing Researchers Conference, Fremantle, W. Australia

**February 14:** The Hague Housing Conference, the Netherlands

**April 16–18:** Housing California Annual Conference in Sacramento CA

**April 22–24:** 2nd Housing Forum for Europe and Central Asia, in Geneva Switzerland

**May 8–11:** Congress of Confédération Nationale du Logement, CNL, in Grenoble, France

**May 23–25:** 65th Tenant's Day of the Deutscher Mieterbund, in Munich

**June 19–22:** European Network for Housing Research Annual conf. in Tarragona, Spain

**July 10–12:** 'Being at home in the Housing Market', Amsterdam the Netherlands

**July 22–24:** Texas Housing conference, Austin TX

**August 20–23:** Asia Pacific Network Housing Research conf. in Kuala Lumpur, Malaysia

**October 7:** International Tenant's Day

**October 7–9:** 74th UN ECE Session of the Com. on Housing and Land Management, Geneva

**October 24–27:** IUT XIX congress in Krakow, Poland

**Oct. 31–Nov. 1:** Australia National Housing Conference, in Adelaide

For more information on conferences: [www.iut.nu/conferences.htm](http://www.iut.nu/conferences.htm)



# Third attack on European social housing

*Too many French households have access to social housing, says the French association of private property owners, l'Union Nationale de la Propriété Immobilière (UNPI). In May 2012 UNPI lodged a formal complaint with the European Commission's Directorate General for Competition. The complaint challenges France's policy to provide affordable housing not only to poor households, but also to medium income households to avoid housing segregation.*



This is the third attempt to undermine the provision of affordable rental social housing in Europe; First the 'Swedish case' in 2002, then the 'Dutch case' in 2005, and now we have a 'French case'.

UNPI considers public landlords to be in direct competition with private landlords, and dispute public aid granted to social housing bodies.

In France, 1.3 million people are on the waiting lists for social housing. If the complaint is accepted by the EU Commission, and considering the high prices in the private rental market, a significant number of families will join the 3.6 million already badly housed people.

Confédération Nationale du Logement (CNL) – the French tenant association – cannot accept such a development, as it would have disastrous consequences on thousands of families in need.

UNPI has decided to challenge the public housing subsidies in response to a decision by



Social Housing in Marseille.

France's new housing minister, Cécile Duflot, to impose caps on rents in the private sector, with effect from July 2013. UNPI, in its complaint, cites unfair competition because the French government subsidises publicly-owned housing, allowing tenants to pay less rent than in the private market.

UNPI's objective is "to restore fair conditions in the French residential housing market, where the allocation of state aid to the French public housing sector has distorted the housing market, while proving inefficient in reaching its main goal: housing the population's most vulnerable".

However, 25 per cent of the poorest French families live in social housing and 50 per cent of tenants receive housing benefits. According to CNL, social housing associa-

tions fulfil their scope in accordance with the EU law on competition; SGEI, services of general economic interest.

According to UNPI, 700 000 social housing units are also supposed to be empty. In this situation, CNL asks why would 1.3 million people be on the waiting list for social housing and why would the French government provide for the construction of 150 000 social housing units per year, for the next five years? Yes, some housing units are empty – approximately 160 000 – but these are flats waiting to be renovated or they are situated in areas of France with high figures of unemployment and generally low demand for housing.

It is not the first time that the French social model is under attack. In 2009, the law "Boutin", named after the then housing minister, was introduced. This law has had dramatic consequences on social housing. CNL has fought and still fights for its abrogation. Again, if the complaint of the UNPI will be accepted by the Commission, CNL will step up the fight for the French model of housing.

Such a decision would have significant implications for French tenants.

According to Foundation Abbé Pierre, there are 3.6 million households without a proper home, or living in substandard housing conditions. Over 5 million people run the risk of being poorly housed in the near future, and fuel poverty effects 3.4 million people. All in all, at least, 10 million people suffer today the consequences of the housing crisis.

Will the European Commission reinforce the sensitivity of housing to poverty and insecurity by giving UNPI what they want? CNL will not let it happen!

**Text** Marie-Charlotte Lannière, Confédération Nationale du Logement, CNL

# Australia and the great dream

*Australia is, for a European visitor, a very different country – housing wise. While rental housing in Europe is mostly found in blocks of flats, in high-rises and walk-ups, rental housing in Australia is mostly found in one-family detached houses – particularly the private rental sector. Furthermore, the lack of security for tenants is striking as leases can be terminated without grounds.*

Even though almost 30 per cent of all units were rented in 2011 rental housing is considered by most Australians as a temporary tenure – while waiting for buying a home. Also, the vast majority, 69 per cent, of Australia's indigenous peoples, Aboriginals and Torres Strait Islanders, lived in rented accommodation in 2008.

Australians like to live spaciously. While the floor area for new dwellings in Europe average just over 100 m<sup>2</sup>, Austrians enjoy twice that surface, 208 m<sup>2</sup>.

'Mums and Dads' is another feature of the Australian rental housing market. Private individuals, often mother and fathers, are the most frequent private rental investors in Australia. In 2011 they owned 71 per cent of all rented dwellings, with average 1–2 properties. While in Europe, owners of rental properties are mainly institutions, like insurance companies, banks, municipalities and larger private landlords.

Tenants are more common in cities, like in Darwin where 42 per cent of all properties were rentals in 2011, in Brisbane 33 per cent, Sydney 32 per cent and 27 per cent in Melbourne.

'The great Australian dream' is all about homeownership. Historically, policy-makers in Australia have prioritized home ownership as the main tenure to deliver secure occupancy, while the private rental sector has served as the 'tenure of transition'. It has been assumed that renters would quickly move into home ownership or, if not, would obtain these benefits from social or public housing.

Accordingly, most Australians have nourished this dream of becoming a homeowner. But for many this dream will never be realised, simply because of unaffordability. According to Shelter NSW, house prices increased by 147 per cent between 2001 and 2011, while after tax income increased by only 57 per cent.

At the same time, home owner statistics show



Merely a dream? Homeownership became unaffordable for many when house prices increased by 147 per cent between 2001 and 2011, while after-tax income only increased by 57 per cent.



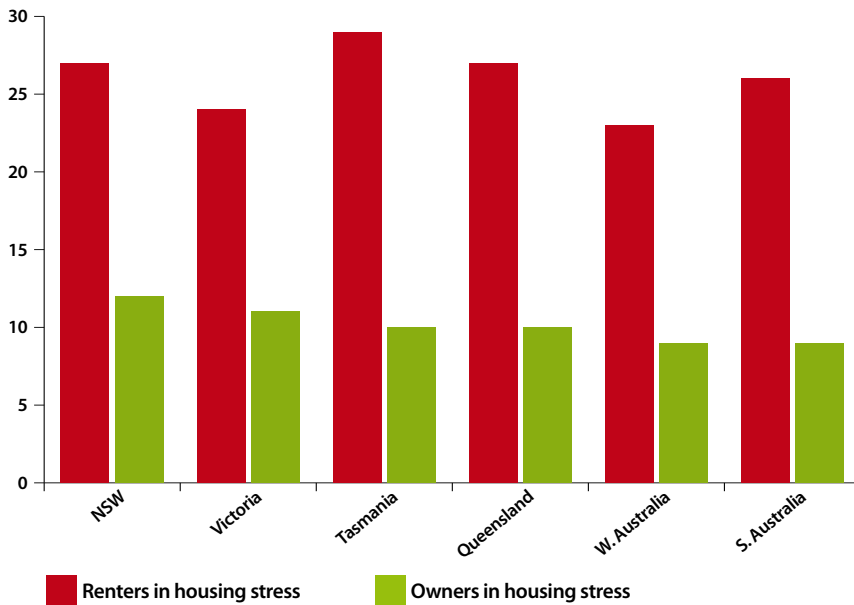
Public housing in Bridgewater, Hobart Tasmania.



De-funding threatens tenants' advocacy and advice services in Queensland. Penny Carr and Jemma Donaghey, Tenants Union of Queensland, protest.

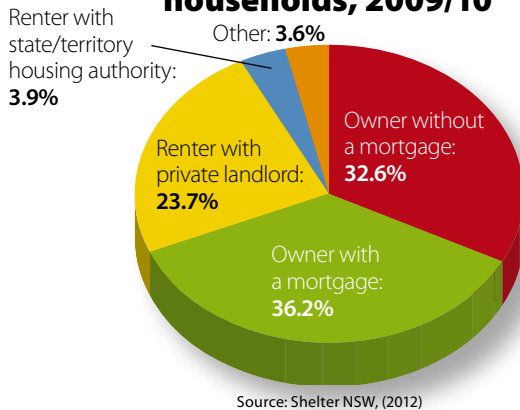


## Renters and home buyers in housing stress, 2009/10



Source: HousingStressed.org.au. Rates of housing stress defined as households on the lowest 40 per cent of equivalised household incomes who spend more than 30 per cent of their income on housing costs.

## Tenure of all Australian households, 2009/10



**Banks become home'owners'.** In 2001, 40.2% of all homes were owned without a mortgage, in 2010 32.6% and 32.1% in 2011.

that the proportion of outright owned homes, without mortgage, fell from 40 per cent in 2001, to stand at only 32 per cent in 2011.

**More Australians are renting** for longer periods, but they live under insecure conditions, and often in housing stress – see table.

In 1998 about 25 per cent of Australians rented, a figure that had increased to almost 30 per cent in 2011. In Australia, secure occupancy is viewed as a 'natural' part of home ownership but not renting.

Australian tenants, in the private sector, together with tenants in the USA, are the least secure in the developed world. Firstly, Australian landlords can give notice without any grounds. Secondly, setting of rents in the private sector, and rent increases, are in most European countries regulated in one

way or another. But in Australia rents in the private sector are freely set by the market and increases can occur up to twice a year, after each contractual term of 6 or 12 months.

**High rent increases** have occurred between 2006 and 2011. According to Australian Bureau of Statistics median national weekly rent was \$285 per week in 2011, compared with \$190 in 2006, an increase by over 50 per cent.

**Australian tenants vary** according to incomes and types; those on low, moderate and high incomes and of different compositions. However, many Australians rent privately, in spite insecurity, because they cannot afford to buy on the one hand, and on the other hand – their incomes are too high for public housing.

Public housing tenants comprise lower-income households who are constrained in their housing choices due to their income, sometimes compounded by factors such as ill health, disability, increasing frailty, family size or support needs. The private and public rental sector also has a particular role in housing migrants. There are more than a million lower-income households that rent their housing, according to a report from AHURI, 2011. These households comprise an estimated 45 per cent of all renters, or about 14 per cent of all Australian households.

**Three main providers** of rental housing in Australia. *Firstly*, the private rental sector which is characterised by relatively insecure occupancy compared to either social and public rental or home ownership. In comparison with comparable countries, policy and legal settings for the Australian private rental market result in volatility in rental investment and weak tenant rights which do not facilitate secure occupancy. As already mentioned, most common landlords are private individuals who either let one to two properties.

Tenants, in the private rental sector in Australia sign leases of usually between 6 and 12 months. Landlords can terminate leases after each lease period without having to give any reason.

Shared accommodation is a common living arrangement for Australian young adults, after leaving home or after graduation from universities. Two, three or more get together and rent, usually a house.

*Secondly*, states/territory housing authorities provide public housing. Originally public housing provided housing for most of Australia's working class households and civil servants after WW II. Today, public housing has become a residual sector for households with low or no incomes, like many pensioners, persons with disabilities, immigrants and person with mental or health problems.

Continued on next page ➔

"Home ownership is an aspiration for many Australians and has widely been referred to as 'the great Australian dream'. Ownership may bring a sense of privacy and autonomy for the owner, including the freedom to make changes to the physical structure and appearance of the home. Home ownership also provides owners with a financial asset which can be of future benefit, especially in later life when a household's earning potential may be reduced."

Quotation from website of Australian Bureau of Statistics

## ➤ Australia and the great dream

*continued from page 5*

Public housing tenants pay a maximum of 25 per cent of their income in rent. Tenants in the public rental sector generally enjoy more secure occupancy. But some states have now introduced fixed term tenure of different lengths, in a bid to move households out of the sector as their circumstances improve.

Investments in the public housing sector have generally been very limited the last 20 years, and many high-rises and walk-ups suffer

from too little attention. But, in Melbourne the Dept. of Human Services is re-developing several housing estates with successful results, and where tenant committees take an active part in the renovation and continued up-keep. Such a good example is the Collingwood public housing estate; [www.collingwood.vic.au](http://www.collingwood.vic.au).

A third rental sector is the not-for-profit sector, run and managed by churches or non for profit organisations, and often referred to as social housing in Australia. Rents in this sector are slightly higher than in public housing, although the tenant can recoup some of the rent through Rent Assistance payments.

Housing assistance, Commonwealth Rent

Assistance (CRA), is the largest single component of housing assistance for tenants, and paid by the Australian Government. CRA shall provide additional assistance to income support recipients and low income families in the private rental market. In 2011, more than one million persons or couples were entitled to rent assistance. The average rent paid by CRA recipients was \$410 per fortnight, while the average rent assistance received was \$101 per fortnight.

For more facts & figures visit: [www.censusdata.abs.gov.au/census\\_services/getproduct/census/2011/quickstat/0](http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/0)

Text and photo Magnus Hammar / IUT

# Australia, and IUT members

### Tenants Advice Service WA



Established in 1979, 11 staff, HQ in Perth.

TAS remains the only specialist legal service for tenants in Western Australia. TAS provides services and information to tenants and community workers who assist tenants in both metropolitan and rural WA. TAS also engages in law and policy reform to improve the legal and social position of tenants.

Executive Officer: Kevin Street [www.taswa.org](http://www.taswa.org)

### Tenant's Union of Victoria, TUV



Formed in 1975, 27 staff, HQ in Melbourne

TUV does advice advocacy to some 18,000 tenants / year, legal representation, as well as education, training and information provision. TUV also produces various resource literatures to enable tenants to avoid problems and to resolve them if they arise. TUV does training of community service workers. Most common legal problems are about repairs or maintenance, about bonds, notices to vacate and terminating fixed-term tenancy agreements.

Chief Executive: Mark O'Brien  
[www.tuv.org.au/](http://www.tuv.org.au/)

### Tenant's Union of Queensland, TUQ



Formed in 1986, 18 staff, today. HQ in Brisbane

TUQ does telephone and face to face tenancy advice; legal casework on tenancy and related law; delivery of training in tenancy and related law and support to the network of 22 local tenant advice services (TAS) across the state; provide systemic advocacy regarding public and community housing and the private rental market. Most worrying for TUQ is de-funding of TUQ and TAAS, insecure tenure and state of rental premises.

State wide coordinator: Penny Carr  
[www.tuq.org.au/](http://www.tuq.org.au/)



### Tenant's Union of New South Wales

Established in 1976, 15 staff, HQ in Sydney

TU NSW advocates for the reform of policies and laws affecting tenants, conduct test case litigation to advance the interests of tenants, and supports state-wide network of 24 Tenants Advice and Advocacy Services through training, resources and legal advice.

Biggest issues for renters in NSW are a lack of affordable housing for low and medium income renters, and an insecure occupancy system caused primarily by "no grounds" notices of termination.

Executive Officer: Julie Foreman  
[www.tenants.org.au/](http://www.tenants.org.au/)

### Tenant's Union of Tasmania



Established in 1979, 6 staff, HQ in Hobart

TUT does advice, drop-in and telephone service. TUT provides advocacy for tenants, through legal representation by negotiating with landlords and/or agents and representing clients in conciliation and court hearings. TUT also provides systematic advocacy for the general rights of tenants and seek to improve conditions of rental housing.

Coordinator and principal solicitor: Meredith Barton  
[www.tutas.org.au](http://www.tutas.org.au)

### Tenant's Union ACT

Founded in 1994, 5 staff, HQ in Canberra

TU ACT does tenants' advice service: telephone advice, also legal case work, policy work, responding to tenant's issues, identifying areas for change; community legal education on tenancy matters. Crucial for many ACT residents is the lack of affordable rental housing.



Executive Officer:  
Deborah Pippen  
[www.tenantsact.org.au/](http://www.tenantsact.org.au/)



# Tenants need to be at the table

*My name is Merrilyn Rowler, and I am a public housing tenant in Queensland, Australia. Our family became public housing tenants, 28 years ago, following the birth of the youngest of my three children, and ill health impacting on the working life of my husband. Public Housing was a godsend to our family, and certainly saved us from becoming homeless.*

In Australia, public housing is part of a national social housing system which is publicly owned and managed. The trend today in Australia, as in other parts of the world, is for governments to exit this traditional form of public housing, and hand over, initially management, and in time, title of these properties to Community Housing Organisations, like housing associations, co-operatives and church owned housing.

I have been involved with Tenant Participation for over 25 years, some 3 years before our state developed and implemented a for-

mal Program, and before I understood that what I was doing was called Tenant Participation.

**Tenant Participation and Neighbourhood Development Program** was a program developed in 1990 by the Queensland Government. The initial focus of the program was to support tenants to raise local issues, mostly focusing on maintenance for their properties, and making change to the not so tenant focused culture, of the Housing Commission of the day.

The groups were also encouraged to identify and engage in community activities, which were important to the wider development of their community. These activities included basic access to computers and training in their use, support for return to work activities, programs around healthy lifestyles, art groups, play groups, and vacation care programs to name but a few. As these groups grew in strength the Local Tenant Group structure expanded, and saw the development of Regional Tenant Groups. In all, 17 regional tenant groups were formed, one for each regional Department office.

Tenants also began to identify issues which were impacting on their lives. But when raised with Regional Offices of the Department, the response was that they were unable to make any changes to these policies, as they were state wide operational policies.

Tenants were certain they were in a prime position to identify changes which would close gaps, and ensure that policies were fair and reasonable, and administered consistently across a very large state.

**Tenant Groups** established a small working party, sought external funding, and developed a state wide peak organisation to represent tenants. The preferred structure was a representative one, with both local and regional tenant groups electing a delegate from their region, to represent them at this state level. Formed initially by a grass roots process, the peak remained unfunded for 2 years before Government identified the value of Queensland Public Tenants Association (QPTA), to their work, and agreed finally to fund the organisation. QPTA worked successfully alongside Government and was supported by the local and regional network, for 11 years, prior to being defunded in 2007. This was the first time that tenants sat "at the table" with the real decision makers, including Government ministers and bureaucrats speaking for themselves and negotiating for tenants directly.

**The single biggest issue facing tenants** is the move to transfer public housing stock to Community Housing Organisations. The impetus for this major change is growing rapidly, driven by Governments of both political persuasions, and by the Community Housing sector. The direct involvement of tenants in the strategic decisions around this plan has been almost non-existent, and the inclusion of tenants around operationalizing this strategy has been less than optimal as well, especially as the identified main outcome of the strategy, is to deliver a better outcome for tenants.

My aim is to continue to advocate that tenants must be a key stakeholder, "at the table" in this major change to social housing in Australia.



Merrilyn Rowler, President  
Mackay Regional Tenant  
Group, 1987 – 2012,  
President QPTA 1996 – 2007.



# IUT at the World Urban Forum

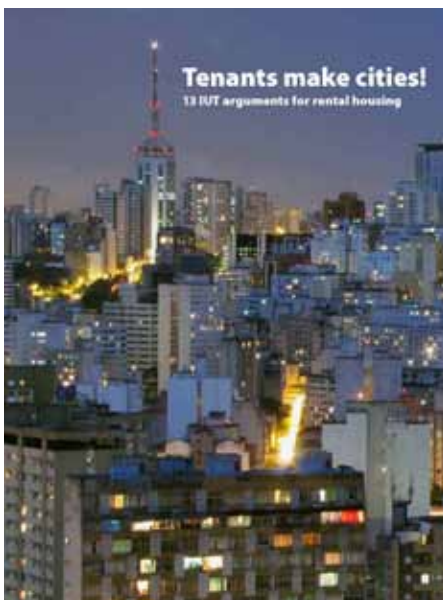
*In the beginning of September the UN, together with the city of Naples, arranged the 6th World Urban Forum, WUF. This Forum is the UN agency Habitat's international meeting place for sustainable urban development, organised every second year.*

*IUT was one of several participating non-governmental organisations which had travelled to Naples to bring up the importance of affordable rental housing, in order to achieve good city development.*



The conference was attended by over 10 000 delegates from 174 countries. The WUF is truly a forum for debate and discussion, and exchange of ideas and know-how. Even though national governments participate, no political decisions are made at these Forums. This year's theme was 'The Urban Future', with a focus on how to deal with increased urbanization without developing slums.

One of IUT's present priorities is to achieve tenure neutral housing policies – meaning that ownership should not be a lone star and favoured by governments. Ownership and rental housing should be more on equal footing, tax wise and legally wise. IUT's demand was approved of by many at the WUF, of which one was the Swedish housing minister Attefall. Minister Attefall clearly stated



that his government wanted more economic tenure neutrality between rental- and ownership housing and that rental housing is currently treated unfairly tax wise.

"Tenants make cities – cities need affordable rental housing", was the theme for IUT's networking event. The presenters stated that rental housing is needed in cities of today, and that rents should be affordable for the average household – at the same time as rental housing has been marginalised in many countries. Time has come to break this trend, and for this we need political commitment and will.

IUT President Sven Bergenstråhle stressed the importance of a sufficient rental

Naples is the capital of the region Campania. Naples has about 500 000 rental flats, which provides for roughly one third of the housing stock. Most rental flats are privately owned, with a minority of the tenants have written formal leases, where rent averages for € 450 per month for 70 m<sup>2</sup>. The city and its municipal bodies own and administrate about 100 000 flats for which the rent is set according to household income and size of family. The city has tried to sell some of its stock to the sitting tenants, but so far only a few thousand have been privatized.

sector in every country, as an integrated part of a well-functioning society.

Barbara Steenbergen, head of IUT liaison office in Brussels, observed that even though the EU does not have a housing policy, and should not have according to the principle of subsidiarity, the EU has more and more influence on the conditions for social/public rental housing in Europe. We have witnessed how public/social housing has been challenged by the private landlords in first Sweden, the Netherlands and now in France. Also, the demands from the EU to reduce deficits in the budgets of EU member states can have negative influence on the public/social rental sector.

Magnus Hammar, IUT secretary general, brought up '13 arguments for increased attention to affordable rental housing'; No capital is needed, it is convenient and flexible, and it is often preferred by the young and enhances social cohesion.

**Text** Peter Forsman,  
Swedish Union of Tenants



IUT at the World Urban Forum, from left: Guido Piran (Secretary General SICET), Sven Bergenstråhle (President IUT), Magnus Hammar (Secretary General IUT), Massimo Petterlin (National Secretary, SICET) and Barbara Steenbergen (Head of IUT Brussels).





# Naples, love at first sight

– but behind its beautiful façade another Naples stands out

*Naples is a city “where the moon hits you eye like a big pizza pie, that’s amore. When the world seems to shine like you’ve had too much wine, that’s amore...” according to Dean Martin.*

Naples is with its 4,5 million inhabitants in the top ten of the most populous urban areas in the Europe. The city has experienced significant economic growth since World War II. But today, the city is borne by high unemployment levels, of political and economic corruption and of organized crime and a thriving black market. Also, housing needs are pressing. The city is not exactly an example of orderly urban planning and good housing conditions. The devastating 1980 ‘Irpinia’ earthquake in Southern Italy, that killed almost 3 000 people and left 300 000 homeless, also stroke Naples and Campania region.

Scampia is probably the most well-known degraded neighbourhood in Italy. Scampia,

with its infamous housing estate ‘Vele di Scampia’ – the Sails of Scampia – played a prominent role in the 2008 movie Gomorra about the powerful Neapolitan mafia, Ndrangheta. According to Gomorra’s filmmaker, Roberto Saviano, Scampia is the biggest drug selling location in the world. The 14 floor housing complexes, into which low income people moved in the 1970s, has turned into a ghetto with a high level of mainly drug related crime. Many of its residents consider Le Vele to be a city beyond hope and advocate for its demolition, as well as a fair rehousing program for the inhabitants.

Romani people, of which there are some 170 000 living in Italy, often live under deplorable housing conditions in Europe. Only 40 000 live in camps tolerated by the Italian authorities, of which Giugliano in Naples is one of them. Others are shuffled around, often brutally evicted. These eviction orders violate the International Covenant on Economic, Social and Cultural Rights (ratified by Italy) which prohibits evictions without adequate alternative housing. The Special UN-Rapporteur on the right to adequate housing,



PHOTO: MAGNUS HAMMAR / IUT

Somewhere in one of the streets of Naples the chef Esposito, in 1889, created the first real pizza, ‘Pizza Margherita’, with tomatoes, mozzarella cheese, and basil, to represent the colours of the Italian flag.

Raquel Rolnik was in Naples to take part in both the World Urban Forum and the Urban Social Forum. Due to the many problems faced in Naples and Italy, she has reiterated the need to carry out an official mission to Italy in the coming months.

**Text** Agnes Verweij, Woondbond



The Vele di Scampia, Sails of Scampia, constructed 1962 – 1975. Today in a state of decay, although still occupied by residents.

# New York – where the majority rents

*The majority of New Yorkers, 65 per cent, rent their homes. Almost half of all NYC apartments were covered by rent regulation in 2011, of which the most are categorized as rent stabilized, where rents are set annually by the Rent Guidelines Board. Tenants in New York have had a long tradition to organise themselves.*

New York State Tenants & Neighbors Coalition was established in 1972 by a group of tenant advocates and organizers who came together to fight for pro-tenant legislation in New York State. The Coalition has primarily focused on legislative organizing and advocacy at the state level around issues related to tenants' rights and the preservation of at-risk rent regulated housing.

In the mid 1990s, the Coalition established an affiliate organization, the New York State Tenants & Neighbors Information Service, which focused on organizing tenants at the building level, helping them develop campaigns to preserve the long-term affordability of their homes. The Information Service currently organizes tenants in project-based Section 8 housing, Mitchell-Lama housing, and rent regulated housing.

Tenants & Neighbors is located in New York Manhattan and has a small staff of six people. The joint mission of both organizations is to build a unified and powerful statewide organization that empowers and educates tenants; preserves affordable housing, livable neighborhoods, and diverse communities; and strengthens tenant protections. Our work alongside tenant leaders and allies is part of a long history of tenant organizing in a city comprised largely of renters.

In New York City as a whole, two-thirds of people rent their homes; the rental rate in some parts of the city is higher, up to 80 per cent in the Bronx and 75 per cent in Brooklyn and Manhattan. The 3.3 million rental units in the city include many different types of housing: market rate (unregulated), rent regulated (rent stabilized or rent controlled), project- and voucher-based Section 8 (government subsidized housing), Mitchell-Lama (a New York State housing program), and public housing (New York City Housing Authority, NYCHA).

**Our work alongside tenant leaders and allies is part of a long history of tenant organizing in a city comprised largely of renters.**



## Home truths about New York City



Source: U.S. Bureau of the Census, 2011 New York City Housing and Vacancy Survey.

Different rules and regulations apply to all these types of housing, and include different protections for tenants. For example, unregulated tenants do not have a guaranteed lease renewal, and their rent can be set at whatever the landlord decides. In comparison, tenants in rent stabilized apartments, which account for approximately 1 million units, are guaranteed a lease renewal, and annual rent increases are restricted by the Rent Guidelines Board, a group of nine people appointed the Mayor.

What unites all tenants who live in affordable housing in New York City is the prospect of their homes becoming unaffordable to them. There is a severe housing shortage in the city – the vacancy rate is typically under 3% – which means that in the absence of government regulations and restrictions on how much landlords can charge tenants, rents would skyrocket.

It also means that many owners have a strong incentive to try to take their buildings out of affordability programs and convert them to market rate or luxury housing; there are a number of loopholes in the laws that allow landlords to deregulate regulated and subsidized housing.

Forces of gentrification are rapidly displacing many long-term low and middle income residents from their rent regulated or subsidized homes, as rents continue to rise. Today, tenant organizing is as important as ever not only to protect and strengthen tenant rights, but to preserve neighborhoods and communities in a city that is largely comprised of renters.

**The Work of Tenants & Neighbors.** Given the scope of the problem in New York City, we believe that we cannot merely preserve affordable housing building by building; we must also work on long-term system change campaigns to address the underlying causes of loss of affordability.

**The Information Service's** current campaigns include working with a coalition to urge the state regulatory agency, Homes and Community Renewal (HCR), to issue stronger rules and regulations to enforce rent laws; and crafting a new campaign to preserve Mitchell-Lama housing and recapture old Mitchell-Lama buildings to make them affordable again.

Legislatively, we are working alongside tenants living in government subsidized housing to launch a campaign





Tenants & Neighbors demonstrating for reformation of the Rent Guidelines Board, RGB.

PHOTO: BY PERMISSION TENANTS & NEIGHBORS

to urge the federal government to fully fund all forms of government-subsidized housing. Furthermore, we work on strengthening tenant protections for rent controlled tenants and rent stabilized tenants in various ways. Our leadership committees, which are made up of tenants from each type of housing, guide our work and help shape our campaigns.

**Recent successes** of Tenants & Neighbors and the tenant movement in New York include a renewal and strengthening of the rent laws in 2011, which increased protections for rent stabilized tenants for the first time in more than 20 years.

Also, in June 2012, the Rent Guidelines Board, which meets annually to set rent increases for rent regulated tenants, set rent increases at the lowest they have been in ten years. In the past year, we have also been successful in pushing the state housing agency HCR to create a Tenant Protection Unit, TPU. This Unit shall enforce the rent laws and ensure that landlords are not violating the laws as a means of deregulating rent regulated apartments.



Little Italy is one of New York's many ethnic neighbourhoods.

Tenants & Neighbors continue working to ensure that the new TPU is as effective as possible.

We are also involved in many Housing Part (HP) actions, when a tenant brings a case against a building owner in Housing Court to get an order to correct the conditions. With the support of lawyers, we have been able to get much-needed repairs in apartments all over the city.

**Tenants & Neighbors'** two affiliate organizations are constantly working on many fronts – local grassroots organizing and advocacy, city and state – wide legislative efforts, leadership development and education – towards our vision of a New York that is diverse and affordable to all people.



**Text** Sabine Bernards, Tenant Organizer, Tenants & Neighbors, [www.tandn.org](http://www.tandn.org).





PHOTO: KENNY MUIR, BY PERMISSION WIKIMEDIA COMMONS

Universal Credit brings clouds over Scottish tenants, or welcomed reforms?

# Universal credit in Scotland

*Housing in Scotland is a devolved matter for the Scottish Parliament. However, the welfare system including housing benefit is determined by the Westminster Government in London. The proposals to reform the welfare benefits system will have an impact on tenants and landlords across the UK, when its measures are rolled out over the next few years.*



Universal Credit will be the new single benefit and will replace all current benefits. The changes are intended to “make work pay” and encourage people into work rather than relying on the welfare system. This is intended to streamline the benefit system so applicants need only complete one form covering all aspects of welfare benefits.

Universal Credit applications must be done on-line. This assumes that all claimants have access to a computer in their home or in their locality, for example the local library. It also assumes that everyone is computer literate.

The Credit will be paid monthly in arrears to one individual. If for example, four adults of working age live in the home, and all are eligible for benefits, the money will be paid to one person who will be responsible for giving other family members their money. Paying monthly is intended to help people to get used to monthly budgeting, as is the case for those receiving a monthly salary. Some families will deal with this easily, for others it will create difficulties.

Housing benefit is the welfare benefit intended to meet costs for rented accommodation in the UK. Currently most tenants in Scotland opt to have their housing benefit paid

directly to their landlord. Under the new system tenants will be paid their rent money into their own bank accounts as part of their universal credit. Many tenants do not want their rent money paid to them and do not want the temptation of having a substantial amount of money paid to them directly.

In light of this, many housing organisations and campaigners are predicting a rise in rent arrears, with arrears peaking at significant times, such as Christmas. Staff who normally supports tenants to maintain their tenancies will instead be required to focus on rent collection and taking action against tenants who default on rent payments.

‘Bedroom tax’ is one of the most controversial issues for tenants and landlords. It is common practice in Scotland for social landlords to allocate couples a 2-bedroom home. This means if they have a family they can continue to occupy the same home. Due to undersupply of one bedroom properties, it is not uncommon for landlords to allocate 2-bedroom properties to single people.

Welfare reforms have dictated that single people or couples only need one bedroom and therefore they will only pay benefit for one bedroom. Tenants will not receive benefit for any additional bedrooms they have and those with one additional bedroom will lose an average of 14 per cent of their benefit. Those with two or more extra bedrooms will lose an average of 25 per cent of their benefits. Most landlords do not have alternative accommodation to transfer people into and tenants that are unable to downsize will have to find the money to pay for the part of their rent that is not covered by benefit.

TPAS Scotland, tenant associations and housing organisations are gearing up to identify who will be affected and working with them to assess their options – if there are any. Nobody can argue that reform was needed, but the nature of the reforms is worrying. The broad consensus in the housing sector is that the reforms will impose unmanageable financial burdens on individuals and families, rising debt and an increase in homelessness. Worrying times ahead...?



**Text** Lesley Baird,  
Chief Executive,  
TPAS Scotland



# What's IUT been up to lately?

## The EU, and energy

The rent represents just a part of housing expenditure, energy being also an important component of total housing costs. On September 26, Barbara Steenbergen, Head of IUT's liaison office to the EU, participated in a European Parliament workshop on energy poverty in the Eastern Europe. Tenants in these countries experience high energy costs because of the general poor quality of their accommodations, mainly because of bad insulation. Barbara presented IUT's policy recommendations on the issue.

**Staying on the subject**, the IUT also took part in a EU Commission's Working Group on Vulnerable Consumer, on October 2. IUT provided inputs and best practices examples for reducing energy poverty in the EU. A table has been drafted by the group, which provides explanation on different drivers of vulnerability and policy instruments to use in order to solve this major problem.

## The EU, and social housing

On October 30, IUT together with French member CNL and the Dutch Woonbond participated in a hearing at the European Economic and Social Committee about the allocation of social housing in Europe. Ronald Paping, Director of the Woonbond, criticised his governments' decision to lower the income cap for access to social housing, and proposed a new and higher cap of €40 000, from the present €34 000.

As a part of Brussels Open Days 2012, the European week of cities and regions, on November 15 Barbara Steenbergen presented major EU housing policies in the Vienna City Hall. More than 100 participants followed the invitation of the mayor of Vienna, as well as Michaela Kauer, director of the Vienna House in Brussels.



Ronald Paping, Director of Woonbond Nederlandse.

## Congress of Danish Tenant's Union, LLO

Helene Toxværd was re-elected as Chairman of the Danish Tenant's Union for another three year term at the congress of LLO (Lejernes Landsorganisation), November 3-4. Helene Toxværd was pleased to have firmly established 'rental housing and tenants rights' on the political agenda in Denmark. LLO has 45 000 members.

IUT President Sven Bergensträhle congratulated Helene Toxværd on her re-election, and confirmed the strong links between LLO, IUT and the Swedish Union of Tenants. Mr Bergensträhle stressed that lack of affordable rental housing is an impediment for flexibility and economic growth.



Helene Toxværd, Chair of LLO, and IUT President Sven Bergensträhle.

## IUT President meets with President of Croatia

At IUT's regional conference in Zagreb, Sept. 29-Oct 1, organised by Croatian Union of Tenants (USH), IUT President Sven Bergensträhle met with the Croatian President Ivo Josipović. According to President Josipović, Croatia is in great need of affordable rental housing, after years of focusing on homeownership. The President wanted to learn more about rental housing in western Europe, and he was particularly interested



From left; President of USH Marijan Babić, Croatian President Ivo Josipović and IUT President Sven Bergensträhle.

in European models of rent tribunals. IUT was also represented by Jørgen D. Jensen from LLO, the Danish Tenant association.

## Czech Union of Tenants, SON, 20 years

Sdružení Nájemníků CR (SON), celebrated its 20th anniversary in Prague on October 5.

SON is one of the initial members and founders of IUT at its constituent assembly in Zürich 1923, then representing Czechoslovakia. Milan Taraba is SON's chairman today.

IUT was represented by President Sven Bergensträhle and Barbara Steenbergen, head of IUT's office in Brussels.

## IUT in Australia

IUT Secretary General Magnus Hammar spoke at the plenary session at the 7th Australian National Housing Conference in Brisbane, Queensland, Oct. 30-Nov. 2. Magnus presented the European situation in rental housing, and compared, among others, the low security of tenure in Australia with the more secure situation in Europe.

Magnus Hammar also met with the then housing Minister of Queensland, Dr Bruce Flegg, and expressed his worries on the government's defunding of the Tenant's Union of Queensland.

From Brisbane, Magnus travelled to meet with IUT's members in Sydney, Canberra, Hobart and Melbourne.



Magnus Hammar

# Seattle, ensuring the Right to Healthy Housing

*Seattle tenants in the state of Washington won a 20 year battle on October 1st, to ensure healthy housing for all Seattle tenants. The new Rental Housing Inspection Program (RHIP) is a basic proactive inspection program that will ensure that all rental housing meets minimum of health and safety standards.*



With tenant leaders at the core of the campaign, the Tenants Union of Washington State (TU) and our wide coalition of supporters is celebrating a historic victory for tenant rights.

– I became involved with the RHIP campaign as a tenant leader, says Corey Snelson. I was living in a substandard dwelling, established illegally, with no fire escape, and teeming with mold growth. After contacting the Tenants Union of Washington for advice, I learned how to request an inspection and assert my rights to healthy housing.



Corey Snelson became a tenant leader after having experienced bad housing in Seattle.

This course of events highlights an enduring problem with the current inspection system of rental units in Seattle; inspections are based solely on tenant and neighbor complaints. If a tenant is not aware that this complaint-based program exists, or they have reason to suspect that their landlord may retaliate against them if they are reported, tenants are left without an enforcement mechanism to assert their rights and demand their basic human right to healthy housing.

Florencia Ybarra is another tenant leader, who experienced retaliation when she asserted her rights to repairs under the complaint-based system. Florencia was living with her children in an apartment infested with



Young activist at the TU Seattle.

cockroaches and black mold. Her family was forced to sleep with the lights on at night because if they turned the lights off, cockroaches would crawl on her children's faces as they slept.

Florencia's landlord refused to make repairs.

– My landlord refused to take my money and instead filed an eviction, only because I called code enforcement! says Florencia.

In Washington State, any time a landlord files an eviction lawsuit, it remains on the tenant's record for life, creating a barrier that makes it virtually impossible for the tenant to access housing in the future. Eventually made homeless by the health concerns in her unit, Florencia has been separated from her children while she tries to find a new home.

Florencia and Corey are just two of more than 27,000 Seattle tenants living in substandard housing, and Florencia is one of thousands of tenants in King County who have been unjustly blacklisted due to a retaliatory eviction when they tried to assert their rights.

**Tenant leaders**, together with advocates and coalition members, organized to educate elected officials, combat myths from the rental housing industry, and gain community support in order to win the healthy housing ordinance.

Corey wrote about her experience:

– I have had the pleasure of speaking repeatedly in front of Seattle City council, helped teach my neighbors how to assert their rights under the Landlord/Tenant Act, and work to empower my neighbors who cannot use their voices to be heard, says Corey.

The Rental Housing Inspection Program will require Seattle landlords to register with the city, and will require the city code enforcement agency to proactively inspect all of Seattle's rental housing for health and safety code violations, on a 5 year cycle. In 10 years, all housing will have had its first inspection.

We at the TU are proud of our work, and the leadership of tenants who overcame enormous adversity to win a meaningful program to ensure that all Seattle tenants can live in housing that is healthy and safe for our families.

**Text** Stina Janssen, Tenants Union Organizer, with contributions by Corey Snelson, Tenants Union Board Member, and Florencia Ybarra, Tenants Union Member  
[www.tenantsunion.org](http://www.tenantsunion.org)



PHOTO: BY PERMISSION TU SEATTLE





Edvard Kvasnevskis  
outside his Art  
Nouveau house  
in Riga.

# Kvasnevskis vs. the State of Latvia

***A Latvian court has issued an order that Edvards Kvasnevskis and his family shall be evicted. Edvards lives in a restituted house in Riga and he and his family are now forced to look for a new home on Riga's highly speculative housing market. But he does not have the money to rent nor to buy.***

A quarter of a million Latvians has spent money and labour on flats for which they have had secure leaseholds, and which have now been taken over by heirs of the pre-1940 owners, when Latvia was annexed by the Soviet Union. When Latvia became independent in 1991, the process of restitution was commenced, to re-privatise state property.

But, two wrongs don't make a right, and Edvards and his neighbours decided to sue the state of Latvia in the European Court of Human Rights.

Contrary to the most in his house, Edvards has kept every single document from when he moved in, which shows the course of events around the house. Edvards also runs the Latvian tenant association, Latvijas Irnieku Apvienība. Most of his 120 neighbours in the beautiful Art Nouveau house are active members.

Some 25 years ago Edvards and his neighbours renovated their house. They also built a new house in the same block, a co-operative house, including a sports centre, an assembly- and hobby room. When it was all done, the builders could choose from a flat in either the old or in the new house – a choice showed to be of decisive importance. After restitution, those who chose a flat in the co-op later became the owners, and became rich – while Edvards and his neighbour Galina Krilova, who chose flats in the old house, got nothing when the house was privatised.



Edvards in his kitchen, with a damp stained ceiling.

The smell of mould is striking for a visitor to Edvards' flat. The damp stains in the ceiling originate from the flat above, from a leak which the new owner ignored to repair. On the other hand, Edvards refuses to pay more than € 15 /month, which was the rent until 2002, set by the state.

Property owners with less persistent tenants made a lot of money by selling flats when the real estate market boomed, which later became a bubble. Prices soared from the first quarter of 2007, with the assistance of mainly Swedish banks. Two years later, about 75 per cent of the value was gone, while the loans remained.

Today there are no cheap loans and Riga experience an increase in the rental sector, for the first time since 1991.

– People with money buy up two or three flats which they then let out, says Aldis Riekstins, at the real estate company Latio.

Aldis Riekstins show us a 67 m<sup>2</sup> flat in the old part of Riga, for the price of €108 000. This is roughly what Edvards' flat is worth, and what is at stake in the European Court of Human Rights. This is big money for Edvards and his wife, both pensioners, and their unemployed son, whose jointly income is €490 / month. The cold rent for a one-bedroom flat in Riga is around €300.

– This is deeply unfair. We and many other households in our situation don't stand a chance in this housing market, says Edvards. I am sure that we will win in the Court, in a few years, but where shall we live until then?

**Text and photo** Börge Nilsson / Textra

SENDER: International Union of Tenants  
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SWEDEN



**International Union of Tenants**  
together with  
**Polskie Zrzeszenie Lokatorów**

## invite you to IUT Congress 2013

**Kraków, Poland**  
**October 25-27, 2013**



### SINGAPORE

#### **Singapore tests eco-friendly homes**



Singapore's first public housing blocks built to be environmentally sustainable have become the testing ground for future projects. Various eco-friendly features have been installed that helps in terms of capitalizing on the wind, enhancing greenery, reducing energy consumption, water usage, and promotes waste recycling.

Over 80% of Singapore's residents live in publicly subsidised ownership housing, called HDBs, after the government agency that builds them.

Source: CNN.com

### UGANDA

#### **Restrictions on evictions**



President Yoweri Museveni has called on political leaders in the country to defend tenants from being evicted unlawfully by landlords. Museveni is responding to concerns raised by district chairperson Lukooya that landlords had refused to receive busuulu (nominal ground rent) from their tenants. Lukooya said there was uncertainty and fear among tenants on where to take the busuulu, and the law is silent on this. President Museveni said the law may be amended to provide a remedy to this. He urged people to report cases of unlawful evictions.

Source: allAfrica.com

### USA, CHICAGO:

#### **Elvis came from public housing**



For some, music lifts the soul. For others, it lifts them out of poverty. "The Sound, The Soul, The Syncopation" is an exhibit at Expo 72, at the Public Housing museum, that explores the connection between public housing and legendary musicians – like Barbara Streisand, Dinah Washington, and Elvis Presley. See more on [www.publichousingmuseum.org](http://www.publichousingmuseum.org)

Source: abclocal.com

### ENGLAND

#### **'Bedroom tax' dilemma**



People living in social housing who have a spare bedroom will find any housing benefit claim reduced by about £40 to £80 a month next April under welfare reforms. But research seen by the BBC suggests almost 95,000 people in England could be forced into arrears because there are no smaller homes for them to move into.

Source: BBC

### SWEDEN

#### **Stockholm**



The share of rental housing vs. ownership is decreasing rapidly in Stockholm. In 2001 the share was 62 per cent rentals, and in 2011 only 46 per cent remained – 110 000 flats had been privatised. This has caused housing scarcity, and rents have gone up by 80% for flats, often newly produced, offered by the municipal housing queue.

Source: Dagens Nyheter

### SPAIN

#### **Handling effects of the financial crises**



In an effort to address the growing problem of evictions, the Spanish government intends to create a pool of low-rent public housing for families who lose their homes to the banks.

Other measures include a two-year moratorium on the eviction of particularly vulnerable people, including families with monthly incomes of below €1,600.

Source: El País