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Cover photo: Tenants' rally in Boston,
Massachusetts, by NAHT

Photo: Magnus Hammar, IUT

Social housing in a true social Europe

According to the principle of subsidiarity, policies on social/public/municipal housing are a matter of national and local governments and not a European competence. The fact that social housing policies are a national competence is a good thing. Good quality, affordable, sustainable and sufficient social (rental) housing highly depends on local circumstances and the situation of supply and demand on the local and regional housing markets. That's why IUT thinks that housing should remain a national competence instead of a European one.

So far the official story. Reality however is quite different. EU Treaty rulings on state aid pose a giant threat for good national policies on social housing. For the benefit of a free market economy and the profits of commercial landlords it is ruled in the EU Treaty that state aid is strictly forbidden, unless it is proven not to cause the least bit of unfair competition in the free market. Thanks to these rulings the European Property Federation (EPF) could post a series of complaints by the European Commission. The EPF accuses the Dutch and Swedish governments of granting illegal state aid to social and municipal housing and they hope to find the EC at their side.

Although the EC has not yet decided on the complaints, it already has had strong negative effects on national housing policies, for instance in The Nether-

lands. The Dutch Minister of Housing recently proposed to limit the target group of social housing to only the lowest income households, because 'the EC will not allow us to define a broad target group. In the Netherlands the public interest of sufficient, good quality and affordable housing is at stake.

Social housing plays a key role in reducing housing shortages, boosting the improvement of cities and neighbourhoods, preventing segregation and guaranteeing housing affordability. It thus serves many very important public interests. Therefore national governments should not be hindered by European rulings. Social housing should be regarded as Very Important Social Services of General Interest. For these VISSGI the EU ruling must be turned around from: 'State aid is forbidden, unless...' to: 'State aid is always allowed'.

RENÉ VAN GENUGTEN
SENIOR POLICY ADVISOR
OF THE NEDERLANDSE
WOONBOND AND
MEMBER OF THE IUT EU
ADVISORY GROUP



CALENDAR

2009

- October 1-3:** International Tenants' Day event in Bucharest, Romania
- October 5:** International Tenants' Day in the European Parliament, Brussels
UN World Habitat Day
- October 5:** Journée Nationale des Droits des Habitants, by CNL France
- October 5-8:** "Open days in Brussels": European week of Regions and Cities
- October 9:** Right to Housing Day, by Polskie Zrzeszenie Lokatorów in Krakow, Poland
- October 11-14:** SAHF Intern.Conf., Exhibition & Housing Awards, Cape Town South, Africa
- October 16-18:** Housing conference, by "MakeDom"/ IUT in Skopje, Macedonia
- October 23:** "Sharing the Power - Working Together", FEANTSA conference in Copenhagen
- November 23-25:** Energy efficiency in housing, conf. by UNECE / CECODHAS, in Vienna
- Oct. 31-Nov. 1:** Congress of the Danish Tenant Association, LLO, in Odense Denmark
- November 25-27:** National Housing Conference in Melbourne, Australia

2010

- July 4-7:** ENHR conference in Istanbul, Turkey
- October 1-3:** IUT congress in Prague, Czech Republic
- October 26-29:** World Congress of the IAHS, in Santander, Spain

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

Tenants and LLO, the tenants' organisation in Denmark

Independent of whether you live in private rented flat or in the social sector you can become a member of the Danish Tenants' Organisation, or Lejernes Landsorganisation (LLO) in Danish.

LLO is a nationwide nonpartisan organisation owned by the 50 000 members and designed to carry tenants' interests in both private and social rental housing and work for the strengthening of tenants' rights; For example through legislation and by maintaining the regulation of rents in the private rental sector, the strengthening and development of tenants' democracy, so that tenants have more influence over their housing and housing in general.

Denmark has 2.7 million housing units. Of these, more than one million are rental housing – that is 520 000 owned by private

landlords and 540 000 owned by social housing societies.

In the private rental housing sector some 80 percent of the homes are rented by the principle of a cost-specific and regulated rent. A smaller proportion of the homes, those built after 1991, have a so-called unbound rent fixing. The social housing is organized in over 700 housing societies. The social housing involves relatively new buildings with less than 2 percent of the houses built before 1940.

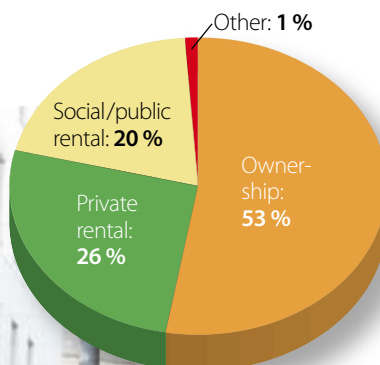
LLO assists members when they have problems with rent increases, lack of house maintenance, termination of contract or other problems that may arise between the ten-

ant and landlord. LLO also assist tenants in bringing disputes to the relevant municipal regulators and if the dispute is forwarded into the judicial system, LLO can support through legal advice or barristers.

The tenants' organisation LLO has a well-known brand with a high degree of goodwill and its views are often quoted in national or local news.

LLO is a consulting party to all legislation which relate to tenants' rights and LLO as an organisation is represented in many public committees and commissions, including appoint representatives to defend tenants' interests in "the municipal regulator for the rent", complaints committees, housing commissions, urban renewal boards, etc.

Housing tenure in Denmark, 2005



SOURCE: CECODHAS, HOUSING IN EUROPE 2007

The gap between the owners' and tenants' economic conditions from 2000 to 2008 has increased considerably. Over the last years an increasing number of studies have shown that the economic growth experienced by Denmark during the boom was unfair. One of the areas where the imbalances became most obvious was in relation to the housing market. Despite full employment at the time and a focus on prosperity and increased wealth in society as a whole, studies have clearly demonstrated that the differences in income and fortunes between different groups in society were growing.

The statistical gap of capital owned by a typical home owner and a tenant was shown by a study in 2004 to be over 1 million DKR, or approx. 133,000 euro. And while housing assets for years has grown steadily and quietly for the owners, it looks bleaker for the tenants. Generally there is a tendency that affordable rental housing for persons with ordinary incomes disappears, leading to people with ordinary incomes and single person households increasingly are being squeezed out especially from the larger cities.

TEXT HELENE TOXVÆRD,
CHAIRWOMAN OF THE TENANTS
ORGANISATION IN COPENHAGEN, LLO

PHOTO IUT

Streetscene
from Aarhus.



Europe makes a difference!

Global Tenant correspondent Anna Östberg, met with IUT's lobbyist in Brussels, Barbara Steenbergen.

GT: *Barbara, you spend many hours in the huge modern building of the European Parliament, only five minutes from your IUT office. Can you with few words describe the role and objectives of this Parliament?*

BS: The European Parliament is one of three important political institutions of the EU. Legislative proposals, or EU directives, are drafted by the EU commission. The Parliament can change these proposals by amendments. The third institution, the EU Council, decides about the final version. The result becomes an EU directive, which has to be implemented into national laws of the now 27 member states of the EU.

GT: *Can you please describe this Pan-European Parliament. Who can vote?*

BS: Elections are held every five years. Every EU citizen is entitled to vote, and to stand as a candidate. Each of the 27 states is assigned seats, 736, in the Parliament according to their population. In June, 375 million European citizens were eligible to vote for the new Parliament. The turnout was disappointingly record low, only 43 percent. The Members of the Parliament organise themselves in ideological, rather than national, political groups.

GT: *What are these political groups, and how are they divided?*

BS: The MEPs do not sit in national blocks, but in seven Europe-wide political groups. The conservative group, European People's Party (EPP) group, managed to hold its ground as the largest group with 36 % of the votes. The Alliance of Socialists & Democrats (S&D) lost heavily and got only 25 % of the seats. Third is the liberal ALDE group with 11,4%. The Greens, by contrast, had a quite good result with 7, 5%. The fifth largest group is the ECR, the euro-sceptical and anti-federalist conservative political group with 7,3 %. The left wing group GUE/NGL has a share of 4,8 % and finally another euro-sceptic group right-wing, EFD, has 4,3 %. Non attached has 3,7 %

GT: *Was there any significant political wind blowing this time?*

BS: Yes, while the vast majority of the



IUT EU lobbyist Barbara Steenbergen.

MEP:s represent Pro-European parties, the increased number of votes to far right-wing parties is a cause for concern. The British voted through two British National Party MEP:s. Other far right wing MEP:s, often with anti immigration or racist slogans, were also elected in Austria, Italy, the Netherlands, Denmark, Slovakia, Hungary and France.

GT: *For someone outside Europe, how do you explain the Lisbon treaty, and its role?*

BS: The Treaty of Lisbon, signed in Lisbon on 13 December 2007, is an EU treaty designed to reform the working methods of EU. But, the treaty can not come into effect before it is ratified by all 27 states. The Irish voted "No" in June 2008, so the "old" Treaty of Nice is still in use. The Lisbon Treaty prescribes 751 seats instead of today's 736 seats. Further, more power to the Parliament is prescribed in the Lisbon treaty, including over the appointment of the powerful post as President of the European Commission.

GT: *How much influence does the European Parliament have on its member states? And on the tenant's situation?*

BS: A lot of influence! More than 80% of the national legislation in the EU member states is determined by European legislation. EU-directives have direct impact on national housing and energy policies. The EU parliament plays the same role as national parliaments-as at national level we need partners to make sure legislation covers tenants' rights and interests.

GT: *Could you give us a few examples of important EU Laws, which affect tenants?*

BS: Yes, the Renewable Energy Directive, about the obligation for every country to make instalments, when refurbishing an old house or constructing a new house, that make the use of renewable energy sources possible. Then the Energy Performance Buildings Directive, with the duty for landlords to hand out energy certificates, to enable tenants to check the energy consumption and costs. There is also money available from the EU structural funds for energy efficient refurbishment. [see more on page 5 – Ed.]

GT: *In what way does the opening of the EU structural funds for housing and the EU cohesion policy affect tenants?*

BS: The European cohesion projects are financed by structural funds. A top priority for IUT is to fight housing exclusion. And today 16 % of all European citizens live in poverty with insecure tenures. In several east European countries evictions are frequent simply because the laws are inadequate or if there are laws – they are not implemented properly and corruption is occurring.

GT: *What are the upcoming European housing events?*

The International Tenants Day on October 5 in the European Parliament is of course IUT's main event in 2009. This is an opportunity to let our voices be heard, and anyone interested is welcome to join the conference! [read more on last page, 16 – Ed.]

In January 2010 Spain succeeds Sweden as EU President and they will organise a housing ministers meeting in June. These meetings are important dates for new European policy guidelines on housing.

TEXT ANNA ÖSTBERG, EUROPEAN POLICY ADVISOR AT THE SWEDISH UNION OF TENANTS

"Tenants make a more social Europe"

IUT sends five requests to the newly elected MEP:s in the European Parliament:

1 Everybody should have the right to affordable and decent housing – the right to housing is a fundamental right

The constitution of Europe, the Lisbon treaty, has to guarantee social rights on key territories. The right to housing is a fundamental right which has to be part of the national constitutions as well of the Lisbon treaty.

2 Apply EU state aid rules to support our national systems of financing affordable housing.

Decent and affordable housing in healthy and decent neighborhoods is one major pillar of the social and territorial cohesion policy. EU member states should actively promote the construction and the maintenance of social housing. The EU Commission shall apply suitable state aid rules to support these member state policies – and not jeopardize it.

3 Fight housing exclusion and energy poverty – ensure that enough EU-public funding is committed to make energy efficient housing more affordable for low income groups.

78 million people, 16% of the European population, are at risk of poverty. The costs for housing, heating and electricity have been increasing rapidly. Key workers have massive problems finding affordable rental housing in the cities. Low income households living in run down housing are endangered by energy poverty. Energy-efficient renovation of housing is the most effective method to fight energy poverty.

The EU 20-20-20 climate commitment (20% less greenhouse gas emissions, 20% more energy efficiency and 20% share of renewable energies until 2020) will not be reached without focusing on the existing housing stock responsible for 40% of Europe's greenhouse gas emissions.

EU structural funds should speed up the process of the energy-efficient refurbish-

ment of housing. The opening of the funds for housing in the EU 27 is a breakthrough decision-now we need continuity. The EU should guarantee stable financing for the current and future EU structural funds period after 2013.

The European Investment Bank (EIB) shall provide new financing instruments and funds for energy efficiency improvements in private and public social housing.

4 Make energy-efficiency visible in housing; ensure transparent and consumer-friendly labeling by prioritising the adaption of the new Energy Performance Buildings Directive (EPBD) in 2009.

The recast of the EPBD is a big step towards more transparency on the housing market. Knowing the energy performance of your building is the first step to save energy. Tenants strongly support the new EPBD and claim for a fast legislation process. Tenants appeal to the landlords' responsibility and are ready to offer a strategic partnership to boost investments in energy-efficiency.

5 Tackling the financial crisis with a new deal for affordable housing and social urban development.

Housing and construction is one of the largest sectors in Europe. It is also a key sector to tackle the financial and economical crisis by boosting regional labour markets and economies. Promote investments in affordable and decent housing in decent and healthy neighbourhoods in a way out of the crisis.

Not-for profit companies and public housing companies are those responsible for the return on capital for our cities. Social urban development is suitable instrument to attack inequality and fight profound instability caused by segregation. The EU economic recovery plan (EERP) and the policy of territorial cohesion are steps in the right direction. Future EU financing shall be targeted fighting the ghettos and create decent and stable neighbourhoods with affordable housing.

€ 8 billion available for housing

Funding from the European Regional Development Fund (ERDF) now enable all 27 EU member states to apply for funding for investment in energysaving and renewable energy measures in housing. On April 2 the European Parliament adopted this much longed-for proposal. The aim is twice fold; to save energy and money, and in return reduce CO2 emissions. The aim is to support social cohesion in all EU countries and regions. The financial commitment, until 2013, is to allocate 4 percent of the total money from the ERDF, meaning almost € 8 billion out of the total € 195 billion.

This funding can be used in *already existing* houses – only, for insulation of walls and roofs, for installing double glazing windows, for solar panels, for new piping and replacement of old boilers.

The funding can be used for social housing,

co-operative housing and in the private sector. But, as the funding should support social cohesion in less favourable housing areas, social and co-operative housing providers will probably be more eligible than the private sector. Still, in central and east Europe, with a large number of poor homeowners in housing estates, this ERDF funding can be used.

More funding from the ERDF regular funds, in addition to the 4 percent funding, can be applied for by the new EU 12 members, for improving areas experiencing severe housing deterioration and social exclusion, in mainly public housing estates.

More information, with the complete list of ERDF allocation, can be obtained from CECODHAS' publication Housing and the EU Structural Funds in Action: download from www.cecodhas.org

Where is housing on the UN Agenda?

The UN Economic Commission for Europe, UNECE, was set up in 1947 by the ECOSOC, the Economic and Social Council of the UN, as one of five regional commissions of the United Nations. The UNECE brings together 56 countries from Europe, from Central Asia (former Soviet republics), and from Israel, Canada and the US.

Out of the five regional commissions the UNECE is the only one that has a subordinate committee/body that directly addresses housing as such; the Committee on Housing and Land Management.

The need for UNECE to address housing issues was initially linked to the housing shortage arising from WW II, and subsequent population growth. Housing first appeared on the UN agenda in 1947 when a Panel on Housing Problems addressed reconstruction issues at intergovernmental level. This Panel later evolved into today's Committee on Housing and Land Management.

Non-governmental organizations, NGO:s, took their first role in formal UN deliberations through the Economic and Social Council (ECOSOC). 41 NGOs were granted consultative status by the Council in 1946 and the number has been steadily increasing ever since to 3,172 organizations today. IUT was accredited to the ECOSOC already in 1973.

The Committee on Housing and Land Management provides a forum for the compilation, dissemination and exchange of information and experience on housing and urban development. Besides the annual September meeting at the UN in Geneva, where IUT participates, various workshops and seminars are held – in Geneva but more often hosted by member countries. These events disseminate reports and facts from various countries, with a focus on eastern Europe and central Asia, on access to housing, on social housing, on financing of housing, housing modernization, on renovation and management. Also on problems that arose from massive privatisation of public rental housing stock in the CEE region after 1991.

The term “poor owners” is frequently used in the context with owners in large multi family blocks who can not afford to pay for upkeep and renovation of their homes and jointly owned houses. Know-how and organisational skills are discussed in relation to ownership and newly formed homeowners' associations.

Land administration and land registration are important issues for the Committee. The fixing of boundaries is vital for homeowners and farmers to enable



them to take up loans. Also, analyses of the housing and real estate sector are carried out.

Homelessness is a new work field for UNECE. In May, the Norwegian Housing Bank hosted a UNECE workshop in Oslo on homelessness, a growing concern for the countries in the ECE region. Everyone acknowledges the problem, but there is lack of knowledge and data and few countries have legal definitions on homelessness. According to FEANTSA (European Fed. of National Organisations Working with the Homeless) the public perception is mostly negative, as homeless people are often associated with criminality, diseases, laziness and begging – which result in exclusion.

An important recommendation from the participants of the workshop was that UNECE should develop guidelines that the member states can exert in the fighting of homelessness, and to establish a database.

Informal settlements are not always slums. In for example Belgrade, Serbia, it is estimated by the UNECE that informal settlements account for 40 percent of the residential areas – and many of these “settlements” are everything from simple one family houses, to multi family houses and beautiful villas. But they are built without permits and are not registered with the authorities. In Albania, informal settlements house up to a quarter of the population in major cities and 40 percent of the overall built-up area.

Estimations give that over 50 million people in more than 15 countries in the UNECE region live in informal settlements, most in substandard housing. Many of these settlements have a negative impact also on the environment as e.g. sewage is often discharged untreated. But most important, the residents risk their lives in unhealthy and unsafe dwellings. The Committee on Housing and Land Management, with its Working Party on Land Administration, has prepared an analytical study on informal settlements.

“The term “poor owners” is frequently used in the context with owners in large multi family blocks who can not afford to pay for upkeep and renovation of their homes and jointly owned houses.

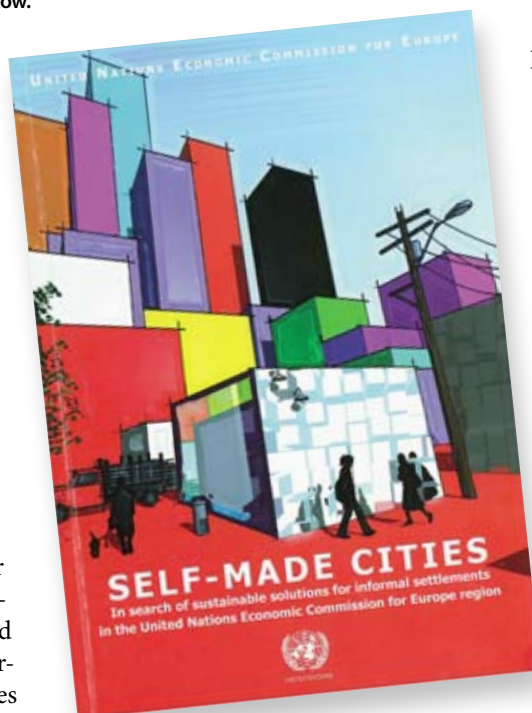


Power station overlooking housing estates in Moscow.

Self Made Cities, an ECE handbook 2009; In search for Solutions for Informal Settlements, examines the main characteristics of this phenomenon, plus provides recommendations.

Energy consumption is high in the ECE region, and housing stands for some 40 percent. Investing in housing energy efficiency is more effective than building new power plants, concluded the first UNECE Workshop on Energy Efficiency in Housing held in April 2009 in Sofia, Bulgaria. In Bulgaria alone, the multi-family housing stock needing refurbishment numbers 80,000 units for over 2 million people.

According to UNECE and EU data, for every euro invested in the sustainable refurbishment of housing, two euros that would have been needed for the production of energy are saved. In general, retrofitting homes in an energy-efficient way and building new houses with energy-saving technologies also brings direct benefits both to families' health and to their



Self-Made Cities, an ECE handbook, is searching for solutions for informal settlements.

purses. In addition to improved indoor climatic conditions and reduced CO₂ emissions it is estimated that each household can save from €200 to €1,000 a year.

The second UNECE Workshop on Energy Efficiency in Housing, to be held from 23 to 25 November 2009 in Vienna.

Country Profiles on the Housing Sector are a series of publications, among many, from the ECE;

Bulgaria (1996), Poland (1997), Slovakia (1999), Lithuania (2000), Romania (2001), Republic of Moldova (2002), Albania (2002), Armenia (2003), Russia (2004), Serbia (2006) and Georgia (2007). Next in line is Azerbaijan. All reports are available on-line: www.unece.org/hlm/welcome.html

TEXT MAGNUS HAMMAR, IUT

PHOTO OLEG GOLUBCHIKOV.

USE BY PERMISSION FROM UNECE



NAHT tenant rally outside Senate office in Boston, June 2009.

Cautious Optimism for Tenant Goals in the USA

The US tenant movement is adjusting to the new federal administration in Washington. There are clear signs of improved dialogue with the Department of Housing and Urban Development (HUD), the agency that sets housing policy nationwide.

However, the giddy enthusiasm of the election campaign last year has been replaced with a sense that the reality will be more subdued, with many other urgent matters competing for attention and funding. And even if the will to remedy anti-tenant poli-

cies is present, powerful private owner interests still have vast influence with officials and can obstruct meaningful changes.

Deteriorating conditions of subsidized housing nationwide was one of the issues debated at the recent low-income tenant conference organized by the National Alliance of HUD Tenants (NAHT). Many observers are cautiously optimistic about the prospects of success for crucial parts of the tenant agenda, which have languished for years due to political obstacles. At the conference, held in Washington, DC from June 20–23, tenants from as far away as Montana and Hawaii petitioned the new top HUD official who oversees subsidized multi-

The US has recognized civil and political rights – fair trials, protections against torture – but has not ratified the most important treaty on economic, social and cultural rights.

family housing about various concerns, not least of which was HUD enforcement of its own rules for tenants' right to organize in their buildings.

While the HUD official, Carol Galante, did not make firm commitments, the fact that she attended and heard tenants' opinions at all was itself a radical departure from previous administrations. NAHT is hoping to engage in an extended conversation with HUD, and renew a relationship in which tenants serve as "eyes and ears" on the ground to provide valuable insights for policymakers at HUD and in Congress.

The main goals on NAHT's agenda remain the same as during the presidential campaign of last year, with one notable exception: A large shortfall in the HUD budget, which threatened to derail the entire system of contracts between HUD and private owners of subsidized buildings, was fixed when tenants and allies raised this issue in Congress and won supplemental funding. But other demands of organized tenant groups are still outstanding; as passage of legislation to give tenants, or non-profit owners, priority to buy and preserve subsidized housing at risk of being converted to market rates.

Right to Housing is included in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and signed and ratified by 160 nations. The convention was signed in 1978 by President Jimmy Carter but never approved by the Senate, where it needs a 2/3 majority vote to gain the force of law. A campaign is heating up to win US ratification of this convention which, besides right to housing, also provides for rights to food, education, and human rights.

At the NAHT conference in June, Michael Shapcott, a leading Canadian authority on housing policy, described the treaty's likely impact here: "The US has recognized civil and political rights- fair trials, protections against torture – but has not ratified the most important treaty on economic, social and cultural rights," he said, explaining that if ratified, it would provide a legal framework for attaining adequate housing. This would begin with a comprehensive assessment of the need and availability of decent, affordable housing, and every five years, the UN would review progress. "Cooperative and non-profit (non-market) housing is very low in the US compared to other places like Hong Kong, Europe or Canada," he continued. "What it means is the US would have to do a much better job to ensure that everyone has access to housing."

UN Special Rapporteur on Adequate Housing, Brazilian professor Raquel Rolnik, will in October be visiting the US on a tour of cities hardest hit by the growing housing crisis. Tenants' groups plan to use this occasion to highlight the ICESCR, as well as other important issues like the dismal state of the

affordable housing stock in New Orleans four years after Hurricane Katrina's devastation.

It is clear that with regard to housing, just as many of life's other necessities, there is a long way to go before the needs of the American people are met. But tenants are meeting the challenge head on by organizing and making partnerships with like-minded groups around the country and the world. The task is immense, but a sense of optimism seems to have taken hold, and only time will tell the rest of this story.

TEXT ALEX PAPALI,
NATIONAL ALLIANCE OF HUD TENANTS



Young Residents outside Georgetowne Homes in Boston looks at how much the owner of a building stands to profit.

PHOTO: NAHT



Refurbishment of old brownstone houses in Harlem, NY. Risk of gentrification?

PHOTO: IUT

New Zealand, sell of state owned houses

The Irish government will sell homes to the sitting tenants, but only to those who today pay market rents. All others, who are on income reduced rents, 25 percent of income, are not being asked. The money from the sales will be reinvested in building new state housing, the government says. But, only 86 new state homes are on the drawing board this year. In 1993 when the National Party was last in government, they also sold off state homes – but only 8 percent of the tenants had the money to buy. The rest, 92 percent went off to property investors, at reduced prices.

SOURCE: KEVIN REILLY, MANAWATU TENANTS UNION

Canada, Vancouver: 'No children' rental policy

A tenants rights group is encouraging parents denied potential rental homes because they have young children to go after landlords. Vancouver has the lowest rental vacancy rate in Canada, only 1.2 percent. Martha Lewis, executive director at the Tenant Resource and Advisory Centre, says "refusing to rent to people with young children is illegal".

"It is discrimination. Unless the building is designated for people aged 55 and over, landlords cannot refuse to rent units based on the age of people in the family," said Lewis. "Landlords could face fines of thousands of dollars if found guilty of breaking the law"

SOURCE: CBC, CANADA NEWS

Scotland, and evictions

The number of council house tenants in Scotland failing to pay their rent has increased as the recession continues, leaving city leaders chasing more than £1.3 million of debt. New figures from the city council show that 4,703 of its tenants fell behind with their rent repayments in the last year – a 3.8 per cent increase on a year earlier. An average of one tenant a week is also being forcibly evicted from their homes because of their failure to pay their rent.

SOURCE: EDINBURGH EVENING NEWS

French tenants facing hard times

La Confédération Nationale du Logement (CNL) is the oldest tenant organisation in France, established already in 1916. Recent years have been very busy for CNL, as rents increase steadily and housing rights are being violated.

The most recent battle has been fought against a new housing law, which was voted on in March, 2009. The adopted law contains harmful measures for tenants living in the social housing sector, and is seriously challenging some of the tenants' rights.

2009 is a sad year for tenants. The French state cut the housing budget by 7 % for this year and the budget will continue to decrease in the coming years. In the same time, the French government has launched an ownership programme. The aim of the Sarkozy government is to turn France into a country of 70 % homeowners, from today's 56 %.

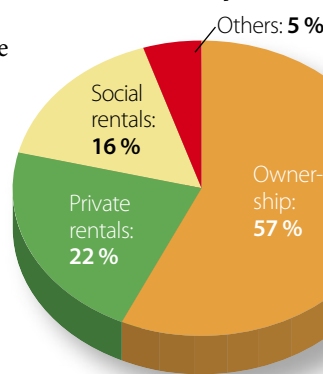
The new housing law will reduce the number of people who can access a social sector accommodation by lowering the income ceilings by some 10 %. The aim is to make the percentage of the French pop-

ulation who can have access to social housing go down from currently 70 % to 60 %.

The new law will also chase middle class households away from social housing. In France, in the social housing sector, the rental agreement is signed for an unlimited period. But the new housing law has reduced the tenant's right to stay unlimitedly in the dwelling if the incomes are higher than twice the income limit to have access to social housing. Before, tenants could stay in their flats even if the combined household income reached well above the income ceiling. But they had then to pay a "supplément de loyer de solidarité" – a supplementary rent.

Today income ceilings can vary from 24 000 € in Paris for one person, to 21 000 € in the regions, and for a couple with two children almost 57 000 € in Paris respectively 41 000 € in the regions. To get more vacant accommodations, the intent of the law is to force those who live in too big dwellings to move into a smaller house or flat, otherwise, they will be evicted.

Housing tenure in France, 2006



SOURCE: INSEE, FRANCE

**Non à la Loi Boutin
– no to Boutins'
Law. CNL takes to
the streets of Paris,
in October 2008.**



CNL organizers and advocates demonstrate against the Boutin law, in October 2008.

Another measure permits quicker evictions of tenants. Before this Act, the deadline, granted by courts, was maximum three years to find a solution before eviction. Now, this deadline is shortened to only one year.

CNL believes that this new law can have grave consequences because it leads to the suppression of a necessary social, cultural and ethnical diversity in the areas where social accommodations are concentrated, i.e. on the periphery of towns. Eventually, it will lead to a pauperization of social housing.

This analysis led CNL to go into action, together with other organizations. Three huge demonstrations in Paris gathered more than 3 000 persons in 2008 and 2009. CNL organizers and advocates composed a petition to claim for the withdrawal of the housing bill. Local CNL representatives wrote to their elected representatives and senators to influence them by proposing amendments.

The new Act, "Mobilization for Housing



and Fight against Exclusion Act”, has been one of the toughest Housing Acts voted in years. It ushers in an era for other negative measures for tenants. That’s why the French tenant’s movement has to grow stronger to continue to be an opposition, resistance and propositions force.

CNL demands are: A rent freeze in all rental sectors and an increase of housing benefits for needy households by 20 %. Further, CNL demands the stopping of evictions and seizure of people’s homes, and the construction of 180, 000 affordable units per year in the social housing sector

CNL also calls for the creation of a real public service for Housing and Habitat and for a government that commits itself to improve the housing situation. In July, housing matters were put further down the agenda when the position of Housing Minister was downgraded to State Secretary for Housing and Urbanisation, and also became dependant on several other Ministries,

including that of the Ministry for Ecology, Energy and Sustainable Development.

The National Day of Inhabitants’ Rights was launched in May by the 300 delegates at the 49th Congress of CNL. This day will be the French version of the International Tenants Day. This first initiative, unique in France, will take place on October 5th. During this special day, CNL advocates will organize convivial meetings with all the residents of their neighbourhoods and in towns. CNL will create public awareness by meeting and discussing with the residents about daily problems in their housing estates, about effectiveness of public transportation, about cleanliness in streets, etc. Also, these meetings will result in strategies on how to take actions together.

TEXT EDDIE JACQUEMART, CNL NATIONAL BOARD AND IUT DELEGATE STÉPHANIE SOTISON, CNL COMMUNICATIONS OFFICER

PHOTO CNL



About CNL

CNL has a long and proud history. CNL originates from the UCL, Union Confédérale des Locataires, which was established in 1912.

The outbreak of WW I interrupted work, but in 1916 UCL could hold its first constituent congress. In 1918 the UCL became the organisation also for housing in the many colonies under the name l’Union Confédérale des Locataires de France et des Colonies.

Today CNL has 80 000 individual members. There are 4 400 regional and local CNL branches all over France. Elections are organized every four years to choose tenants, who belong to a tenant’s union, and who will sit on boards of directors of the social housing sector enterprises. 40% of tenants voted for CNL organizers during the last elections.





F-G Rips,
DMB President.

One voice, one union – the DMB

There is no nationwide Right to Housing in the constitutional law in Germany. But, this right does exist in 7 of the 16 German federal states.

Nevertheless most people in Germany live in satisfying housing conditions these days. But, of course there are inhabitants in Germany who have an issue with house-hunting and as a result are housed in less satisfying conditions, like low-income-earners or single parents, who can not afford high rents.

The Deutsche Mieterbund, DMB (eng. German Association of Tenants) is partly to be attributed to this overall positive development of German housing.

The national organisation DMB was founded in 1951 as the result of a long lasting tenants' movement in different parts of Germany. The first tenant organisation was already founded in 1868 in Dresden. Nowadays the DMB represents more than one million members all over the country. The DMB is an umbrella organisation of 15 federal associations which for their parts unite more than 300 local tenants' associations. Altogether about 1 300 professional employees and 2 500 volunteers devote their working hours and free time to improve the situation for tenants. The work is financed without governmental aid but by membership-fees only.



“Three Germans, one association”, an old phrase describes the German's affectation to organize themselves in clubs as long as there is only a hand full of people who share the same interests. Renting is a topic which affects more than 50 % of the Germans. That is why the tenants' organisations are well-known in Germany.

Local associations with good services might be one of the reasons why the DMB is well known in Germany. The German opinion research institute “Nord West Empirica” found out that the DMB is known by 83,2 percent of all Germans. The study also showed that the DMB and its local associations enjoy deep trust. If tenants have any problems or questions concerning tenancy law, 66, 5 percent of the Germans would approach the tenants' organisations rather than going to any lawyers office.

While the consulting service is usually done on the local level, national political activity and lobbying are the business of the DMB. The head organisation is in persistent contact with the German government and participates actively in legislation by giving advice to the responsible committees. In this way the DMB ensures that tenants' interests get effectually considered by politicians and their legislators.

The German Tenants' Day, der Mietertag, is one of the highlights in the local and nationwide

work and takes place every other year. In June 2009 more than 600 delegates got together in Leipzig. Currently one of the most important topics of the DMB is finally the demand for an appreciation of the Right to housing as a fundamental right in the European Constitution as well as in the German Constitutional Law.

“We have already commissioned a scientific expertise to confirm and upgrade our arguments and will be concerned with that topic for the next months”, DMB-president Franz-Georg Rips said in Leipzig. An appreciation of the Right to housing as one of the basic fundamental rights is, from the DMB’s point of view, self-evident.

Climate protection is another current important issue for the DMB. More than one third of total energy consumption is allocated to housing. The DMB claims that the legislator should constitute concrete guidelines for older housing to lower their energy demand to the standard which is already binding for new buildings.

“That is the political challenge number one in the upcoming years”, explains Rips.

But the tenants’ ambassador also accentuates the responsibility of tenants themselves. That is why the DMB has started a special climate project, called “Tenants for a good climate” which shall inform tenants about energy saving measures to take at home and develop a modernisation accord that satisfies tenants as well as landlords. At the same time modernisation may not cause disproportional rent increases which cannot be afforded by low-income earners. It is the DMB’s task to ensure that even-handed compromises are applied between tenants and landlords.

The DMB channels tenants’ interests and voices, and also learns from tenants’ experiences, which all in all give the tenants a strong position. The association publishes an index, the so called “Betriebskostenspiegel”, once a year. It shows the average fee of running costs which Germans pay additionally to the rent. This index helps tenants to evaluate their consumption and check if their bills are reasonable.

The DMB also publishes the German Tenants’ Dictionary, das Mieterlexikon, which is being updated every other year. More than 800 000 copies have been sold so far. It is read not only by members but also by any interested tenant who can buy it in regular book-stores. The dictionary is also acknowledged by tenancy-law-experts as professional literature. So are several booklets which concentrate on special topics like abatement of rent or housing shortage and summarize the most important adjudications concerning that topic.

TEXT SONJA NIEMANN FOR THE DMB

PHOTO BERND BOHLEN, DMB

日本借地借家人連合

Renewal Fees judged illegal

In Japan most tenants unwillingly pay so called Renewal Fees, often equivalent to two months rent. If they are not willing, they will most certainly not get their contracts renewed and are asked to move out.

In July the Kyoto District Court gave a just and encouraging decision, when it judged that the Japanese tradition of paying the so called Renewal Fee (“koshinryo”) was illegal.

The renewal fee is a traditional payment, dating back to post-war times when the government did not want returnee soldiers relocating en masse to the cities.

A brave tenant in Kyoto questioned the legitimacy of these Fees and brought the case to court in 2008. In his case, he claimed back about the 110,000 yen, € 815 euro, he had paid to his landlord. He claimed that the special contract to pay the Renewal Fee was invalid according to “Consumer Contract Law”, while the landlord asserted that the Renewal Fee was a part of the rent.

The court decided that the Renewal Fee was not the part of the rent as it was irrelevant to the length of the lease term. The court ordered the landlord to pay back the total amount of the Renewal Fee to the tenant.

The Japanese Tenants Association (JT A) has played an active part in the fight for removing these Renewal Fees since 1979. We are convinced that we will be able to totally abolish the Renewal Fee system in the near future.

TEXT KAZUO TAKASHIMA,

THE JAPANESE TENANTS ASSOCIATION (JTA), TOKYO



Increase of homelessness in Japan

Many Japanese companies have carried out large staff cuts in the recent year. Figures show that 125 000 workers have lost their jobs by the end of March, in one year. The large majority, about 90 percent, are temporary workers, housed by their companies in dormitories. These workers are being forced to leave their plain dwellings when they are being made redundant.

On January 2009 there were 15 800 people living in the streets of Japanese cities, parks and under causeways and bridges. The government has now launched a plan to let 13 000 empty public dwellings to the unemployed.

Editors remark: The renewal fees are not the only irritating matters when it comes to renting Japanese flats. There is also the non-refundable deposit and the “cleaning fees” to be deducted from that deposit when you move out. Most people who have moved flats more than once have learned that very little of their 2–3 months refundable deposit will actually come back – a good reason, of course, why people don’t move so often in Japan.

Poland, where the legacy of the WW II and the Communist era facilitates

Illegal takeovers of rental housing



Mr. Janusz Poprawa (70) and his wife Danuta (57) have lived in their house for well over 50 years.

From the outside this 100 year old centrally located house in Jablonowskich Street in Kraków looks as it is in desperate need for renovation.

Someone who does not know the Poprawas' situation would perhaps say that Janusz and Danuta are very lucky to be able to live in such a good location. But when you listen to their story you immediately change your mind.

The Poprawa family moved into the house in 1955, and for 30 years they lived in the flat without any major problems. The problems started just after the fall of the communist regime in 1991.

The IUT already described the Poprawas' difficult situation in the April 2002 issue. Now, after seven years of constant worries, court battles and correspondence with lawyers and city officials, the situation remains unsolved.

The Poprawa case is not unique. More than 40 rental houses in Kraków alone were illegally seized by people impersonating the owners during the last years. Tenant organisations in Kraków try to stop these swindles by informing the public prosecutors office about the shady transactions and by attending the court proceedings. Until today only four transactions were invalidated.

To briefly recapitulate this tragic story; It all began in 1992 when the house was handed back, through a court decision, to an alleged relative of the former owner prior to 1945!

This "relative", a Mr Maciej Ostrowski, could present the last will and testament of owner Mrs Jadwiga Rybinska, signed and dated in London in 1966. The will appointed



PHOTO: IUT

Janusz and Danuta Poprawa in their combined living-sleeping room.



Mr Janusz Poprawa outside his house in Krakow, in Jablonowskich Street.

PHOTO: KAROL SZYLKO, PZL

get rid of the tenants and then sell the houses with a huge profit or to demolish them and replace them with hotels or office buildings.

And why has not the Poprawas given up this, as it seems, endless and futile battle? First of all, it has been their home for 54 years. Secondly, there are perhaps some positive signs. In 2006, the first instance court and then the court of appeal invalidated the verdict from 1992 and decided that Mr. Ostrowski is not the rightful heir. Mr Poprawa of course appealed against this decision, now to the Polish Supreme Court. But, Ostrowski still manages the house until the Supreme Court will deliver its judgment. So it will take another couple of years until this case is settled.

The juridical mills in Poland are slow, but hopefully they are at least just and fair.

TEXT KAROL SZYLKO,

POLISH ASSOCIATION OF TENANTS – POLSKIE

ZRZESZENIE LOKATORÓW, PZL

a Ms Snarski in Essex England, as the sole heiress. But in 1992 Mr Ostrowski came forward with a copy (!) of the same will – which now contained a simple self-adhesive paper slip dated in 1980, saying that Ms Snarski had appointed Mr. Ostrowski to be the beneficiary. Mr Ostrowski presented this copy of the will, with the paper slip, to the court in Kraków – and won the case, and the house! And Ms Snarski is nowhere to be found in Essex!

This 18 year long juridical battle started when Mr. Poprawa did not accept this verdict. Additionally to the battle about ownership of the house, the Poprawas fight huge rent increases. The house is after so many years of neglect in a deplorable condition. The 60 m2 flat, that houses Mr and Mrs Poprawa and their two children, consists of two rooms and a “kitchen”. The original kitchen has been closed off by Mr Ostrowski and the small room now used for kitchen contains a simple camping cooker with two hobs. The toilet is in the hall, and is being shared by the staff from two offices on the same floor. There is no bathroom. On top of this, Mr Ostrowski has raised the monthly cold rent to 3 400 Polish złoty, some € 830, which is considered very high even for a modern flat in Kraków. The total incomes from Mr Poprawas’ pension, as a retired engineer, and Mrs Poprawas’ work as teacher, totals about 3 000 złoty.

The source of the problem, according to Mr Poprawa and the Polish Association of Tenants (Polskie Zrzeszenie Lokatorów) in Kraków, is the lack of proper housing law regulations limiting in time the restitution claims of the former owners and regulating the status of houses with the unknown owners.

The number of rental houses with unclear legal status exceeds one thousand, in Krakow only. Hundreds of those real estates from the private stock are administrated by the municipal authorities; the rest is administrated by the legal guardians established by the courts. The owners of those real estates were considered to be missing or having left Poland after WW II.

Among these real estates, there is at least five hundred rental houses occupied by the so called “allocation tenants”, which are sitting tenants living in their flats which were allocated to them under the communist era. The majority of these tenants have lived in their flats for over 40 years. During that time they took care of the buildings, as was expected by the State, and spent lots of money to improve the standard of their flats and houses.

The problem usually starts when the owners, or the alleged heirs of the former owners, suddenly show up after fifty or sixty years. Unfortunately, it seems that very often the people impersonating the owners or their heirs are simple swindlers, whose only goal is

**TYCK OM
HYRESRÄTTEN**

We love rental housing!

The Swedish Association of Municipal Housing Companies, SABO, has launched a campaign under the slogan Tyck om Hyresrätten, in English ~ Love Rental Housing. The aim is of course to demonstrate the benefits of rental housing; secure, easy to swap without costs, no maintenance, no immediate worries for increases in the rate of interest which result in relatively fixed costs, as also service costs and costs for hot water is most often included in the rent.

“Yes, rents can go up, but the Swedish system guards tenants from immediate raises of the rent”, says Kurt Eliasson, CEO of SABO. “And Swedes do not chose to rent for the sake of making money, they rent because it’s safe and comfortable”.

SABO is the organisation of the public housing companies in Sweden. The approximately 300 companies affiliated manage some 830 000 dwelling units. This is 20 percent of the total housing stock in Sweden and about one third of all dwelling units in multi-storey houses. Sweden has some 9 million inhabitants, of which 1,4 million live in SABO homes.

View the Tyck-om-Hyresrätten-film at www.tyckomhyresratten.se.



International Union of Tenants



“Tackling the financial crisis with a new deal for affordable housing”

Conference in the European Parliament Brussels

5th October 2009 - 14.00 to 17.30 hrs

On the occasion of International Tenants' Day 2009, the International Union of Tenants (IUT) invites you to a conference on future policies of European housing:

European Conference: “Tackling the financial crisis with a new deal for affordable housing”

5th October 2009 - 14.00 to 17.30 hrs

Venue:

European Parliament Brussels, Building Paul-Henri Spaak (PHS)
Room: P 5 B 0001 (5th floor), Rue Wiertz 60, B-1047 Brussels

Program:

- **Sven Carlsson**, President of the International Union of Tenants: Welcome and Opening speech
- **Constanze Krehl** MEP, Committee for regional policy, Coordinator “The EU economic recovery plan and the future shape of the EU structural funds”
- **Mario Aymerich**, European Investment Bank (EIB): “EIB’s activities in social housing”
- **Michael Smyth**, Head of Economics, University of Ulster: “Addressing the economic downturn: the case for increased investment in social housing”
- **Michael Newey**, CEO Broadland Housing Group, United Kingdom, Vice Chair RICS Managementboard:
“The provision of affordable housing- the situation in United Kingdom and Australia”
- **Christian Schlosser**, UN HABITAT Nairobi, Human Settlement Financing Division: “Planning our urban future”
- **J. David Lippeatt**, Chief, Economic Policy Unit, U.S. Mission to the EU:
“President Obama’s housing plan: actions and policies to help tenants and promote affordable housing”



Tenants make cities! Tenants from Europe speak for themselves

- **Massimo Petterlin**, Secretary National of Sindacato Inquilini Casa e Territorio (SICET), Tenants Union of Italy
- **Juraj Kliment**, Vice President of Právo na bývanie, Tenants Union of Slovakia
- **Ronald Paping**, Director General of Nederlandse Woonbond, Dutch Union of Tenants

Panel discussion: Tackling the financial crisis with a new deal for affordable housing

- **Conny Reuter**, Secretary General of Solidar, International Workers Aid
- **Michael MacBrien**, Director General of European Property Federation
- **Claire Roumet**, Secretary General of CECODHAS
- **Phil Morgan**, Executive Director Tenants Services Authority (TSA), United Kingdom: Moderation
- **Barbro Engman**, President of the Swedish Union of Tenants: Closing speech

Reception “Welcome New MEPs” 18.00 to 21.00 hrs

The IUT-conference will be followed by a
“Welcome new MEPs” reception in the European Parliament
Salons des Députés, Building Altiero Spinelli, (ASP) ground floor
Rue Wiertz 60, B-1047 Brussels

18.00 to 21.00 hrs

The Salons des Députés are located next to the Members Restaurant.

You are cordially invited!

European Housing Forum / International Union of Tenants



Registration:

RSVP by September 15th by
Email: iutbrussels@skynet.be or by fax +32 2 513 09 55

Interpreting will be provided into English, French and German. The conference is free of charge. In view of security checks at the European Parliament please bring this invitation and ID. When register please indicate your full name, home address and date of birth. Note that these information are compulsory to enter the European Parliament.