



EIGHTH OVERVIEW OF HOUSING EXCLUSION IN EUROPE

2023

Fondation Abbé Pierre - FEANTSA



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COORDINATION

- # Nicolas Horvat
- # Sarah Coupechoux

CONTRIBUTORS

- # Maria-José Aldanas
- # Anna Bajomi
- # Clotilde Clark Foulquier
- # Ruth Owen
- # Freek Spinnewijn

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TRANSLATION

- # Elizabeth Hayes, Tara Horan et Suzannah Young

GRAPHIC DESIGN

- # Genaro Studio

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EDITORIAL

The war in the Ukraine has both highlighted and added to Europe's ongoing housing emergency. This crisis is hitting the poorest households hardest, severely affected by soaring prices, as well as homelessness services, which have seen an increase in the number of their clients. There is every indication that the solidarity shown by European countries in welcoming refugees fleeing the conflict now needs to be backed up by long-term housing solutions.

The context is worrying, but the situation is not new. At least 895,000 people are homeless in Europe. This estimate – based on patchy data and focusing only on the most visible forms of homelessness – highlights the failure of European countries to make housing a fundamental right: every night in Europe, a population comparable to that of a city like Marseille or Turin is homeless. Unfortunately, the phenomenon is still increasing in the majority of Member States. So far, only Finland and Denmark are making

demonstrable progress in reducing homelessness. Turning the tide will require unprecedented political efforts and bold structural measures.

With the launch of the European Platform on Homelessness in 2021, all Member States signed up to work towards ending homelessness by 2030. Since then, the European Commission, governments and stakeholders have taken steps to develop effective cooperation. While there is still a long way to go, the strategies initiated to improve data collection, release funding and promote mutual learning are promising signs.

The average quality of European housing has improved overall over recent decades. However, unfit housing remains a daily reality for millions of people. Damp and mould, overcrowding, difficulty in maintaining an adequate temperature, exposure to pollution, inadequate sanitation, fire risk and structural defects: unfit housing can take many forms that are often difficult to measure. Unevenly distributed across

Europe, poor housing conditions, which affect the most deprived segments of the population both more frequently and more severely, have significant consequences. Living in unfit housing seriously damages health, increases poverty and fosters exclusion. The problem also has a huge societal cost, not least because it generates endless medical expenses.

The need to improve the quality of Europe's housing stock is the subject of growing political attention in the context of the climate and energy crisis. Announced by Europe as part of its Green Deal, the "renovation wave" aimed at reducing carbon emissions could also provide an opportunity to tackle energy poverty and unfit housing. However, safeguards are required to protect households from increased housing costs: public subsidy and accompanying measures will have to be deployed to support poor homeowners and low-income tenants.

Poor housing is by no means inevitable. The public policies needed to put an

end to it are well-known and proven: effective regulation of the housing market, massive investment in the construction and renovation of social housing, a strengthening of social protection systems and comprehensive strategies to combat homelessness.

Freek Spinnewijn

Director, FEANTSA

Christophe Robert

Managing Director,
Abbé Pierre Foundation

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A close-up portrait of an elderly woman with grey hair, looking slightly to the right with a gentle expression. Her hands are clasped in front of her chest. The lighting is dramatic, highlighting the texture of her skin and the texture of her dark, knitted sweater. The background is dark and out of focus.

CHAP. 1

HOMELESSNESS
IN EUROPE

THE STATE
OF PLAY

9

1.

AN UNCERTAIN OUTLOOK

The economic and social effects of the pandemic are being exacerbated by the current steep rise in energy and consumer goods prices. Lurching from one crisis to the next, the living conditions of the most disadvantaged households have worsened significantly over the past few years. For many working class households and a growing number of middle class households, who are facing both increasing poverty and widespread rent increases, being able to cover housing costs is no longer a given. Unfortunately, according to IMF reports¹, the outlook for the future is no better: while inflation is expected to fall gradually over the coming years, it will only be reined in by a recession, which may also entail hardship and social injustice.

The political response to the ever-rising number of homeless people across the majority of European countries is very often inadequate. It is widely felt that the crisis management approach to homelessness has its limitations, and that the new forms of “governance” heralded at the outset of the pandemic have not yet seen the light of day. The current situation is exacerbating the causes of homelessness, yet structural solutions are rarely proposed. There is however growing awareness of how bad the situation is, with homelessness now high on the EU policy agenda. The initiatives launched as part of the European Platform on Combatting Homelessness send a positive signal.

Support services struggling with the energy crisis and inflation

Inflation and the increase in energy costs have also seriously impacted services that support people facing homelessness and housing exclusion. In **Germany**, accommodation services, food banks, and debt management services are facing an increase in the number of service users². According to a study by the German Parity Welfare Association, between 21 September and 17 October 2022, 60% of the support service providers surveyed were expecting their electricity bill for winter 2022-2023 to be 1.5 to 2 times as high as the year before, and 25% were expecting their heating bills to triple. No less than 46% of providers in the study said that they were at risk of having to limit their services³. While financial aid was provided to hospitals and other healthcare services⁴, no particular relief measures have yet been adopted (as of December 2022) for homelessness services (beyond the general price caps on electricity and gas applicable to the entire population). In **France**, the supported housing sector is also in difficulty. According to Unaf (France's union for supported housing), the energy price hikes are jeopardising the viability of some providers, despite various "price caps"⁵ being applied. In **Italy**, homelessness organisations and charities have stated that increased energy costs have had a significant impact on their budgets. In a study carried out by fio.PSD (the Italian Federation of Bodies for the Homeless) in August 2022, half of respondents said that these costs had increased by more than 30%⁶. The hike in expenditure has led to some reductions in services, particularly low threshold services such as showers and laundry. At the same time, more than half the organisations surveyed stated that they had seen an increase in the number of people accessing their services (particularly low threshold services, but also financial assistance for rent, energy bills, and medical costs). In November 2022, the Italian government approved an exceptional payment of EUR 50 million to help third sector organisations meet their increased energy costs⁷.

2. UKRAINIAN REFUGEES: ACCOMMODATION SYSTEMS UNDER PRESSURE

On 24 February 2022, Russia launched what Vladimir Putin called "a special operation" in Ukraine, leading to a mass exodus of civilians to the European Union. To address this influx of Ukrainians fleeing the conflict, the European Commission proposed the activation from

2 March 2022 of Directive 2001/55/EC, established following the war in former Yugoslavia and never before applied. This directive, adopted by the Council on 20 July 2001, not only provides for "minimum standards for giving temporary protection in the event of a mass influx of dis-

placed persons” but also “measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof”⁶. The decision “establishing the existence of a mass influx of displaced persons from Ukraine”⁹ was adopted on 4 March, following approval of the proposal debated by the Justice and Home Affairs Council, which brought together ministers from all EU Member States. This Council stated that “as of 1 March 2022, more than 650,000 displaced persons had arrived in the EU from Ukraine through Poland, Slovakia, Hungary, and Romania”¹⁰. There is no specific method defined for distributing refugees among countries, but the 2001 Directive set out an obligation for cooperation among Member States to facilitate their protection, and the transposition into each country’s law of measures that are at least as favourable as those set out in EU level provisions. These measures, which apply for one year on a renewable basis to any person who fled Ukraine after 24 February 2022, include: right to residency, access to the labour market, access to housing, and social and medical assistance¹¹.

On 8 March 2022, the European Commission adopted the Cohesion’s Action for Refugees in Europe (CARE) proposal, ratified by the Council and the Parliament on 6 April¹². This initiative aims to guarantee countries receiving Ukrainian refugees sufficient resources to address the growing need for housing, education, and healthcare. Building on the steps taken by the Commission in the aftermath of the pandemic, this provision enables rapid allocation of available resources to support people fleeing the war in Ukraine by introducing flexibility into the Cohesion Policy rules. Furthermore, it provides that Member States can fund activity using the Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU) fund, one of the EU’s biggest public investment programmes post pandemic¹³. On 19 October 2022, to further

fast-track support for Member States to help integrate refugees, the Council of Europe and the European Parliament ratified the proposal for flexible assistance for territories (FAST-CARE)¹⁴, which offers additional flexibility for investment under the Cohesion Policy. These legislative provisions have enabled the European Commission to re-allocate EUR 17 billion to support Member States that have committed to receiving and assisting Ukrainian refugees¹⁵.

Despite the unequivocal response of by the European community, cohesion among Member States on the stance to take, and the calls for solidarity by the Council of the European Union, the number of refugees welcomed and the reception systems employed have varied widely from country to country. A large amount of leeway has been given to Member States around transposition of the directive into each country’s legislation¹⁶.

Due to its geographical and political proximity to Ukraine, Poland remains the country that has received the most Ukrainian refugees. More than 1.4 million people had registered for temporary protection in Poland by 12 September 2022. 92% were women, mainly with children (58%), 15% were travelling with a person aged over 60, and 22% were travelling with a person with a disability. Many of those fleeing gave up on finding refuge in another EU Member State, given the risks and resources required to continue travelling, but also because of the exemplary way the Polish people have responded. Public participation has been remarkable, particularly in terms of the housing offered by individuals to mitigate the authorities’ difficulties in sourcing emergency accommodation. Now, however, we can see this individual support running out of steam, and housing is being provided more in the form of rented accommodation (44%) and shared multi-unit buildings (13%). Just 20% of refugees are currently staying with volunteer hosts. Access

to housing remains a critical need, on a par with financial support and labour market access, with the medium- to long-term goal being integrating refugees and giving them independence¹⁷. The search for appropriate housing solutions therefore remains a fundamental issue, as the social and psychological benefits of adequate housing are clear¹⁸. At the same time, the financial aid granted to Polish households hosting refugees has been considerably reduced. The initial payment of PLN 40 (EUR 8.50) per day per person, paid by the Polish government for a maximum of 120 days, and extended for two months from April 2022, benefited close to 1.4 million refugees. This amounted to an overall estimated cost of more than PLN 1.5 billion (EUR 320 million). It is now only being paid to vulnerable individuals. Alongside this change, refugees in employment and living in shared multi-unit buildings are legally obliged to pay up to 50% of their living costs as of March 2023, with full costs payable by the end of 2023¹⁹.

Another country that has made a massive contribution to receiving Ukrainian refugees is the **Czech Republic**. By the end of August 2022, there were more than 300,000 refugees in the **Czech Republic**, making it the EU Member State with the highest number of refugees *per capita*. Half of those fleeing the conflict were hosted by citizens, while the rest were given non-residential accommodation (hotels and hostels: 30%) and rented housing (private and social: 20%). As they cannot access the national benefits system, beneficiaries of temporary protection get a specific allowance, which does not enable them to fully meet their needs if they are not in a position to find work. Refugees from ethnic minorities, particularly the Roma community, are without a doubt the most vulnerable group; they are often housed in camps for refugees or temporary accommodation structures. Voluntary sector commentators recognise the significant voluntary efforts of civil society

in transporting and distributing humanitarian aid, through which more than CZK 4 billion (EUR 168 million) was raised in six months. However, they are now concerned about the lack of material and human resources, which could lead to feelings of injustice among some disadvantaged Czech citizens around what they perceive as preferential treatment. According to stakeholders on the ground, the massive influx of refugees has destabilised the support system for people who are homeless, although it is too early to measure its impact on social and public services. At the same time, there is unrest among a section of the population in the context of rising energy and common consumer goods prices, and an ever-increasing number of people resorting to food banks and social protection services²⁰.

In **Germany**, no less than 1,015,150 Ukrainians were recorded in Germany's Central Register of Foreign Nationals by the end of October 2022. Ukrainians accounted for 57% of those registered that year²¹. Entry of Ukrainians into Germany is regulated by Article 24 of Germany's Residence Act. These refugees, who did not go through the usual asylum seeker process, received residency status for one year, automatically renewable for two further six-month periods if required. Despite this distinction with other migrants seeking international protection, not all Ukrainian refugees are subject to the same residency rules. Those who arrived after 1 June 2022 are obliged to reside in the federal state in which they registered before resettlement in other communes and districts. This does not apply to those hosted privately, which amounted to half of those fleeing the war at the beginning of the conflict. The majority of Ukrainian refugees are living in the country's largest cities, Berlin, Hamburg, Munich, Cologne and Frankfurt. Dispersal to these cities is dependent on the accommodation available, in accordance with Germany's Asylum Seeker Benefit Act (AsylbLG).

Despite the temporary regulation being favourable to Ukrainians and enabling them to access the same social rights as German nationals, including as regards housing, the length of stay in initial reception accommodation (hotels, sports or cultural centres) tends to be long before sustainable accommodation is accessed. In fact, Ukrainian refugees face difficulties obtaining a rental contract and are largely dependent on the accommodation that local authorities are legally obliged to provide, with more and more having to resort to shared housing.

Due to the binding legislation voted in by the European Parliament, all EU Member States have, to various degrees, received Ukrainian refugees in accordance with the rules around subsidiary protection. While several issues have arisen through this unconditional reception of refugees, housing is unquestionably one of the major challenges. EU funds have been made available to help Member States accommodate these refugees in the best possible conditions, and governments have been able to find and subsidise private accommodation (such as hotels) on a massive scale. Despite this, governments have struggled to adequately stretch the existing housing supply. Furthermore, as highlighted by the OECD in a memorandum summarising the policy decisions made regarding accommodation²², Member States have come up against completely different problems when looking for longer-term housing solutions for refugees.

Several countries – particularly **Germany, Greece, Ireland, Malta, Slovakia, Slovenia**, and **Sweden** – have used existing centres for asylum seekers. However, given the lack of available places, and in order to be able to continue receiving refugees from other countries, several specialised accommodation centres have also had to be set up. In February 2022, **Poland** opened eight new reception centres along its border to receive Ukrainian refugees. This measure was quickly extended,

with extra centres set up throughout the country, especially in Warsaw and Krakow. Some countries have resorted to using hotels, hostels, and even schools to provide shelter for refugees. Emergency solutions have also been found by using cruise ships, containers, tents, and mobile hangars. In the absence of appropriate buildings, these places, which are normally meant for very short stays, are frequently being used to house entire families for long periods. In general, these measures that favour “privileged” refugees have often resulted in the already weakened systems for accommodating vulnerable people becoming overstretched.

Alongside this – in an incredible wave of solidarity – a large proportion of Ukrainian refugees have been housed by their compatriots who already have accommodation or by individuals on a voluntary basis. To mitigate the financial burden on host families, financial support for providing accommodation was introduced in some countries – including **Denmark, Latvia, Lithuania, Poland**, the **United Kingdom, Slovakia**, and the **Czech Republic**. In **Belgium**, those offering accommodation to refugees can give them a rental contract if they are working or receiving a welfare benefits. “Solidarity housing” does however require a framework and regulation: to facilitate contact; to organise the dispersal of refugees based on the features of the housing offered; and to avoid risk of exploitation and human trafficking, particularly of a sexual nature. However, these initiatives are no more than stop-gap measures. There is a need to find long-term solutions given that the war shows little sign of ending soon.

In several European countries, specific financial assistance has now been reduced to encourage refugees to integrate into the rental market. Support for housing or for resettlement is often offered to those accessing the private rental market. This can be targeted or be part of the

minimum welfare benefits allocated to all residents. In **France** and **Ireland**, information is available to help beneficiaries of temporary protection in their search for housing. In **Spain**, funding is available to hire a broker or estate agent. Nonetheless, this transition towards renting apartments – both private and social – is putting pressure on an already oversubscribed market. Furthermore, difficulties in accessing housing can be exacerbated for refugees due to their lack of familiarity with the language and the local rental market, inadequate income, or

the inability to produce the documents required by landlords. This is not to mention the discriminatory behaviour and negative bias against foreigners on the part of landlords at times.

All of these factors point to a worrying increase in the number of people experiencing homelessness and housing exclusion in the years to come. This trend has been worsening over recent decades and the available data still struggle to provide the full picture.

3.

895,000 HOMELESS PEOPLE IN EUROPE: STATISTICAL OVERVIEW OF HOUSING EXCLUSION

Housing exclusion is difficult to gauge and some believe that measuring its true extent in Europe is impossible²³. There are two obstacles to understanding it. The first – and indeed the most important – is the lack of available data. Local and national level statistical studies are being developed but their geographical reach does not currently allow for a complete mapping of the homeless population on a European scale. What's more, the counts undertaken can usually only cover a fraction of housing exclusion situations, as a large proportion of those affected fly under the radar of the data collection instruments. The second obstacle, more methodological in nature, relates to how the data produced is not comparable. The definitions used, the survey methods, the quality and the reliability of the data are all factors that complicate attempts at comparative analysis and data organisation. The categories can differ widely from one country to another; the

figures can relate to people, households, accommodation sites, or administrative processes; the surveys can consist of a snapshot of the situation at a given moment (stock) or data collection over a longer period (flow); and the methods and their robustness can vary widely (night counts, data accumulation, sampling, extrapolation, etc.).

A question of definition

Among the methodological issues raised, the primary problem is the disparity in definitions used to qualify situations of housing exclusion. This problem is all the more delicate because these situations vary considerably from one country to the next and the same term can describe very different realities. These ambiguities can be observed through the administrative categories

used by Member States. Currently, 20 EU Member States have an official definition to serve as a reference point for policy strategies. However, given the specificity of each Member State's socio-economic context, and the varying levels of interest among governments in the issue of housing exclusion, the living conditions covered by these definitions do not completely overlap. In Italy for example, only people living rough or in hostels are considered officially homeless, while in Romania the national definition also includes people staying in hospitals and prisons due to a lack of housing, those at risk of eviction and those living temporarily with friends or family²⁴. Alongside these national definitions used by state-level statistics institutes, there are a variety of categories used in academic research and

service provider surveys. While they may share common characteristics, their data collection tools are also relatively unique, with each one designed to take account of specific situations.

Some data collection methodologies use categories explicitly inspired by the typologies developed by FEANTSA, while others use statistical classifications that maintain some overlaps with these typologies. In all cases, ETHOS²⁵ and ETHOS Light²⁶, developed to cover a wide range of housing exclusion situations²⁷, can quite easily be superimposed onto the different classifications in use. However, they do not always fully correspond and transposing the categories in ETHOS/ETHOS Light requires, in most cases, a certain number of simplifications.

ETHOS LIGHT**EUROPEAN TYPOLOGY OF HOMELESSNESS AND HOUSING EXCLUSION**

Very uneven results

The surveys carried out across Europe show broad disparities in their results. While some of these disparities can be put down to the objective differences in each country's context, the inconsistent results are largely owing to the disparity in resources allocated to data collection. Not to mention the fact that homeless people are not taken into account in the same way across Europe. In reality, only a handful of countries' surveys attempt to cover the full range of living situations listed by the ETHOS typologies (surveys from **Belgium, Denmark, Finland**, and **Sweden** are among the most comprehensive). Naturally, the majority of surveys focus on the most obvious forms of housing exclusion (ETHOS Light 1 and 2). "The more visible the [housing exclusion] situation (e.g. living rough, living in emergency shelters, etc.), the higher the probability of that condition being defined as homelessness"²⁸. Also included on a relatively systematic basis are people in specific accommodation for vulnerable and homeless groups (Ethos Light 3): homeless hostels, temporary accommodation, transitional accommodation, etc. However, this category is not as uniform as it might seem. Some countries expand it to include refuges for victims of domestic violence, while others include reception centres for asylum seekers²⁹. The most difficult situations to recognise and identify as housing exclusion are generally the least likely to be counted (ETHOS Light 4, 5, and 6). This is particularly true for people who, through lack of housing, are staying temporarily with friends or family (ETHOS Light 6). In addition to the methodological difficulties, several factors related to national context can probably explain this state of affairs. Recognising and accounting for these categories also undoubtedly leads to deeper questions about

how social inequalities are produced – questions which few governments seem prepared to ask. "Wider definitions of homelessness are likely to incorporate populations who tend not to have high and complex needs, such as severe mental illness, nor to exhibit behaviours that include criminality and addiction, and whose main characteristic is poverty. If homelessness is not just about individual pathology, but may sometimes have purely structural causes, that raises some very uncomfortable questions about the nature of society"³⁰.

Cataloguing and organising the data

The data presented in the following table were selected based on three criteria: the reliability of the methodology used, the geographical coverage, and the date of the survey. As far as possible, preference was given to statistics from official or research institutes whose results are approved by the authorities. For surveys with detailed results, the data on each housing exclusion situation covered were reorganised to comply with the ETHOS Light categories. When the situation in which a person found themselves could not be precisely determined, the data was considered to fall under several categories³¹. Also of note is that living situations not described by ETHOS Light were grouped under the category "Other". While the data were reorganised in as rigorous a manner as possible, the exercise led by necessity to multiple reductions. The table does not therefore claim to reproduce the complexity of all housing exclusion situations in each Member State.

The surveys were organised in terms of their methodology and their date. Three types were identified: point-in-time counts (blue), data col-

lection carried out over a long period (green), and outdated surveys or ones with unreliable data (yellow). Results from the third type of survey were not integrated into the general table. To be prudent, surveys whose data collection period was difficult to determine were classified under the second type. This is particularly the case

for national censuses for which the date on which the data was extracted was clear but the recording period was not. Also included in this second category were ad hoc counts, which do not classify results in terms of living conditions (this only relates to statistics produced as part of the Dutch census).

COUNT TYPES**CLASSIFICATION ACCORDING TO THE METHOD USED AND QUALITY OF DATA COLLECTED**

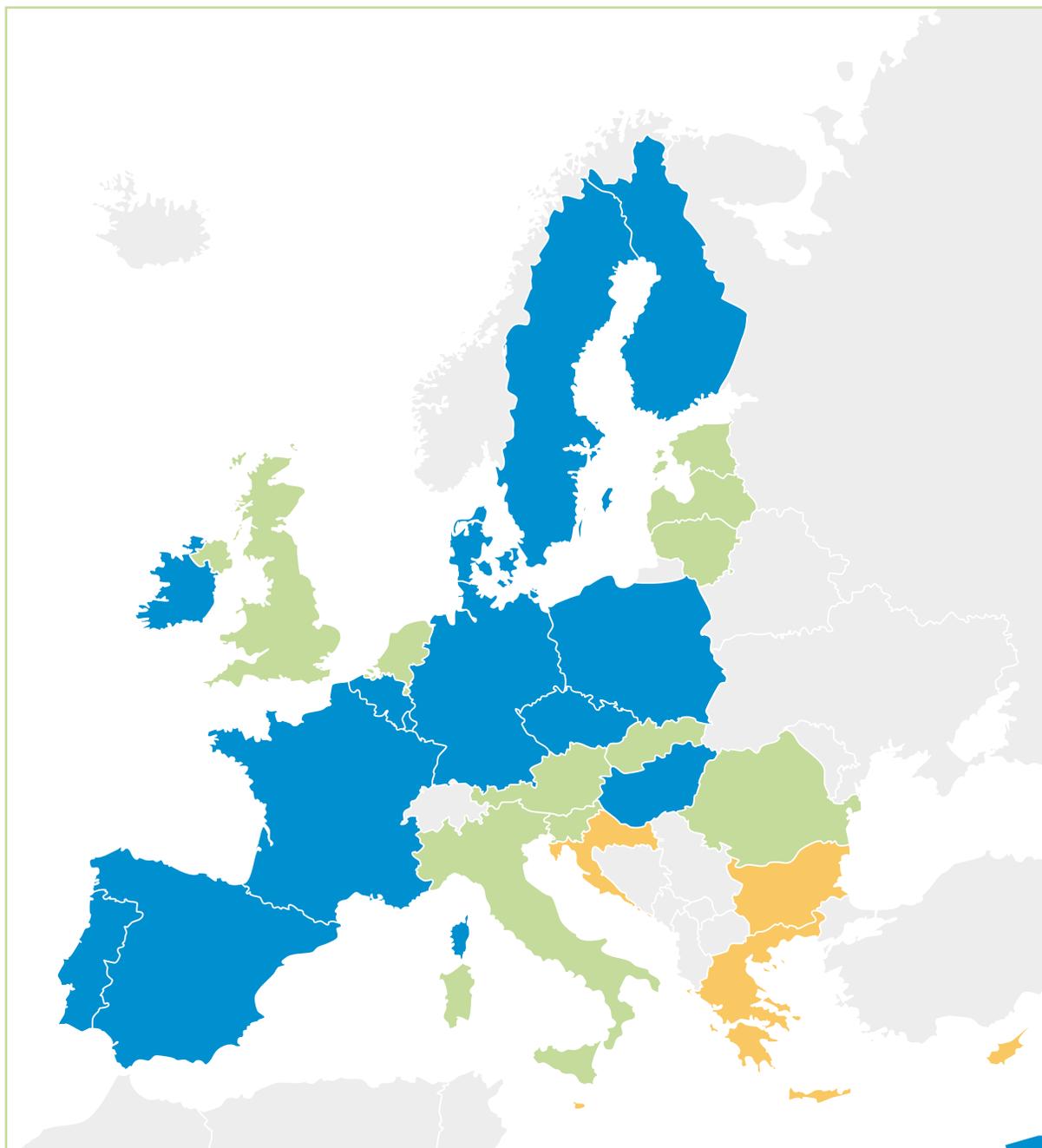
Point-in-time counts



Administrative data (flow) / Regardless of categories



Dated or insufficiently robust surveys



DATA ON HOUSING EXCLUSION**STATISTICS FROM RECENT SURVEYS, COUNT TYPES, AND DETAILS BY ETHOS LIGHT CATEGORY**

Country	Date	Method	Period	Description
 Germany	2022	Count Survey	1 night 1 week	The census, which covers people in temporary accommodations, is supplemented by an extrapolation of the results of a local count of people sleeping rough and people staying with third parties
 Austria	2020	Recording	1 year	Data are collected on people who are recorded as homeless in the central population register and on those who are reported by some of the accommodation services during the year
 Belgium	2020 2021	Counts	1 night 1 week	The figures are based on a compilation of the results of point-in-time censuses (night counts and statistical collections) carried out in several cities and regions of the country
 Denmark	2022	Count	1 week	The biennial national questionnaire survey covers homeless people who are known to accommodation centres, social services, local authorities and non-governmental organisations
 Spain	2022	Count Extrapolation	6 weeks	The data collected concerns a representative sample of adults who are homeless and users of temporary accommodations and social restaurants located in major cities
 Estonia	2017	Recording	1 year	The figures recorded annually refer exclusively to homeless people who are not registered as having a formal address and who make use of the services of temporary accommodation
 Finland	2022	Count	1 night	The census consists of a compilation of data collected by municipalities from social assistance registers and from agencies responsible for processing applications for rental housing
 France	2021	Count	1 night	The data provides information on places in temporary accommodation and housing (night shelters, integration and stabilisation centres)
 Hungary	2022	Count	1 night	The annual questionnaire survey makes it possible to reach a proportion of rough sleepers and beneficiaries of emergency accommodation and temporary shelters
 Ireland	2022	Count	1 week	The figures produced monthly by local authorities refer to the number of homeless people using temporary accommodation financed by the state
 Italy	2021	Recording	1 year	The data obtained from the population census refer to persons registered with a virtual address at the municipal registration offices or at the homeless assistance services
 Latvia	2021	Recording	1 year	The annual statistics produced by the Ministry of Social Affairs cover people benefiting from accommodation in a night shelter or a homeless hostel

ETHOS 1	ETHOS 2	ETHOS 3	ETHOS 4	ETHOS 5	ETHOS 6	Other	Total	Source
32,467	48,440	129,705			52,033		262,645	Destatis GISS & Kantar Public
							19,912	Statistik Austria
1,187	2,320	3,193	671	2,551	2,608	994	13,524	Bruss'help Fondation Roi Baudoin
535	246	2,955	195		1,152	704	5,789	VIVE
4,508	11,498			5,478		7,068	28,552	Instituto Nacional de Estadística
	1,546						1,546	Sotsiaalministeerium
492		302	328		2,564		3,686	Asumisen rahoitus- ja kehittämiskeskus
	166,331	42,743					209,074	Fondation Abbé Pierre
1,649	5,295						6,944	Menhely Alapítvány
	11,632						11,632	Department of Housing, Local Government and Heritage
							96,197	Istituto Nazionale di Statistica
	5,644						5,644	Labklājības ministrija

Country	Date	Method	Period	Description
 Lithuania	2021	Recording	1 year	The administrative data collected as part of the national census relate to people living in an emergency shelter or homeless hostel managed by social services
 Luxembourg	2017	Count	1 night	The figures collected from around twenty operating organisations refer to the number of homeless adults being cared for in the accommodation structures
 Netherlands	2021	Count Extrapolation	1 night	The census, based on a compilation of data from different social welfare registers, aims to estimate the number of people aged 18 to 65 who are recorded as homeless
 Poland	2019	Count	1 night	The questionnaire survey is based on a national intersectoral collaboration involving local authorities, police, homeless accommodation, associations and volunteers
 Portugal	2021	Count	1 night	The census, which is carried out at the level of each municipality by coordinating the various support services, covers rough sleepers and people in temporary accommodation
 Romania	2017	Recording	1 year	The figures represent the average number of homeless people accommodated monthly in night shelters and social rehabilitation centres managed by the authorities and associations
 UK	2019	Recording Extrapolation	1 year	The data are the result of a compilation of national estimates of the number of homeless households produced from different administrative sources
 Slovakia	2020	Recording	1 year	The annual administrative statistics on the use of social services include homeless people accommodated in night shelters, hostels and transitional housing
 Slovenia	2020	Recording	1 year	The figures, produced from the annual reports of social service providers, refer to homeless people receiving a supported accommodation service
 Sweden	2017	Count	1 week	The survey, which is conducted every six years, collects data from organisations that are in contact with homeless people who are adults or minors living without their parents
 Czechia	2019	Count Extrapolation	1 week	The census consists of an extrapolation of the results of surveys (night counts and statistical collections) carried out in a large part of the country's municipalities
 Europe		Compilation of counts		Total number of persons whose living situation is described by ETHOS categories 1, 2 or 3 and who have been covered by a point-in-time count (first type of survey)

ETHOS 1	ETHOS 2	ETHOS 3	ETHOS 4	ETHOS 5	ETHOS 6	Other	Total	Source
	4,009						4,009	Statistics Lithuania
	420						420	Ministère de la Famille, de l'Intégration et à la Grande Région
							32,000	Centraal Bureau voor de Statistiek
2,551	4,299	16,962	3,062	3,456			30,330	Ministerstwo Rodziny i Polityki Społecznej
4,873		4,731					9,604	ENIPSSA
	1,997	979					2,976	Ministerul Muncii și Solidarității Sociale
17,042	46,875	22,371		18,556	137,588		242,432	Crisis
	7,609	3,052					10,661	Ministerstvo práce, sociálních věcí a rodiny
		1,047					1,047	Inštitut Republike Slovenije za Socialno varstvo
990	4,921	8,154	2,447		5,726	11,031	33,269	Socialstyrelsen
8,892	2,716	8,045	4,172				23,825	Výzkumný ústav práce a sociálních věcí
	533,054							

Towards a European estimate

On the basis of this organisation of data, it is possible to provide an estimate of Europe's homeless population. To calculate this, statistics produced as part of the point-in-time counts (blue) covering people under ETHOS Light categories 1, 2, and 3 were added together. In total, 533,054 people were identified across 13 Member States through point-in-time counts carried out between 2017 and 2022. The combined populations of these 13 countries was 305,558,738 people (these figures are based on Eurostat data and correspond with the date of the survey). The homeless people counted therefore represented 0.174% of the total population of these countries. By applying this percentage to the total European population (i.e. 513,854,345 in 2022, according to Eurostat), the number of homeless people in Europe is estimated to be 896,430.

895,000

MINIMUM ESTIMATE
OF THE NUMBER OF ROUGH
SLEEPERS, PEOPLE STAYING
IN NIGHT SHELTERS AND IN
TEMPORARY ACCOMMODATION

Towards better surveying

This calculation gives an approximate idea of the minimum scale of the problem but in no way constitutes a method that establishes the real number of people who are homeless or facing housing exclusion in Europe. There are many biases and limitations inherent in this exercise. Despite the selection used, compiling data from surveys with such different methodologies is risky. While the counts carried out in some countries explicitly targeted "homelessness" and therefore cover a range of housing exclusion situations, the data produced in other countries were part of very broad data collections that only addressed homelessness indirectly. Furthermore, extrapolating local results to all of Europe is questionable at the very least because it presumes an even distribution of the homeless population. Until surveys are streamlined and methods across Europe are harmonised, there will not be reliable statistical data. In the meantime, this attempt can be viewed as an invitation to boost efforts to achieve reliable data. The intention is to lay the foundations for discussion and future work with the European institutions and Member States, particularly given the renewed EU-level commitment in this area.

4. SOME RECENT NATIONAL DATA

The lack of a home is a multi-faceted problem which is often difficult to convey. Measuring this lack raises numerous methodological and practical issues which each count tries to address based on local administrative and political specificities. While in some Member States, large-scale measurement tools have yet to be established, in others, statistical evaluation has been developed over a long period, and gradually perfected over the years. Whether through a national population census or through targeted surveys, quantifying the number of people experiencing homelessness or housing exclusion is an essential condition throughout Europe for deploying policy strategies that can adequately address the problem.

GERMANY

Since 2022, Germany has had a nationwide data collection system on homelessness. This data collection is carried out by Germany's Federal Statistical Office every year on 31 January. As the data collected only covers people in accommodation centres, the 2020 law regulating collection of data³² provides for *supplementary empirical surveys* to gain an understanding of other forms of housing exclusion. Research institutes – GISS and Kantar Public – were commissioned to carry out these surveys that will take place every two years, one week after the main data collection. The surveys consist of counting and surveying, in representative municipalities, people living rough and those living temporarily with third parties. Their total number in Germany will then be estimated by extrapolation. People whose data is recorded by both processes are identified and extracted from the total count. The combina-

tion of the two techniques provides for a reliable overall figure.

According to the data from the Federal Statistical Office, 178,145 people were staying in reception accommodation and official shelters on 31 January 2022³³. Taking into account those who are double counted (8,800), and the number of minors living with their parents (6,600), GISS and Kantar Public estimated the number of people living rough and in situations of hidden homelessness at 84,500³⁴. In total, there were reported to be at least 262,645 people experiencing homelessness and housing exclusion in Germany³⁵.

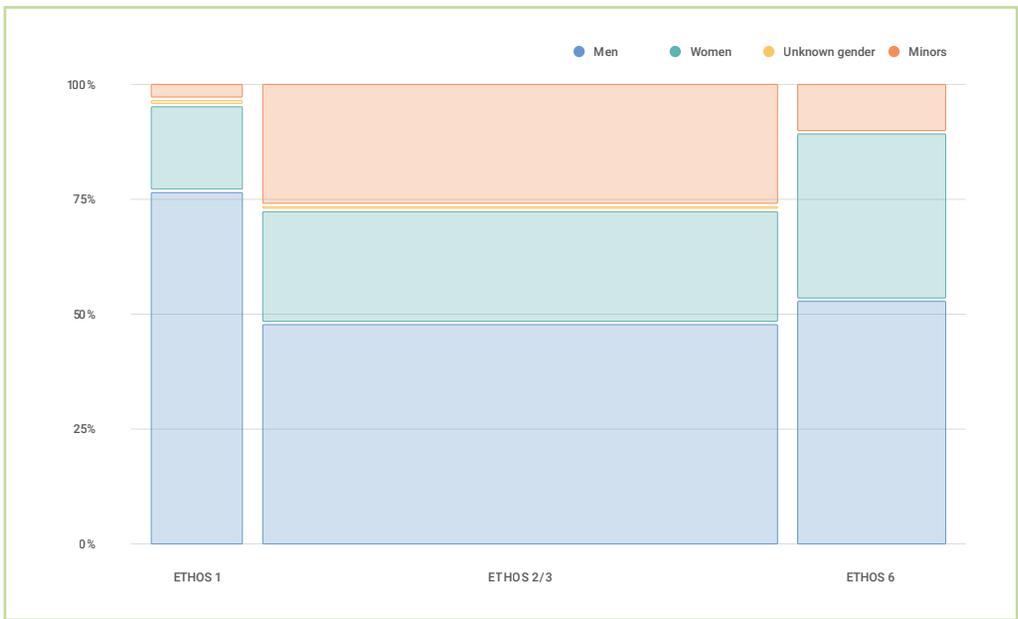
Looking just at minors within the three sub-populations (*figure 1*), it is clear that there were proportionally more young people in accommodation services (26%) and living with third parties (11%) than in public spaces (3%). Adult women, for their part, represented a proportionally larger share of those living temporarily with friends or family (36%) than those staying in accommodation services (24%) and those living rough (18%). Adult men were overrepresented in the public space (77%) and, to a lesser extent, among the sub-populations staying with third parties (53%) and in accommodation services (48%). In general, the living situation by age differed widely among the three groups: the average person sleeping rough is aged 44, i.e. 12 years older than the average person staying in an accommodation service and 10 years older than the average person staying temporarily with third parties.

More generally, analysis of the socio-demographic composition of the three sub-groups taken in isolation pointed to particular characteristics³⁶. Those who were forced to live rough or in makeshift shelters are, for the most part,

men aged between 30 and 50. They generally live alone and were either German nationals or from Eastern Europe. About two thirds of people staying in accommodation services were foreign nationals, often recognised refugees without a housing solution. Generally speaking, they were

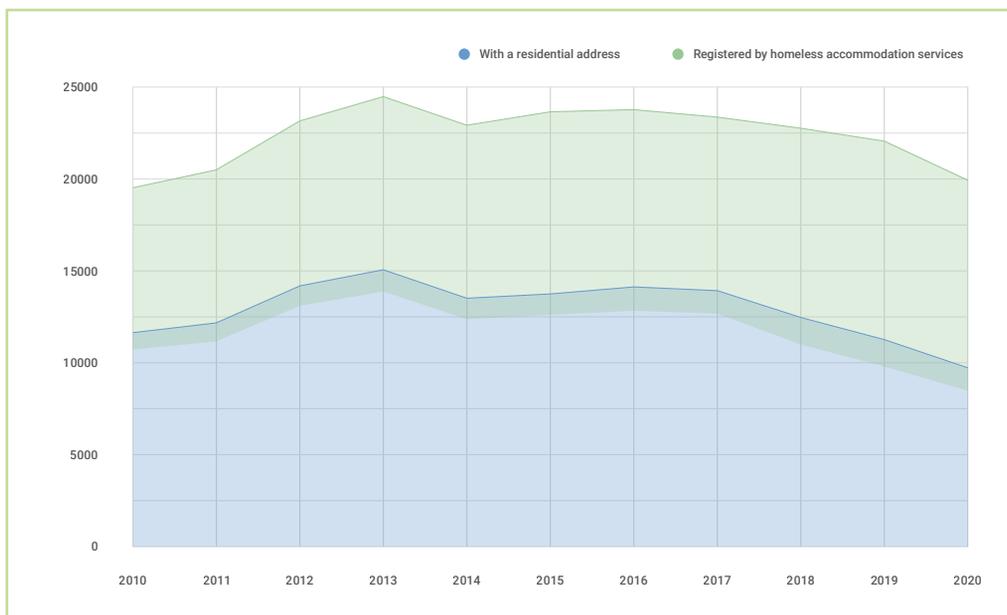
relatively young and mainly live in a household with their children. The sub-population living with friends or family includes a significant proportion of women. The majority of them were young German nationals.

FIGURE 1 - GERMANY
DISTRIBUTION BY GENDER AND AGE ACCORDING TO ETHOS LIGHT CATEGORY



Destatis / GISS & Kantar Public · own calculations

FIGURE 2 · AUSTRIA
CHANGE IN THE NUMBER OF HOMELESS PEOPLE REGISTERED



Statistik Austria data

AUSTRIA

In Austria, the statistics mainly covered the number of people officially registered as homeless by the local authority. This status is granted to people who give the address of a third party or a support service³⁷. To consolidate the data collected on the basis of this indicator, Statistik Austria also relied in part on the statistics produced by temporary accommodation services. However, as not all services were taken into account, the data on user numbers are incomplete.

According to Statistik Austria, 19,912 people were registered as homeless in Austria during 2020³⁸. This figure derives from a compilation of the data collected via the two recording methods, correcting for double counting. The number of homeless people on the population register who gave

an address was 9,721 while 11,441 were recorded by homelessness services. Broadly speaking, there were far fewer people registered as homeless for the whole year (31%) than the number temporarily experiencing housing exclusion.

The number of people counted increased significantly year on year between 2010 and 2013. Since 2013, the figure has oscillated between 24,459 and 19,912 (*figure 2*). Between 2019 and 2020, the number of homeless people fell by 10% (2,126 people). This is one of the most significant drops in the past few years. A number of reasons may explain this trend. The restrictions put in place to contain the pandemic and the ensuing social repercussions (e.g. the temporary ban on evictions) may be one factor. Likewise, extending Housing First measures meant that a sec-

tion of the public who were usually included in counts were no longer deemed homeless. Those working on the ground nevertheless maintain that homelessness numbers should be closely monitored in the years to come, as they may well increase again given the current political and migration context.

The majority of those counted in 2020 were aged between 25 and 64 (70%). The proportion of those aged 65 and over was just 8%. As this age group was almost three times larger in the wider Austrian population (19%), this figure may indicate that homeless people on average have shorter life expectancies³⁹. Across those counted, there are significantly more men (about 69%) than women. The distribution of men and women across age groups, however, gives a more nuanced picture: while there are significantly more men (71%) than women aged over 18, the distribution is more balanced in those aged under 18 (47% female, 53% male)⁴⁰. Furthermore, more than half of all homeless people recorded were living in Vienna (58%). Regarding geographical distribution of the national population, homeless people were overrepresented in the country's biggest cities.

DENMARK

Since 2007, the Danish Centre for Social Science Research (VIVE) have carried out a national survey on homelessness every two years. The 2021 edition was carried over until 2022, due to the exceptional circumstances caused by Covid-19. The survey relies on massive participation from support services and local authorities who are invited, over a given week, to fill out a questionnaire for each homeless person with whom they are in contact. The services included are in a variety of sectors: in addition to accommodation centres and local authority services, rehab centres, psychiatric services, and several NGOs contribute.

A total of 5,789 people were counted in 2022⁴¹. Among them, 535 were living rough (9%), 248 were staying in night shelters (4%) and 2,955 were staying in hotels, homeless hostels, or transitional housing (51%). The survey also enabled a range of people to be included who, due to the lack of a housing solution, were staying in institutions (195 people: 3%) or with third parties (1,152: 20%), between 7 and 13 February 2022. Added to this were the 319 people who were in a situation other than those defined in the survey (6%) and the 385 people whose precise living conditions were unknown (7%).

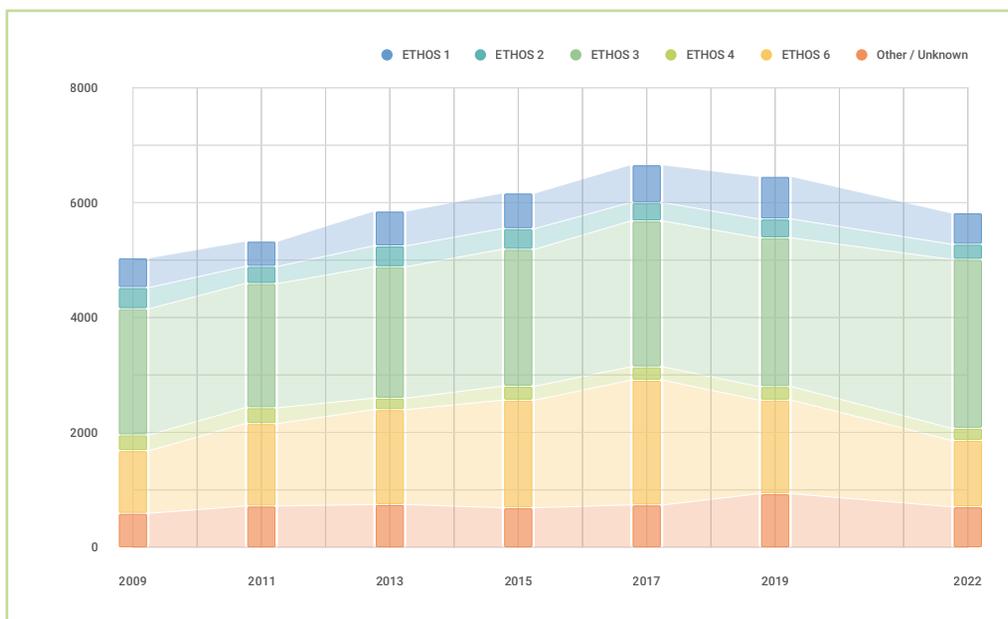
Between 2019 and 2022, the number of people experiencing homelessness fell by 10% (figure 3). This significant drop contrasted with the steady rise before 2017 when the total number of people counted reached 6,635. The drop was particularly steep in numbers of people living rough, i.e. 732 in 2019 compared to 535 in 2022 (-27%). Among the explanations put forward to account for this change was the recent increase in capacity in accommodation centres. The number of people accommodated in these services increased from 2,290 to 2,736 in three years. The last count also showed a reduction in the number of people forced to temporarily stay with friends or family (1,152 in 2022 compared to 1,630 in 2019, i.e. -29%). The general downward trend observed since 2017 was very likely owing to the country's various initiatives to combat homelessness in recent years, in particular its introduction of a Housing First approach⁴².

If we look at changes in the demographics of the homeless population, we can see that this downward trend was not evenly distributed. While the number of people aged under 24 years significantly decreased between 2019 and 2022 (-26%), the number of homeless people aged 60+ increased slightly (+9%). This difference can be explained by the fact that a number of local authorities implemented prevention policies

that specifically targeted young people⁴³. An analysis of the geographical distribution shows that the great majority of the Danish homeless population was concentrated in the large metropolitan areas and medium-sized cities. A quarter of people counted in 2022 were living

in Copenhagen (24%) and almost half were in the capital's wider region (44%). While the drop in number of people observed in Copenhagen between 2019 and 2022 was slight (-5%), the drop in Aarhus, the country's second-largest city, was significantly larger (-32%)⁴⁴.

FIGURE 3 - DENMARK
CHANGE IN THE NUMBER OF PEOPLE COUNTED BY ETHOS LIGHT CATEGORY



VIVE data

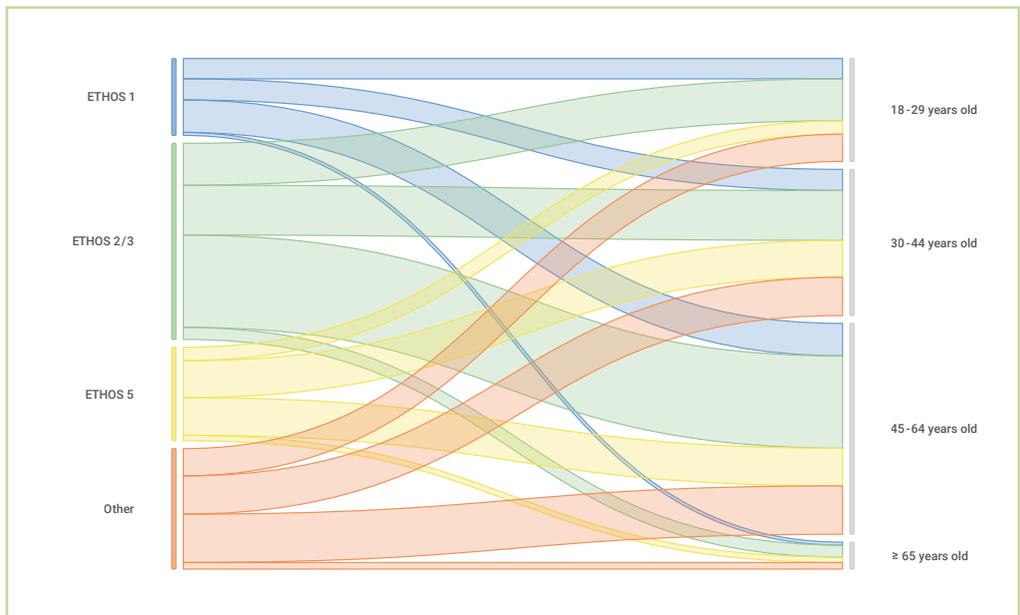
SPAIN

In 2022, 10 years after the previous study, Spain's National Statistics Institute (INE)⁴⁵ carried out a new survey on housing exclusion. In this count, anyone aged over 18 was considered homeless if they did not have access to housing that met generally accepted criteria of habitability from 3 February to 18 March. The survey consisted of detailed data collection via questionnaires given to a representative sample of people who frequented accommodation centres and soup kitchens in cities of over 20,000 people. The objective was not just to be able to estimate by extrapolation the number of homeless people in Spain, but also to identify their socio-demographic profile, living conditions, and their difficulties accessing housing.

According to the results of this study, Spain counted 28,552 homeless people, i.e. 24% more than in 2012. Of these, 4,508 were living rough (16%) and 5,478 were staying in makeshift shelters or squats (19%). The survey also showed the deployment of short- and medium-term accommodation solutions: at least 40% of all respondents stated that they were staying in accommodation services or shelters for homeless people (11,498).

The great majority of those surveyed, all of whom were experiencing homelessness or housing exclusion, were men (77%). While women remained in the minority, there was nonetheless an increase between 2012 and 2022 (23%, up from 18%). The average age of the population surveyed was 43. Relative to other age groups, respon-

FIGURE 4 - SPAIN
DISTRIBUTION OF ETHOS LIGHT CATEGORIES ACCORDING TO AGE GROUP



INE data

dents aged between 45 and 64 were particularly overrepresented (12,366 people, i.e. 43%). Some correlations could also be observed by cross-referencing people by living conditions and by age (*figure 4*). The proportion of people living rough was, for example, higher among those aged under 29 than among the total population (20%, compared to 16%). Conversely, people living rough were proportionally under-represented among those aged over 65 (11% compared to 16%). Furthermore, among foreign nationals who constituted about half of all respondents, 68% were under 45, whereas only 34% of the same age group were Spanish nationals⁴⁶.

The survey also enabled data to be collected on the amount of time spent homeless. 36% of people surveyed were homeless for at least one year, 27% for three years, and 40% for more than three years. The main sources of income for the homeless population were welfare payments (minimum income, unemployment benefit, or other types of payments), which 33% of people surveyed were receiving. Other income came from family sources (7%), work (7%) and NGO benefits (6%). No less than 30% of homeless people stated that they have no source of income at all⁴⁷. Regarding their health, 37% of respondents reported suffering from a chronic illness. Among these illnesses, the most frequently cited were psychiatric problems, which affect 9% of those surveyed. Depression also affected a much higher proportion of homeless people than the wider population 60% of respondents stated that they have symptoms of depression, compared with 13% of the national population aged over 15⁴⁸.

FINLAND

In Finland, the Housing Finance and Development Centre of Finland (ARA) conducts a survey on housing exclusion every year⁴⁹. In 2022, 71% of Finnish cities and municipalities

(209 of 293) participated in the study by providing data sourced from social services, landlords, and bodies responsible for managing applications for rented housing. Of these, 96 stated that there were homeless people in their area.

On 15 November 2022, the day of the survey, ARA counted 3,686 homeless people, 7% fewer than in 2021. The data collected enabled a distinction between several types of homelessness, i.e. living rough or in emergency accommodation (492 people or 13%), staying in a dormitory or hostel for homeless people (302 people or 8%), staying in an institution due to lack of housing solution (328 people or 9%) and living temporarily with third parties (2,564 or 70%). The survey results also showed that the number of people without a home for more than one year fell by 14% (1,133 people in 2022, compared to 1,318 in 2021). Generally, homeless people are concentrated in the south of Finland, mainly in the greater Helsinki region where 42% of the population surveyed were living.

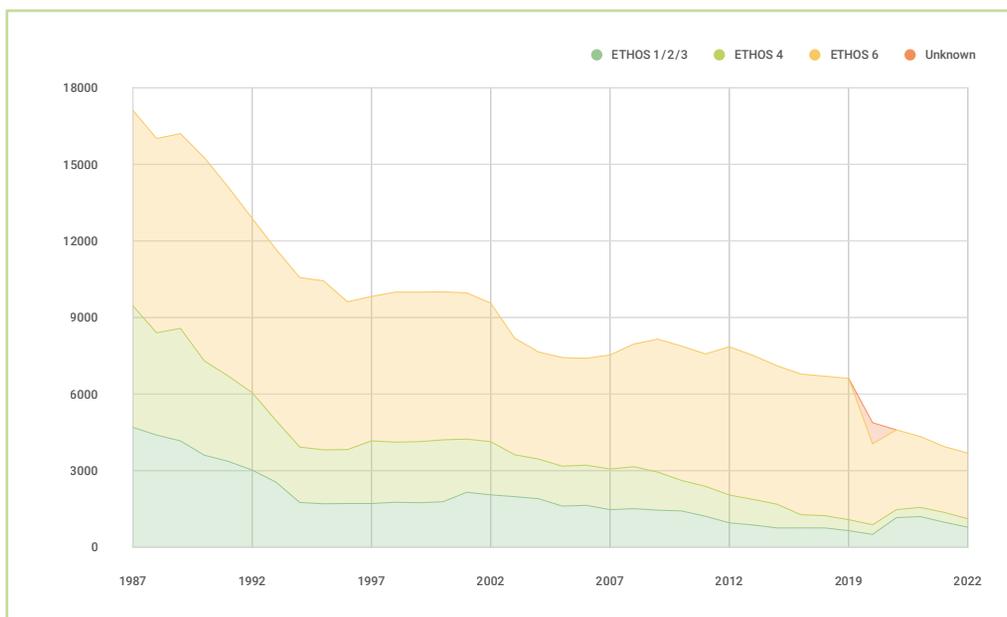
In 1987, there were more than 17,110 homeless people in Finland⁵⁰, a figure that has fallen drastically over the long term (*figure 5*). Successive counts have highlighted some significant variations, particularly an increase in numbers between 1996 and 2000, a probable consequence of the serious economic crisis experienced from the beginning of the 1990s. Overall, the statistical data demonstrate the effectiveness of the Finnish methods for eliminating homelessness and housing exclusion: for each survey carried out between 2010 and 2022, a fall in the number of homeless people was recorded.

Finland's success has been due to an integrated national strategy combining financial assistance, targeted support services, and developing the stock of accommodation for rent. Financial assistance is guaranteed by the welfare system which provides an allowance for people on low incomes that covers about 80% of housing

expenditure. An emergency welfare payment can supplement this allowance if it is insufficient. Targeted support is mainly based on the Housing First approach: support services provide housing to homeless people before any other form of medical or support intervention. This approach avoids the pitfalls that can occur when access to welfare assistance is conditional upon having an address. Finally, Finland has invested massively in housing specifically for homeless people, by both converting some existing shelters into residential units and by building new apartments. Between 2016 and 2019, grants from ARA led to the construction of 2,200 housing units.

While undeniably effective, the Finnish strategy also appears to be less costly as investments are largely offset by the reduced cost of support interventions: evaluations have shown annual savings in the order of EUR 9,600 to EUR 15,000 per person per year⁵¹. Furthermore, contrary to what has been seen in other countries, the support system for homeless people showed itself to be particularly resilient throughout the social and health crisis caused by the pandemic, mainly because so many vulnerable people were already housed and supported in self-contained units.

FIGURE 5 • FINLAND
CHANGE IN THE NUMBER OF PEOPLE COUNTED BY ETHOS LIGHT CATEGORY



ARA data

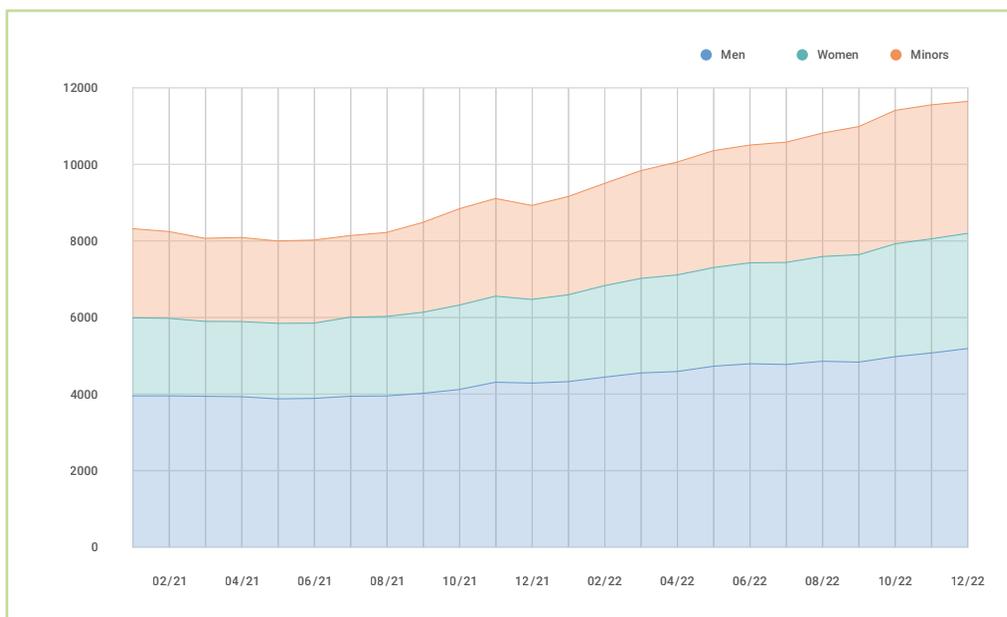
IRELAND

In Ireland, the Ministry of Housing, Local Government and Heritage (DHLGH) publishes a report every three months on the number of people staying in state-funded emergency accommodation. The data are extracted from the Pathway Accommodation & Support System (PATH)⁵², a centralised database enabling all service providers and local authorities to share information on management of service users and to follow, in real time, the occupancy rate of emergency accommodation. These statistics serve not just to measure changes in homelessness but to evaluate how the legislation and welfare assistance are being implemented.

During the week of 24 to 30 December 2022, 11,632 people stayed in emergency accommodation in Ireland⁵³. Of these, there were 5,571 single adults and 1,594 families that included 3,442 children. The geographical distribution of the homeless population was very unevenly spread: 72% of the people counted (8,376) were living in Dublin. Most of the adults staying in accommodation services were Irish nationals (4,971 or 61%). Of the other users, 1,826 people (22%) came from the European Economic Area or the United Kingdom and 1,393 (17%) came from third countries.

The statistics, extracted from the PASS system on a monthly basis, provide a longitudinal perspective on homelessness in Ireland (*figure 6*).

FIGURE 6 · IRELAND
CHANGE IN THE NUMBER OF PEOPLE ACCOMMODATED BY SEX AND BY AGE



Department of Housing, Local Government and Heritage data

According to the data collected, the number of people relying on accommodation services increased by 40% in the past two years. This drastic increase has not however been completely linear; the steep increase observed between January and December 2022 (+27%) far exceeded that recorded between January and December 2021 (+7%). While this acceleration may reflect how recent inflation has impacted the rental market, many observers claim that the explosion in homelessness in Ireland is due to more structural factors, i.e. a severe lack of social and affordable housing as a result of the budgetary restrictions introduced to mitigate the 2008 financial crisis. Beyond the general increase in numbers in emergency accommodation in 2022, the figures also show marked differences among sub-groups of beneficiaries. While the number of men increased from 4,323 to 5,186 (+20%) from January to December, the number of women increased from 2,264 to 3,004 (+33%). At the same time, the number of families in emergency accommodation increased at a much faster rate than that of single adults (+42% and +16% respectively).

Alongside the monthly statistical reports, the Ministry of Housing, Local Government and Heritage publishes quarterly reports detailing the different support services provided. These reports mainly give information on the number of people for whom a housing solution could be found, either at the moment they entered the system or when they left an accommodation service. In 2022, 5,472 adults were supported into a home (either managed by local authorities or on the private rental market), which represented a 5% increase on 2021. Furthermore, 240 rental contracts through Housing First programmes were concluded in 2022: the new national plan, launched at the end of 2021, provides for 1,319 such places to be established by 2026⁵⁴.

ITALY

At the end of 2022, Italy's National Institute of Statistics (ISTAT) published the results of Italy's population count of 31 December 2021⁵⁵. For the first time, this edition provided information on three previously unstudied segments of the population: people living in institutions (educational establishments, hospitals and care institutions, retirement homes, prisons, etc.) people living in camps, and homeless people. The latter category was evaluated based on administrative criteria; a person was considered homeless or roofless if they were registered as such in the local authority register, and/or if their correspondence address was that of a charity.

In total, 96,197 people identifying as homeless were counted at the end of December 2021. According to stakeholders in the charity sector, this figure only very partially represented the extent of homelessness in the country. In particular, they highlighted the fact that this count, based exclusively on "administrative indicators", did not give the full picture of homelessness. Furthermore, these stakeholders were critical of the incomparability of the data with the results of previous surveys, due to the gap in methodologies used.

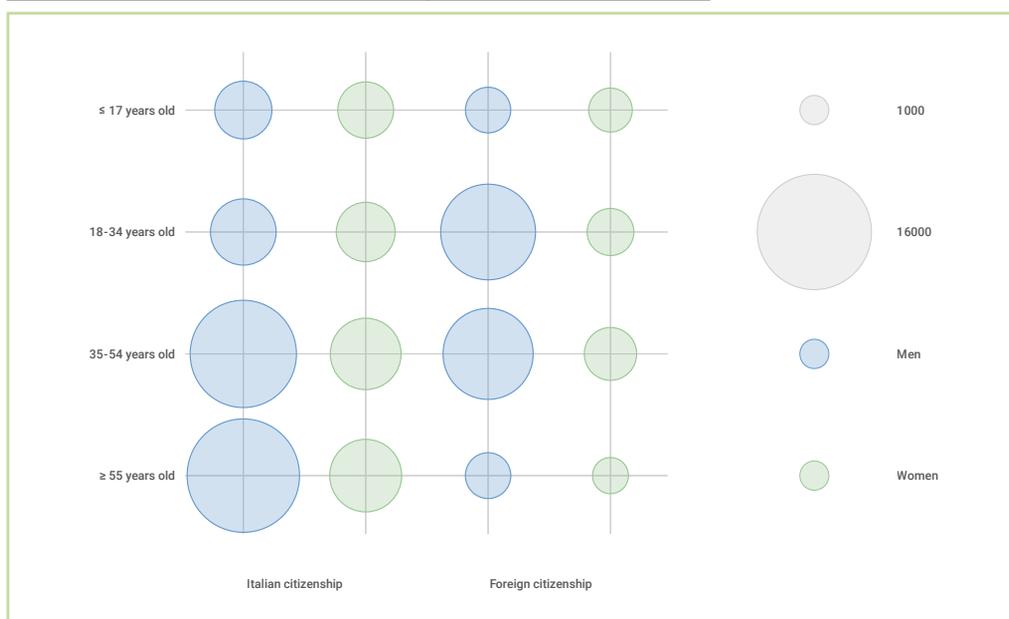
The majority of the homeless population counted was male (68%). The average age is 42 and 62% of people counted were over 35. The data collected by ISTAT enabled two separate cohorts to be distinguished: Italian citizens, and foreign nationals who made up 38% of the total number. The average age in the former cohort was 46, while it was just 35 in the latter cohort⁵⁶. Distribution by gender was also slightly different in the two groups. The ratio was 198 men for every 100 women among Italian citizens, and 262 men for every 100 women among foreign nationals. By stratifying the population according to gender, age, and citizenship (*figure 7*), at least two significantly large sub-groups emerged: Italian men

aged over 55 (15,760) and foreign national men aged between 18 and 34 (11,126). A range of nationalities were represented among foreign-born homeless people: 56% come from an African country, 22% from a European country, and 17% from Asia. The results also indicated a high number of people from war-torn or politically unstable countries such as Somalia, Afghanistan, and Iraq.

The geographical distribution of the homeless population across Italy is very uneven. Although homeless people were counted in 2,198 municipalities, half of the homeless population was

concentrated in just six cities: Rome (23%), Milan (9%), Naples (7%), Turin (5%), Genoa (3%) and Foggia (4%). In Rome and Milan, the proportion of foreign nationals was almost 60%. The latter figure was significantly lower in Naples (9%), which counted a proportion of homeless women well above the national average (50%). The number of foreign nationals among the homeless population was particularly high in Calabria, especially in the town of San Ferdinando, known for its vast camp of tents and makeshift shelters. In this commune, foreign nationals accounted for 10% of the total population living in the municipality⁵⁷.

FIGURE 7 - ITALY
DISTRIBUTION OF PEOPLE COUNTED BY SEX, BY AGE AND BY CITIZENSHIP



National Institute of Statistics data

NETHERLANDS

Since 2009, Statistics Netherlands (CBS) has conducted an annual study to gauge the size and composition of the homeless population in the Netherlands. This estimation is calculated based on data sourced from different administrative databases: the national population register, social assistance register, and probation services register. The statistical method used, known as "capture-recapture", consists of cross-referencing different sources in order to determine the proportion of people who are homeless and facing housing exclusion within the national population. The extrapolation is based on the number of people aged 18 to 65 registered as homeless in these databases on a specific date, i.e. 1 January of the year in question. The results of the study therefore do not include people without residence permits as they, by definition, cannot be listed in the registers⁵⁸. The count covers several housing exclusion situations, i.e. living rough or in makeshift shelters, staying in emergency or transitional accommodation, staying temporarily with friends, acquaintances, or family.

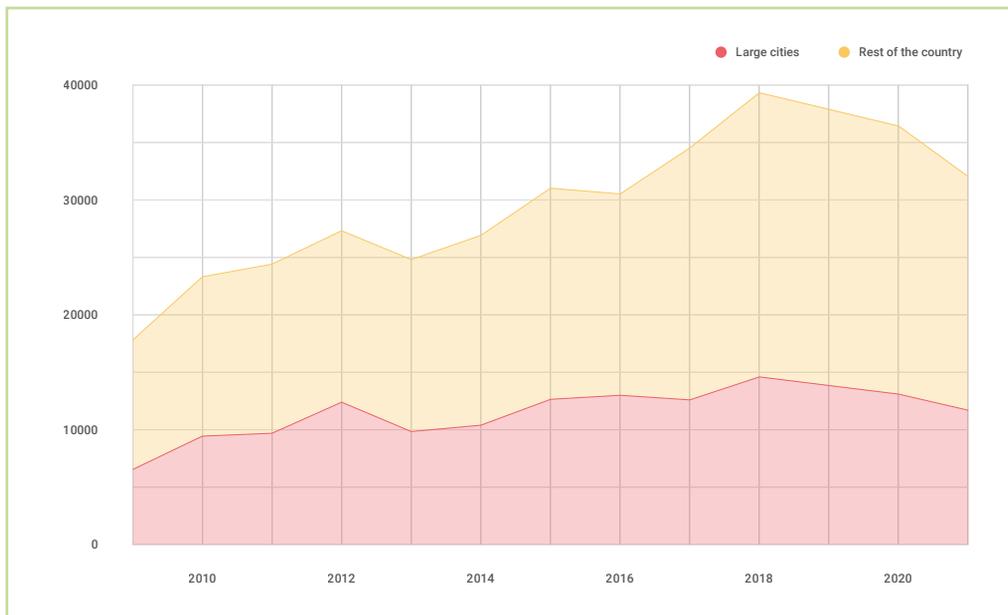
On 1 January 2021, Statistics Netherlands estimated that 32,000 people aged between 18 and 65 had no permanent residence in the Netherlands⁵⁹. Men made up the majority of this population (83%). Some 18% were under the age of 28, and 21% were over the age of 49. The study also shows that a significant proportion of homeless people have immigrant backgrounds (62%). Furthermore, it shows that 37% of people experiencing homelessness were living in one of the country's four largest cities: Amsterdam, Rotterdam, The Hague, and Utrecht.

According to estimates, the upward trend of homelessness in the Netherlands is being reversed. The large increases seen between 2009 and 2018 (+121%) have been followed by a gradual fall in the number of homeless people over the

past few years (-19%). Between January 2020 and January 2021, the number fell from 36,400 to 32,000 people (-12%). This downward trend was particularly marked for people aged between 18 and 27 (-33% in one year). Statistics Netherlands highlighted that among the population of people experiencing homelessness, the proportion of those aged between 18 and 27 fell from 35% to 18% between 2016 and 2021⁶⁰. Regarding the geographical distribution of this population (*figure 8*), the data collected shows several variations over time. The percentage of people counted in the country's four largest cities went from 45% in 2012 to 37% in 2021.

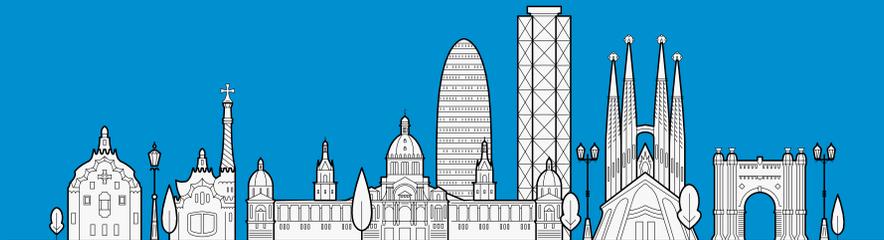
The Dutch Government put the reduction in the number of homeless people down to the political efforts of recent years; local authorities made 6,000 to 7,000 housing units available between 2020 and 2021, services to support those in rent arrears were expanded, and the number of evictions due to arrears was reduced⁶¹. However, organisations working with homeless people, and also the councils of some larger cities, have cast doubt on the results from the latest estimates. In October 2022, elected officials in Amsterdam and Utrecht called on the government to take immediate action on a situation they consider to be worrying⁶². Homeless charities were also categorical: all accommodation services have reported a steady flow of new users⁶³.

FIGURE 8 • THE NETHERLANDS
CHANGE IN THE NUMBER OF PEOPLE COUNTED BY GEOGRAPHICAL AREA



Statistics Netherlands data

HOMELESS IN METROPOLITAN



BARCELONA

BARCELONA 1063 rough sleepers
May 2022 +19% in one year

XAPSLL (2022)

Diagnosi 2022. La situació del sensellarisme a Barcelona, Barcelona : XAPSLL

<https://www.sensellarisme.cat/wp-content/uploads/Diagnosi-2022.-La-situacio-del-sensellarisme-a-Barcelona.-Evolucio-i-relacio-amb-el-mercat-laboral.pdf>

BERLIN

Zeit der Solidarität (2020)
Nacht der Solidarität : Berlins erste zahlenmäßige Erfassung und Befragung 2020, Berlin : Stadt Berlin

<https://zeitdersolidaritaet.de/ergebnisse/erste-zahlenmaessige-erfassung-und-befragung-2020/>



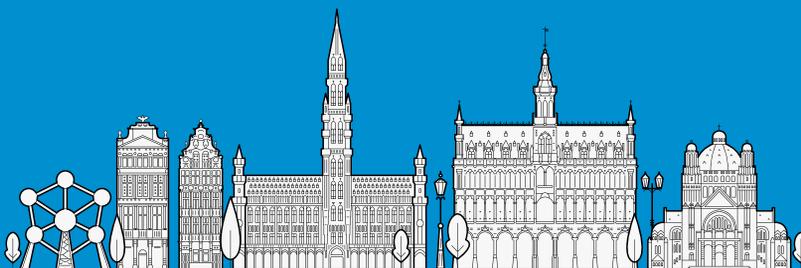
BERLIN 965 rough sleepers

January 29, 2020 1011 people in emergency accommodation

BRUSSELS

Bruss'help (2021)
Dénombrement des personnes sans-abri et mal logées en Région de Bruxelles-Capitale Bruxelles : Bruss'help,

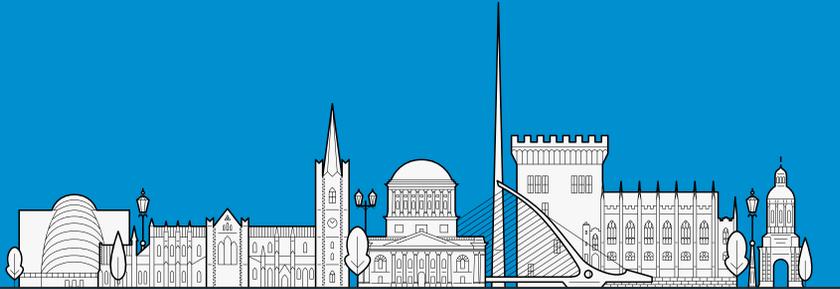
http://www.bruss'help.org/images/Denombrement_2020_vdef.pdf



BRUSSELS 719 rough sleepers

November 9, 2020 1928 people in emergency accommodation

N AREAS



DUBLIN 8376 people in emergency accommodation
December 2022 +31% in one year



DUBLIN

Dublin Region Homeless Executive (2022)
Monthly Report to Dublin City Councillors on Homelessness, Dublin : DRHE

<https://www.homelessdublin.ie/content/files/Homeless-update-34-December-2022.pdf>



PARIS

Atelier parisien d'urbanisme (2022)
Les personnes sans-abri à Paris la nuit du 20-21 Janvier 2022, Étude, Paris : APUR

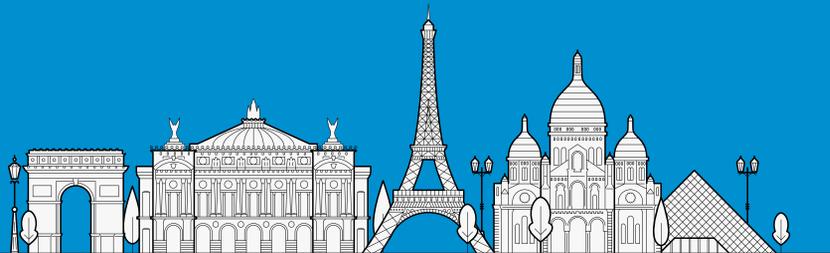
<https://www.apur.org/fr/nos-travaux/personnes-sans-abri-paris-nuit-20-21-janvier-2022>



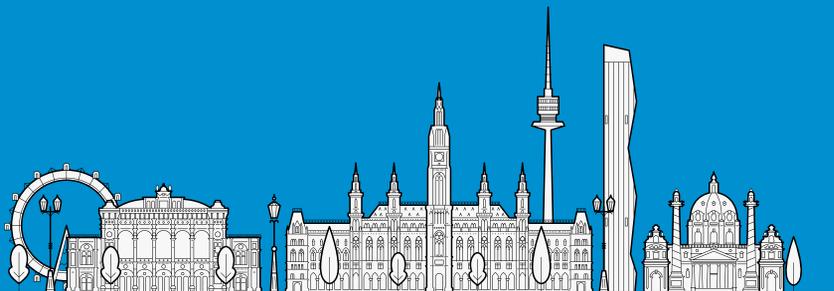
VIENNA

FSW (2021)
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PARIS 2598 rough sleepers
January 20, 2022 69% living rough for more than a year



VIENNA 12460 beneficiaries of homeless services
year 2021 +50% in ten years

5. EU COMMITMENTS TO ENDING HOMELESSNESS

« Homelessness is the most extreme form of social exclusion and it is growing across the EU. We must act now. The European Platform on Combatting Homelessness will help partners to share experiences and policy measures that have worked in their regions and cities, so we can radically reduce homelessness in Europe. »

Nicolas Schmit, European Commissioner for Employment and Social Rights, 21 June 2021.

While the European Commission cannot create binding legislation on combatting homelessness, it can make provisions for coordinating and supporting Member State policies to this end. The European Pillar of Social Rights (EPSR)⁶⁴ has, since 2017, provided the framework for European Union social policy. It consists of a list of 20 principles that aim to guide Europe towards greater equity and inclusion; a set of beacons that national, regional, and local authorities are invited to use as a guide⁶⁵. Principle 19 is specifically about social housing, housing assistance, preventing forced evictions, and access to services for homeless people. One of the most important initiatives launched by the European Commission to implement its action plan is the European Platform on Combatting Homelessness (EPOCH)⁶⁶.

The European Platform on Combatting Homelessness declaration⁶⁷ was signed on 21 June 2021 at a conference hosted by Portugal, which held the European Council Presidency at the time. Nicolas Schmit (Commissioner for Employment and Social Rights), national ministers, and representatives from the European

Parliament, the European Economic and Social Committee, the Committee of the Regions, civil society organisations, social partners, and cities committed to working together to end homelessness by 2030. It is the first time that EU institutions and Member States have shown genuine political commitment to ending homelessness and agreed to work together to achieve this goal. Since then, several steps have been taken to lay the foundations for a structure and to begin a variety of activities. All Member States have designated civil servants to represent them within the Platform, and a steering group was put in place, chaired by former Prime Minister of Belgium, Yves Leterme. The EPOCH working programme was adopted during the second ministerial meeting organised by France, which held the European Council presidency at that time⁶⁸. It defined three workstreams (data collection and analysis, knowledge sharing, funding). A series of concrete activities have since been launched:

1. Learning events for civil servants responsible for Member States' policies to combat homelessness.
2. A pilot project for counting homeless people, based on a common methodology, in various cities across Europe in 2024.
3. A capacity- and knowledge-building programme for Member States and stakeholders starting in 2024.
4. A forthcoming call for projects to support and fund innovation to address homelessness.
5. An OECD study on developing a common framework for monitoring homelessness and a toolbox to inform national strategies.

6. Data collection by Eurostat, the EU's statistics body, on the experience of homelessness within the population – a module which will be included in the 2023 European Union survey on incomes and living conditions (EU-SILC).
7. A working group focused on funding, directed by the European Commission and the Council of Europe Development Bank, aiming to promote the matching of housing-related projects with EU grant opportunities and loans.

These activities are still in their early stages and it is too soon to evaluate their impact. They do however demonstrate the European Commission's unprecedented engagement. EPOCH is a work in progress; the platform constitutes an experimental form of policy coordination with several unusual characteristics. Involvement is entirely voluntary and its activities are largely deployed outside of formal structures such as the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) and the Social Protection Committee (SPC). Its approach is adapted to a sector in which the EU's scope and potential for involvement are limited. It is clear that there are potential stumbling blocks in such an initiative, but the existence of this first EU policy action on combatting homelessness is encouraging. EPOCH has the potential to get political decision-makers and stakeholders to work towards a common goal by developing knowledge, learning, and debate, by improving monitoring and data quality, and by using appropriate EU funds and financial instruments.

Several areas of EU policy and legislation directly or indirectly influence homelessness and housing exclusion: migration, free movement of people, antidiscrimination, economic and fiscal governance, the Green Deal, health, etc. The overlap between these policies and homelessness is often not recognised or taken into

account, which can have serious consequences. EU legislation on asylum, for example, requires Member States to provide asylum seekers with appropriate reception conditions. However, in several countries, many asylum seekers face homelessness and destitution, which is a contravention of EU law that too often goes unquestioned. Effective action against housing exclusion on an EU scale requires going beyond isolated social policy initiatives. One of the main aims of the platform will therefore be to link the EU's different policy domains to ensure that they all contribute to preventing and eliminating homelessness.

The European Platform on Combatting Homelessness should become a useful, practical forum to support EU Member State policies. However, ambitions at EU level cannot replace the political will of local, regional, and national authorities. To avoid being reduced to vague statements of intent, EPOCH must be able to provide concrete support to progressively improving policies and services by offering concrete tools and activities. It should also work towards ensuring that all relevant EU policies play their role in preventing and tackling housing exclusion.

FEANTSA and the Abbé Pierre Foundation welcome the European Commission's new action on homelessness and stand ready to both contribute to the platform and to rigorously scrutinise its results. Given the 2024 European Parliament elections, we are calling for strong political support from Member States, stakeholders, and representatives from EU institutions so that EPOCH can make significant progress towards eliminating homelessness by 2030.

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CHAP. 2

UNFIT HOUSING
IN EUROPE

45

1.

OVERVIEW OF THE PROBLEM

While, in general, the average quality of housing has been steadily improving over the last twenty years¹, unfit, poorly insulated, non-functional and cramped housing remains a reality for millions of Europeans. Because they have no alternative, a significant segment of the population is trapped in dilapidated homes that are unfit for habitation. It is difficult to gauge the full extent of this problem as it is relatively hidden from the public eye. Nonetheless, it seems that this problem is not unique to large cities with exorbitant property prices. It also affects rural areas where it is difficult for public policies – if they exist at all – to reach the more isolated regions. Furthermore, and contrary to popular opinion, unfit, cramped housing is not the preserve of rented units put on the market by unscrupulous landlords. Unfit living conditions also affect countless owner-occupiers who do not have the resources to maintain or renovate their home. It is also worth noting that very low-income households are not the only ones experiencing poor living conditions. Lower middle-class families also struggle to find decent, affordable housing, particularly in high-density urban areas.

A working definition

Giving a definition that covers all inadequate or unsatisfactory living conditions across a very diverse Europe is no easy matter. The terminology used to describe these situations can vary widely from one country to the next. This is not only due to the objective disparities in average housing conditions across Member States. It is also because States do not attribute the same societal and legal importance to these situations, as they have different economic priorities and uneven levels of development. In fact, there is no official term, or single word, that describes the full range of unfit living conditions on a European scale.

In **Italy** for example, existing regional and local level regulations are complex and fragmented. Some regions allow the use of basements and garages for housing purposes, which is an infringement of the internationally recognised minimum standards². As another example, a study carried out in 2023 observed that damp is considered a build quality issue in **Denmark** while in **England** it is believed to result from lack of heating, which is in turn linked to energy poverty³.

The United Nations' Economic, Social and Cultural Rights Committee states however that housing "must provide more than four walls and a roof". Housing is considered inadequate "if it does not guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health, and structural hazards". Neither is it considered adequate if "its occupants do not have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal"⁴.

In line with this initial, quite broad definition, unfit housing refers to any housing that does not provide security and minimal comfort to its occupants. Unfit housing is understood here in terms of its harmful implications, and more widely of its impact on the daily life of its occupants. These impacts can be: physical and mental health problems; economic and material limitations; and impediments to family, professional, and social life.⁵ "Poor housing conditions are not only associated with lower levels of health and well-being. They are part of a vicious cycle which increases the risk of poverty and social exclusion". These consequences often have even worse effects on vulnerable populations, children or older people with pre-existing health conditions. As such, this also leads to wider social and economic problems, such as increased healthcare costs, and greater difficulty accessing education and employment.

The root of a public problem

Unfit housing, as a social and health problem, has its roots in the profound changes that took place in 19th century Europe⁶. On the one hand, the emergence of the "social question" and concerns around the impoverishment of the working classes were taking hold. The industrial revolution rapidly changed the face of European cities, which became the destination of a nascent proletariat. In search of work, a large part of this previously rural population squeezed into urban neighbourhoods, occupying makeshift housing in appalling conditions. On the other hand, a change in the medical paradigm was taking place: the widespread adoption of "germ theory" disrupted ideas around health and the understanding of the relationship between the individual and their lived environment. Against

this backdrop, there was a shift from moral hygiene (which aimed to shape the morals of the working classes) to social hygiene (which aimed to improve the living and working environment of workers)⁷.

In the **United Kingdom**, health concerns have been ingrained in public action on housing from the very beginning. The link between recurrent epidemics and an unhealthy environment was established for the first time in the 1842 report by Edwin Chadwick. "This realisation incited fear that epidemics would spread to the middle classes, which led to the first legislative measures"⁸. Various legislative texts on sanitation in cities (Towns Improvement Clauses Act, 1847), on preventing epidemics (the Public Health Act, 1848), and on overcrowding (the Common Lodging Houses Act, 1851) were voted on. These texts established a series of minimum standards on housing: supply of running water, ventilation, connection to the sewerage system, and limiting the number of tenants permitted. Over the subsequent decades, two important laws were adopted to contain the proliferation of slums in industrial areas. First the Torrens Act in 1868, which enabled local councils to force landlords to demolish unsafe housing and to maintain their properties in a habitable condition. Then, the Cross Act in 1875, which formalised a set of measures aiming to remove the slums and build replacement housing for the working classes. It is worth noting however that neither of these two laws adequately addressed the issue of what was to become of those displaced by the demolitions⁹.

In **France**, the first legal regulations aiming to improve hygiene in the cities came about following the cholera epidemics of 1831 and 1849¹⁰. Enacted in April 1850, the law on inadequate rented housing targeted "housing that is in such conditions as to harm the life or health of inhabitants". This was particularly regarding ventilation, light, and damp¹¹. Although this law

was rarely enforced due to its discretionary nature, it marked the first appearance in France of a new social concern: housing, households, and living conditions¹². At the beginning of the 1890s, the attention being given to overcrowding in working-class housing, worsened by the expropriation of land for the capital's large-scale construction works, gradually put the issue of overcrowding on the agenda. At the end of the 19th century, ideas around unfit housing continued to evolve. From that point on, the issue was less about individual housing units and more about the shared buildings and housing blocks in which mortality rates were abnormally high. It was in this vein that France's 1902 law on public health adapted the definition of unfit housing established in 1850. Housing is considered "unfit" when it harms the life and health of its occupants and their neighbours¹³. The 1902 law provided authorities with more enforcement powers, but this also legitimised "the expropriation and demolition of old working class neighbourhoods on the grounds of them being unsanitary"¹⁴.

Developing a legal arsenal

The issue of unfit housing remained a major political concern throughout the 20th century. Alongside the changing economic and social circumstances, housing legislation was gradually improved to include other concepts such as household well-being and decent housing.

In the **United Kingdom**, the public authorities have considered housing as a means of improving living conditions for the working classes since the end of the 19th century. This was the context in which the 1890 Housing Act was adopted, which enabled local councils to finance the construction of public housing. During the troubled Interwar years, subsidies were gradually

limited to renovating non-decent housing and combatting slums. A turning point was reached in 1945 when the State assumed responsibility for improving the material well-being of the population through a housing policy and a sustained public construction programme. In 1956, the desire to reduce social inequality breathed new life into the fight against unfit housing. But the “conservative revolution” and Margaret Thatcher’s accession to power marked a u-turn at the beginning of the 1980s. Successive governments abandoned their housing responsibilities to the market and the voluntary sector. State intervention thus became limited to those narrow categories of the population deemed vulnerable (such as older people and people who are homeless). The notion of decent housing only took clear hold at the beginning of the 2000s under the Labour Party’s Decent Homes programme, which aimed to improve housing conditions in the public sector¹⁵.

In **France**, civil society protests against “slums” put concerns about the living conditions of working-class people on the political agenda in the 1920s. The 1928 *Loi Loucheur* saw the construction of 500,000 housing units in just 10 years. In order to improve the effectiveness of policies, competence for combatting unfit housing was transferred to the French State in 1935. At the end of World War II, rents were regulated and a fund for housing improvement was created. Renovating the existing rental stock was, however, insufficient to meet the ever-growing demand for housing and slums began to develop on the outskirts of large cities¹⁶. The 1964 *Loi Debré* tackled the problem: it allowed for the expropriation of occupied land for the construction of social housing¹⁷. In 1970, the *Loi Vivien*¹⁸ strengthened the fight against unfit housing by establishing evaluation criteria and simplified procedures. From the 1980s, the French state, which had been financing the policy to eradicate unfit housing, withdrew, and competency for

urban planning was decentralised¹⁹. Unfit housing was redefined in the 1990 law on the right to housing: it is now characterised by the risks to the occupant(s) in terms of harm to their physical safety or their health²⁰. In 2000, the *Loi sur la solidarité et le renouvellement urbain* explicitly stated people’s right to decent housing.

The concepts of unfit and non-decent housing were developed to qualify situations deemed unacceptable for societies’ economic development. Their evolution reflects both the health and social problems that public authorities had to address and the struggle to recognise housing as fundamental to human dignity. In fact, how we understand unfit housing in Europe today is the result of various national legal corpora. Firstly, through the lens of landlord-tenant relationships, i.e. the legislation provides a framework (or not) for the conditions under which landlords can rent out their property. Secondly, through public requirements for protecting human health and safety. The authorities are obliged to ensure that buildings, whatever their purpose, do not pose any danger to their occupant(s)²¹.

A combination of causes

« More and more people can’t afford a decent home from Warsaw to Athens, Dublin to Lisbon. Throughout Europe, housing prices rose 7% last year. In the Netherlands by 16%. »²²

Kim Van Sparrentak,
MEP, 29 November 2021

Unfit housing is at the crossroads of a series of social, economic, and political issues. These include the increasing vulnerability of the poorest households, deregulation of the housing market and property speculation, inadequate

public policies, unsuitable legal standards, and dilapidated or insufficient social housing stock, etc. Through lack of resources and low supply of social housing, part of the population, unable to pay high housing costs, find themselves stuck in a ramshackle rental sub-market or trapped in properties that are impossible to renovate.

The way the housing market operates today both highlights income inequality, and worsens it. On the one hand, strong demand and prohibitively expensive rents push the poorest households towards the most run-down rental properties. On the other hand, the limited supply and highly competitive market enables landlords to raise prices and put low-quality housing on the rental market. Without state intervention or regulation, the severe lack of adequate and accessible housing seems destined to get even worse, particularly in a context where prices are increasing faster than salaries²³. Few countries escape the rule: "By far the most common and most serious problems across the EU's Member States are rent increases in urban areas and lack of affordable and social housing in urban areas"²⁴. The poorest 60% of households are disproportionately affected by these issues²⁵. Alongside this crisis in rented housing, accessing property ownership has also become increasingly difficult: "In the past decade, homeownership in the EU has decreased, driven by a fall in homeownership among young people"²⁶.

The financialisation of the housing market is undoubtedly one of the determining factors behind the severe lack of quality affordable housing. "Real estate funds have grown rapidly over the past 10 years, driven by growing institutional demand. In the euro area alone, data from the ECB shows that real estate funds have reached EUR 1 trillion in 2021, from around EUR 350 billion in 2010"²⁷. It is likely that deregulation and implementing policies that are favourable to the property market have played an important role

in this. Many observers agree that a series of tax incentives have been instrumental in aggravating the crisis: "capital gains tax exemptions, special tax-free guarantees, low taxes on rental income, and inheritance tax incentives are just some of the common privileges granted"²⁸. The stranglehold of financialisation has numerous consequences for housing, particularly in urban areas where it creates unequal local development²⁹. This manifests itself most clearly in the process of gentrification that comes with "urban development" projects. "The biggest gains for global property companies are made from replacing low-rent paying tenants with higher-paying ones"³⁰. In some European cities such as **Berlin** and **Barcelona**, capital investments have led to drastic price increases that have emptied working-class areas of their traditional residents. Financialisation and property speculation can also lead to the creation of a rental sub-market and to the degradation of the built environment, given that landlords often neglect certain rental stock as they wait for the value of their asset to rise³¹.

Some landlords, commonly known as "slum landlords", extract profit from the rental sub-market by renting out properties in a very bad condition to people excluded from the regular market. In the **Netherlands**, a draft law was introduced at the beginning of 2023 to discourage unscrupulous landlords from abusing the vulnerability of migrant workers³². According to a survey of a representative group of workers by Het Kenniscentrum Arbeidsmigranten in 2021, 40% of these workers were unhappy with their housing and 56% wanted to move due to unsanitary conditions in their home³³. In **France**, slum landlords can face legal sanctions but convictions, although increasing, remain rare. Based on the Italian legislative model, French law allows the courts to seize properties that are being rented out under unfair conditions and to entrust them to non-profits. This procedure enabled Italy to

put almost 18,000 properties into public hands. 1,000 of these properties are today managed by non-profit organisations³⁴.

In several European countries, tenants have limited legal protection against eviction, rent increases, and other forms of exploitation by landlords. While legislation is now increasingly binding on landlords, tenants regularly face major difficulties in having their rights respected. In addition to the insecurity and instability that this causes for occupants, the legal status quo hinders the reporting of unfit living conditions and perpetuates poor housing quality. In the United Kingdom, while almost a quarter of private rented housing does not meet the living standards set by law, tenants often hesitate to take legal action for fear of being evicted. According to the National Audit Office, "The proportion of private renters living in properties that are unsafe or fail the standards for a decent home is concerning. The government relies on these tenants being able to enforce their own rights, but they face significant barriers to doing so"³⁵. Furthermore, it is quite common for occupants to be stigmatised and blamed for their living situation. To this end, the UK Housing Ombudsman stated that

arguments that blame tenants for their "lifestyle" should be banned from discussions about damp and mould³⁶.

The drop in the number of adequate and affordable housing units available is also symptomatic of various European governments' failure to invest significantly in social housing. In **Greece**, no social housing has been built since 2004, while in **Germany**, the stock of social housing shrank by 90,000 units between 2017 and 2020³⁷. In **Bulgaria**, the capital has seen its number of social housing units fall from 120,000 in 1993 to less than 9,000 in 2021³⁸. In **France**, the lack of rent-controlled housing has led to long waiting lists and limited options for low-income households. At the end of 2021, there were no fewer than 2.3 million social housing applicants on the waiting list³⁹. In **Belgium**, public housing, largely built in the post-war period, is also insufficient. In 2022, more than 257,000 people were on a waiting list for housing. In **Poland**, 17% of the social housing stock was unfit for habitation in 2022⁴⁰, and that same year, there were more than 48,000 social housing units lying empty in Italy due to lack of maintenance⁴¹.

2. A MULTI-FACETED PROBLEM

Regional disparities

Given the existing disparities between housing stock in different countries, both in terms of availability and of quality⁴², unfit housing is very unequally distributed across Europe. The

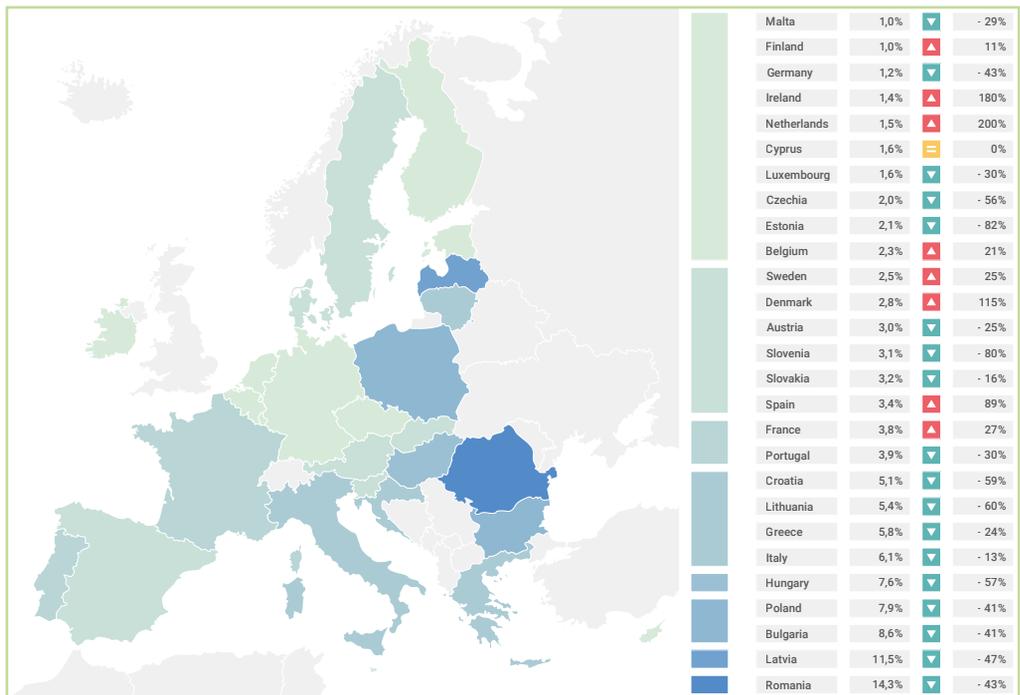
problem is particularly acute in some countries, where a significant proportion of the population lives in housing that does not meet average standards of habitability. In 2020, almost half the population (45%) of **Romania**⁴³ were living in overcrowded housing, and more than one in eight **Bulgarians**⁴⁴ (13%) were living in housing without an indoor toilet. Nonetheless, unfit

housing, which takes many forms, is not the preserve of Eastern Europe. In 2020, almost a fifth of the population (18%) were living in housing that could be considered unfit in **France**⁴⁵, and almost a quarter of private rented housing (23%) was deemed unfit in the **United Kingdom**⁴⁶.

According to Eurostat, 4.3% of the total European population – more than 19.2 million people – were experiencing severe housing deprivation in 2020. This refers to the percentage of people living in overcrowded housing which has at least one of the following criteria: “households with

a leaking roof, no bath / shower and no indoor toilet, or a dwelling considered too dark”⁴⁷. Broadly speaking, the proportion of the population affected by severe housing deprivation is falling in Europe (-29.5% in 10 years) – although a sizeable increase was observed between 2019 and 2020 (+7.5%). 10.2% of the European population were living below the poverty line and affected by severe housing deprivation. This figure demonstrates the correlation between economic instability and unfit housing.

FIGURE 1 - HOUSEHOLDS FACING SEVERE HOUSING DEPRIVATION (2020, IN % / CHANGE FROM 2010-2020, IN %)



Source : Eurostat · [ILC_MDHO06A](#) / Last updated: 2022-09-09 / Data missing in 2020 (data replaced by 2019 data): Poland
Series break in 2020: Germany · France · Ireland · Luxembourg

The rates of severe housing deprivation observed in the different EU 27 Member States in 2020 show significant disparities (*figure 1*). While this deprivation only affects one person in every hundred in **Malta** and **Finland**, it impacts a significant segment of the population in **Hungary** (7.6%), **Poland** (7.9%), **Bulgaria** (8.6%), **Latvia** (11.5%) and **Romania** (14.3%). These differences are even more significant when we focus on people living below the poverty line: the relatively low levels in **Malta** (1.4%), **Germany** (2.6%) and **Cyprus** (2.9%) contrast with much higher rates in **Latvia** (16.5%), **Bulgaria** (20.9%) and **Romania** (35.7%).

Across Europe, unfit housing conditions affect the urban and rural population almost equally. Rates of severe housing deprivation recorded in cities, suburbs, and the countryside in 2020 were 4.8%, 3.4%, and 4.9% respectively⁴⁸. However, comparing these rates of deprivation by degree of urbanisation reveals wide disparities between Member States: 6.5% in **Italy**, 6.5% in **Austria**, 7.3% in **France**, and 12.2% in **Latvia** in larger cities; 8.4% in **Lithuania**, 8.5% in **Bulgaria**, 8.5% in **Romania**, and 10.3% in **Latvia** in smaller cities and suburbs; 9.4% in **Hungary**, 11.5% in **Latvia**, 11.8% in **Bulgaria**, and 24.4% in **Romania** in rural areas. These comparative data indicate the two types of unfit housing documented by qualitative surveys: firstly, overcrowded and often dilapidated apartments (of which there are still many in Europe's big cities), and secondly, houses that are dilapidated and unfit for habitation. These are particularly widespread in rural areas, mainly in Eastern Europe.

The problem is also acute in shrinking regions where the population is declining and housing is being abandoned by both private and public investors. Compared to areas with pressurised property markets, these zones are more directly affected by problems of unfit or inadequate housing than by excessive housing costs. These situations, where there is an oversupply

of housing, lead to challenges around abandoned and dilapidated buildings. Some cities, such as Leipzig, are today referred to as "perforated cities"⁴⁹, an expression used for urban areas characterised by vacancy, wastelands, and withdrawal of investment. This leads to major demographic, social, and economic consequences. Middle-income households flee the poorest neighbourhoods where the remaining low-income households remain "stuck". The impoverishment of these neighbourhoods takes many forms: a degraded urban environment, discontinued transport services, and deterioration of facilities and infrastructure⁵⁰.

Unfit housing and tenure status

The tenancy status of those living in inadequate housing is also a factor. On average, seven in ten Europeans are owner-occupiers (*figure 2*). It is interesting to note that countries with the highest proportion of owner-occupiers are mainly in Eastern Europe: **Bulgaria** (84.3%), **Poland** (85.6%), **Lithuania** (88.5%), **Croatia** (91.3%), **Hungary** (91.3%), **Slovakia** (92.3%), and **Romania** (96.0%). Conversely, the Member States with the highest proportion of renters are largely situated in Western and Northern Europe: **Luxembourg** (31.6%), **Sweden** (35.6%), **France** (36.4%), **Denmark** (40.7%), **Austria** (44.6%), and **Germany** (49.5%).

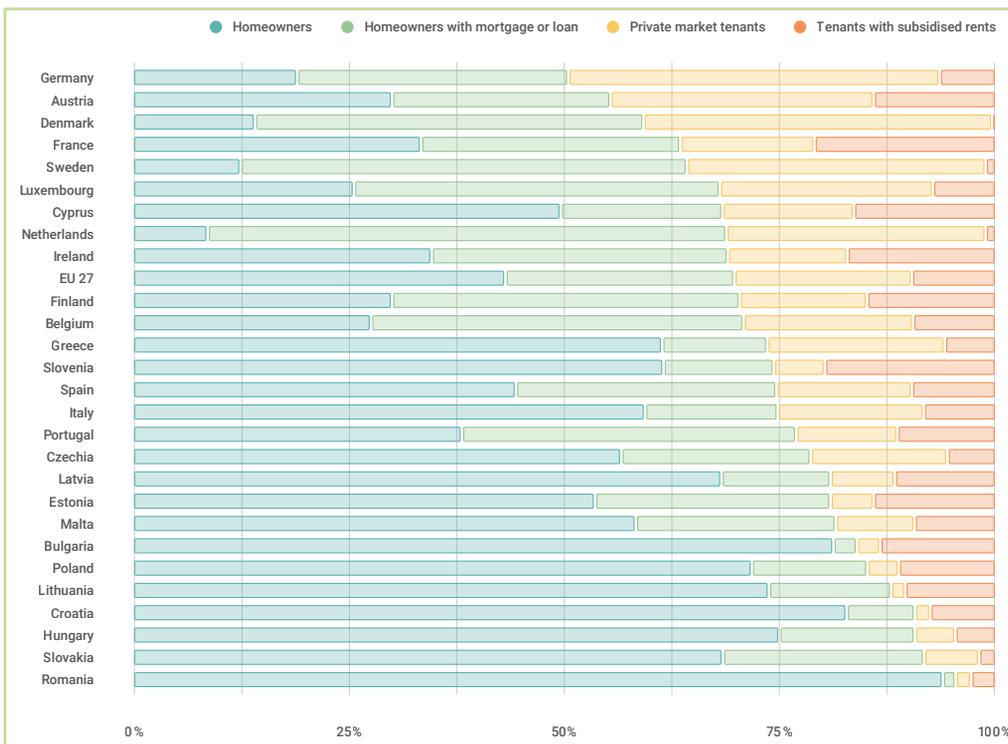
Data compiled by Eurostat in 2020 enable the rate of severe housing deprivation to be viewed by tenancy status⁵¹. In Europe, unfit housing conditions affect on average 4.2% of home owners, 1.6% of home owners with an ongoing mortgage or loan, 5.8% of private sector tenants, and 9.6% of tenants with reduced/free rent. Here again, there are big differences between countries.

While in **Romania**, 14% of home owners without a mortgage or loan were living in poor housing conditions, in 17 of the 27 EU Member States (mainly western European countries), less than 2.5% of home owners are in this situation. Among home owners with a mortgage or a loan, high rates of housing deprivation were observed in **Latvia** (5.5%), **Greece** (6.1%), **Italy** (6.6%), **Hungary** (6.7%), and **Bulgaria** (14.1%).

The rate of housing deprivation among private sector tenants is generally higher and the differences between countries slightly less noticeable. More than one in 10 tenants were living

in unfit housing in **Lithuania** (10.1%), **Hungary** (11.9%), **Italy** (12.8%) and **Latvia** (15.8%). It is worth noting that private sector tenants are even more affected in urban areas, particularly in **Hungary** (12.8%), **France** (13.1%), **Croatia** (15.0%), and **Latvia** (17.2%). However the most alarming rates of deprivation are unquestionably those observed among tenants in social housing. In 2020, the proportion of tenants in subsidised housing experiencing unfit housing conditions was 17.9% in **Bulgaria**, 25.5% in **Latvia**, 26.8% in **Hungary**, and 34.5% in **Romania**.

FIGURE 2 - DISTRIBUTION OF THE POPULATION BY TENURE STATUS (2020, IN %)



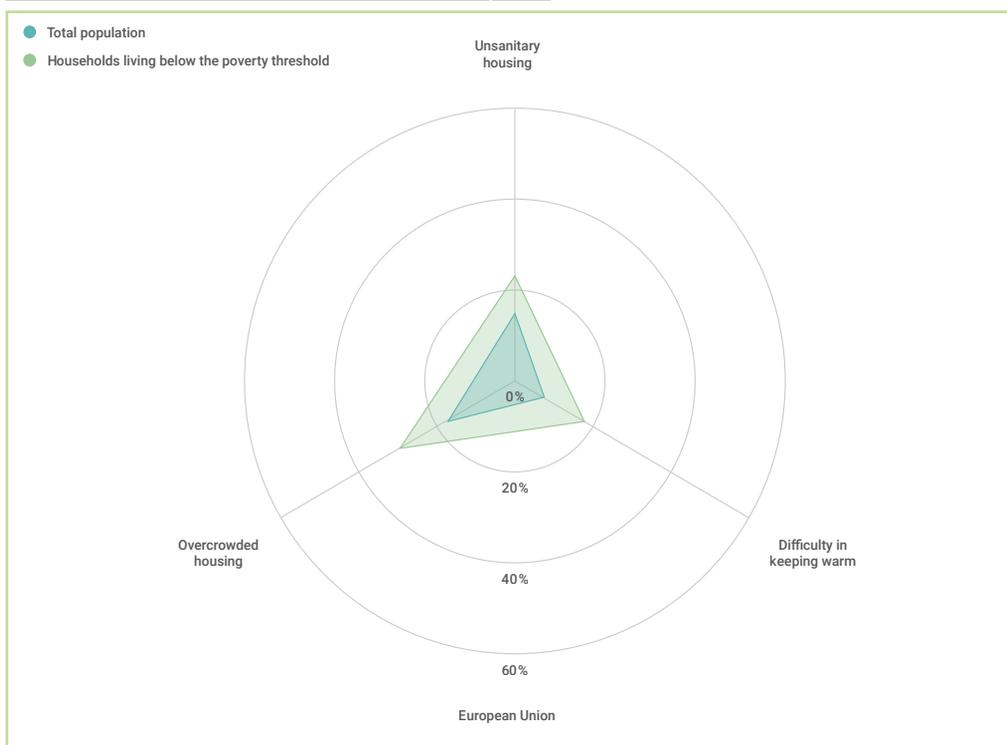
Source : Eurostat - [ILC_LVHQ02](#) / Last updated: 2023-05-10 / Series break in 2020: Germany · France · Ireland · Luxembourg

Varied and sometimes invisible forms

The Eurostat data also provide a more precise overview of the different dimensions of unfit housing (*figure 3*). In 2020, 14.8% of European households (23.1% of households below the poverty line) were living in housing with leaks, damp foundations, or mould. 17.4% (29.2% of

households below the poverty line) were living in overcrowded housing; and 7.5% (18.1% of households below the poverty line) were unable to maintain an adequate temperature in their home. Furthermore, a considerable number of Europeans are still living in housing that is poorly equipped or non-functional. In 2020, 1.7% of Europeans (5.5% of people below the poverty line) had neither a bath nor a shower in their home⁵² and 1.8% (5.7%) did not have an indoor toilet⁵³.

FIGURE 3 • HOUSEHOLDS IN UNFIT, OVERCROWDED HOUSING, HAVING DIFFICULTIES HEATING THEIR HOME (2020, IN %)



Source : Eurostat · [ILC_MDH001](#) / [ILC_IVHO05A](#) / [ILC_MDES01](#) / Last updated: 2022-12-20 / 2023-05-10 / 2023-05-10
Series break in 2020: Germany France Ireland Luxembourg



The floor space within housing also raises habitability issues. Given the context of housing shortages where investing in rental property is more profit-driven than ever, the surface area of rental properties is ever-decreasing. A large number of households are therefore forced to live in homes where the surface area is not suitable for their household composition. This phenomenon has reached its peak with the proliferation of “micro-apartments” on Europe’s rental markets. These are marketed to single people, students, or poor retirees who have no alternative. In France, while regulations require a minimum surface area of 9m², rooms of less than 5m² in the attics of Parisian buildings are regularly rented out to poor people. The price of these rooms can be as high as EUR 100 per metre squared, even though these “micro-apartments” are legally unfit for habitation⁵⁴.

In the last few years, a new form of poverty has emerged due to both the increase in energy prices and poorly insulated buildings: energy poverty. In Europe, 35 million people are unable to maintain an adequate temperature in their home. Energy poverty is in part due to poor building quality. Some countries are particularly badly affected: according to a study conducted in Poland at the end of 2022, 21% of households were experiencing energy poverty, while two-thirds of the country’s buildings are old and lack adequate insulation. About 9.4 million Polish people are currently experiencing housing conditions that put their health at risk due to inadequate heating, indoor air pollution, and mould⁵⁵. Another survey of European consumers, conducted between December 2019 and January 2020, highlighted that due to the quality of housing stock, homes in Nordic countries were most effective at retaining heat. For example, a Norwegian home heated to 20°C with an outdoor temperature of 0°C will only see its temperature drop by 0.9°C over five hours. In Germany, homes also benefit from quality insulation: under the same conditions, the temperature loss will be just 1°C. However, in **France**

and **Spain**, the temperature drop will be 2.5°C and 2.2°C respectively⁵⁶.

Given that major heatwaves, previously unusual in Europe, are becoming increasingly frequent due to climate change, the issue of regulating temperatures in housing has become more urgent. A study carried out in 2022 by the Abbé Pierre Foundation⁵⁷ showed that almost 60% of households in **France** had suffered from excessive heat in their home – an increase of eight points in two years. The most exposed to this are older people with poor health, young people, and residents of working-class neighbourhoods. The latter are more affected by urban heat islands, which are caused by concrete absorbing heat during the day and releasing it at night. According to Eurostat, as far back as 2012, 20% of Europeans were not managing to maintain a comfortable temperature in their homes during the summer⁵⁸. In several countries, subsidies for renovation continue to exclude equipment for thermal regulation in summer, such as shading devices, fans, or reflective cladding. This type of equipment has however been integrated into support measures in several Member States such as **Germany, Italy, and Sweden**⁵⁹.

Other forms of unfit housing are hidden. This is the case for people who, unable to find a home in a space that is intended for habitation, are forced to move into sheds, basements, or garages. In France, the authorities identify about 400 situations of this kind every year, leading to bans on occupation of the premises⁶⁰.

3. THE HIGH PRICE OF UNFIT HOUSING

Human tragedies

Unfit housing can have serious consequences for the lives of occupants and their immediate neighbours. The most dramatic examples of this are building collapses and similar disasters that lead to the death of their occupants. Two recent events that are imprinted on the collective European imagination are **London's** Grenfell Tower fire of 2017, and the building collapse on Rue d'Aubagne, **Marseille** in 2018.

Fire broke out at Grenfell Tower, a social housing block in North Kensington, **London**, on 14 June 2017. The fire killed 79 people and injured 74. Recent renovation works on the building (in particular, the new external insulation panels installed in 2016) were blamed for the rapid spread of the fire⁶¹. The events led to the development of safety standards in the **United Kingdom**: installing combustible material on the façades of buildings higher than 18 metres or buildings housing vulnerable people (such as hospitals, schools and care homes) was banned in 2018⁶². In **France**, the Grenfell Tower fire led to an audit of "at-risk" buildings and reporting of fire regulations in residential buildings was made mandatory⁶³.

The collapse of numbers 63 and 65 Rue d'Aubagne in the working-class district of Noailles in **Marseille** caused the deaths of eight people on 5 November 2018. The subsequent inquiry revealed that the collapse was triggered when a load-bearing post on the ground floor of number 65 gave way. The disaster highlighted "major failings" by the municipality and several experts who had been informed about the state of the buildings

since 2014. The events revealed the dilapidation of Marseilles' housing stock as well as the local authority's failed urban planning policies. The report by the HCLPD (High-Level Committee for Housing of Disadvantaged Persons) of 21 November 2019 highlighted that the building collapse on Rue d'Aubagne was not the result of accidental or unpredictable events. It had occurred as a result of ongoing systemic failure of the measures in place and by the public authorities⁶⁴. The report held the *Mairie* (city council), the State, and the Prefecture responsible⁶⁵. In the months after the collapse, more than 4,500 people living in 578 dangerous buildings were evacuated as a precautionary measure. In addition to the vast rehabilitation projects undertaken, the events of Rue d'Aubagne also led to the public prosecution service creating a local committee in 2019 to handle unfit housing violations. This committee fast-tracked investigations into landlords of unfit or dangerous housing⁶⁶.

Dangers to health

« Every day we hear cases of people living in overcrowded housing, such as 12 people living in one small apartment. We talk about the huge problems with cold, damp, and mould. »⁶⁷

*Helena Souto, Association Habitação Hoje!,
8 July 2023*

These days, housing is recognised by the scientific community as one of the main social determinants of health, despite the fact that the multiple factors to be considered mean it is dif-

difficult to isolate one cause⁶⁸. According to the World Health Organization, “inadequate housing is responsible for more than 100,000 deaths each year in the WHO European Region”⁶⁹. Many studies have documented how unfit housing affects the health of occupants, particularly children and older people⁷⁰. It has also been proven that the longer the exposure to poor living conditions, the worse the effects on a person’s physical and mental health⁷¹. The literature details a very wide range of illnesses linked to a wide variety of causes.

Damp and mould, widespread in European homes, can lead to respiratory infections, asthma, and allergies, but can also affect the immune system and have negative effects on mental health. A lack of ventilation is a common feature of old buildings, and aggravates problems with damp. It can also cause respiratory issues due to the accumulation of indoor pollutants, such as carbon monoxide and volatile organic compounds (VOCs)⁷².

In 2020, the death of two-year-old Awaab Ishak in the **United Kingdom** from a severe respiratory infection was attributed to the damp, condensation, and mould (*stachybotrys chartarum*) present in the apartment where he was living. This led to the development of a law obliging social housing landlords to rectify problems with damp within strict deadlines⁷³. Various bodies have called for this law to be expanded to include all types of rented housing⁷⁴: in 2021, problems with damp were more frequently reported in private rentals (11%) than in social housing (4%)⁷⁵. According to UNICEF, “in **Denmark, France, Spain, the United Kingdom, Hungary, and Portugal**, more than one in five children are exposed to damp and mould; in **Cyprus**, it is as high as one child in three”⁷⁶.

Living in unhealthy housing can also be a factor in chronic diseases such as cardiovascular illnesses, diabetes, and arthritis. The presence

of chemical pollutants such as lead, asbestos, or radon further increases the risk of cancer and the probability of those exposed developing neurological problems⁷⁷. Furthermore, overcrowded housing is associated with the spread of infectious diseases, such as tuberculosis and COVID-19⁷⁸.

Research carried out in **Ireland** in the 1990s showed that those living in poverty were more likely to live in poorly heated homes and that improving the energy performance of these homes would drastically reduce the number of cardiovascular incidents and respiratory infections among occupants aged 65 and over⁷⁹. A study carried out in **France** by the Abbé Pierre Foundation showed that the prevalence of several chronic illnesses (bronchitis, osteoarthritis, depression, and migraine) and the frequency of winter illnesses (tonsillitis, flu, and gastroenteritis) were higher among households experiencing energy poverty⁸⁰. In the **United Kingdom**, a May 2020 analysis of WHO data highlighted a correlation between the level of household overcrowding and the mortality rate for COVID-19⁸¹. Similar observations were made in **France**: “the impact of the pandemic on excess mortality was twice as serious in the poorest French local authorities, and the analysis unambiguously shows that mortality due to the pandemic increased proportionally to the number of overcrowded housing units”⁸².

Poor housing conditions also expose occupants to physical injury, such as burns due to defective heating systems and electric shocks caused by improper wiring. Small and poorly configured floor spaces, particularly in kitchens, increase the risk of accidents linked to hot liquids as well as the likelihood of fires⁸³. A report by the European Public Health Alliance (EPHA) further revealed that every year, more than 700,000 children in the EU were presenting with asthma symptoms due to gas cooking in poorly ventilated rooms⁸⁴.



© Chloé Thibme

Simona habitier (titre provisoire)



© Chloé Thibme

Mohammed habitier (titre provisoire)

Due to the energy crisis and the difficulties households are experiencing in lighting and heating their homes, accidents are becoming more prevalent, as seen with recent events in **France**⁸⁵, **Spain**⁸⁶, and **Belgium**⁸⁷. A study by the Forum for European Electrical Safety in 2022 showed that fire risk is higher among people living in energy poverty⁸⁸. In **Belgium**, the number of carbon monoxide poisonings doubled in 2022. A consequence of the energy crisis has been inadequate maintenance of heating appliances and an increase in the use of space heaters, which can be dangerous⁸⁹.

Unfit or overcrowded housing can also generate stress, anxiety, and depression. Several studies have shown that overcrowding and lack of personal space, exposure to noise, cold, pest infestations, or even damp and mould, have significant short- to medium-term effects on occupants' mental health⁹⁰. According to a study carried out in the **United Kingdom**, renovating social housing would help enormously in reducing occupants' mental health problems: "89% and 32% had clinically significant levels of anxiety and depression, respectively, before renovation, compared to 29% and 4% after housing improvements"⁹¹.

The consequences of poor housing conditions on mental health have also been highlighted in the context of the COVID-19 pandemic. In 2020, a study showed that in **England**, 31% of adults experienced physical or mental health problems during lockdown related to the lack of space or the condition of their home⁹².

Social lives thwarted

« We sleep in the same room to stay warm. That's where we do homework, where we eat. My social worker says there's nothing she can do, there are a lot of people waiting. »⁹³

*Nassira Bahri, living in unfit housing,
9 March 2023*

Unfit housing can have many serious negative effects on people's social lives. The "social quality" of housing is characterised by its "capacity to address aspirations around building a home and establishing social contact"⁹⁴. To this end, unfit housing can seriously undermine the function of a "home", both as a refuge and as a hub for social fulfilment. Studies have also demonstrated how the quality of the immediate living environment influences social cohesion in the community, and the sense of trust and collective worth⁹⁵.

Broadly speaking, unfit housing is a form of exclusion: inadequate housing conditions deprive occupants of social and economic opportunities. The lack of basic facilities, exposure to noise, lack of space, and overcrowding can impact integration into the workforce, academic results, and have consequences on children's education.

A study conducted in **England** showed that children were likely to experience difficulty studying and doing their homework due to overcrowding and inadequate lighting⁹⁶. According to

the Institute of Health Equity, children living in overcrowded housing are more exposed to stress and depression; they suffer more from disrupted sleep, attain poorer academic outcomes, and are at increased risk of developing behavioural problems⁹⁷. A **United Kingdom** study of 10,000 children from birth to seven years old, revealed that the presence of basic sanitation (e.g. hot water, an indoor bath, etc.) had a significant effect on academic results: children's adjustment to schooling was approximately 30% better and key performance differences were observed in reading and mathematics⁹⁸. UNICEF also highlights that noise pollution affects "stress, cognitive functioning and school performance"⁹⁹.

Economic repercussions

Unfit housing makes its occupants poorer: they are forced to spend a larger share of their income on medical treatment, while at the same time being disadvantaged on the labour market by their deteriorating health. Furthermore, they have to shoulder extra costs to maintain and repair their housing, which is often neglected by the landlord, and pay (when they can) higher heating bills due to the poor energy performance of their appliances and insulation¹⁰⁰. For households, economic instability and unfit housing together create a vicious cycle.

Moreover, the economic burden also falls on society in terms of direct and indirect costs to the healthcare and social security systems. Some years ago, Eurofound estimated the total annual cost on EU economies of keeping people in inadequate housing at close to EUR 194 billion, and that investment in the renovation required to definitively end the problem would be repaid within 18 months by savings in reduced healthcare costs and social outcomes¹⁰¹.

4. COMBATTING UNFIT HOUSING

Support for households

Financial support for households is one of the most common policy tools used by public authorities to improve housing affordability. This can take several forms (benefits for tenants or subsidies for prospective home owners) and can be targeted at different population groups. Several countries also provide extra support, based on the beneficiary's level of vulnerability or household composition¹⁰².

Housing benefit and subsidised social housing are the two main forms of support to low-income households. The majority of these tools are subject to means-testing. The proportion of households receiving housing benefit is particularly high in **France** (21%), **Denmark** (20%), the **Netherlands** (18%), and **Finland** (14%). In these four countries, between 47% and 60% of tenants receive this benefit. In **Belgium**, **Cyprus**, **Estonia**, **Lithuania**, and **Romania**, less than 2% of households receive rental assistance. Some countries, such as **Italy** and **Spain**, use tax relief to subsidise tenants' housing costs. In **Latvia** and **Czechia**, housing benefit includes the cost of water, gas, sanitation services, telecommunication services, and internet access.

Rental assistance varies from region to region, like in **Belgium** where Flanders and Brussels offer loans to pay rental deposits, while Wallonia provides a relocation allowance¹⁰³. During the COVID-19 pandemic, some countries, such as **Ireland**, lowered the threshold for accessing assistance, and others, such as **Luxembourg**, increased the benefit amount¹⁰⁴. While housing benefit generally

enables households in difficulty to reduce the proportion of their income spent on rent, studies show that ironically in some countries, such as **Finland**, **France**, and the **United Kingdom**, they can contribute to pushing up rental prices where markets are already under pressure¹⁰⁵.

Several governments have also implemented support measures for home owners in the form of tax rebates, home buyer grants, renovation subsidies, and mortgage payment relief for home owners in financial difficulty. Studies show however that these measures do not always benefit those who need them most: some tax relief measures, for example, tend to favour high-income households¹⁰⁶. As such, several tax relief regimes for mortgage payments have recently been reduced or removed. In **Finland**, tax incentives caused property prices to rise and drove potential owner-occupiers away. In **Belgium**, the tax relief regime in Flanders led to a rise in property prices, as they mainly benefited the wealthiest 40% of households. To prevent those with large numbers of residential mortgages from disproportionately claiming these allowances, **Czechia** established a ceiling on tax refunds, and **Slovakia** means-tested access to these incentives. Several countries also enabled people who own a mortgaged property to benefit from subsidies. **Malta**, **France**, **Belgium**, and **Luxembourg** offer mortgages at reduced rates for certain population groups, and **Cyprus** pays a contribution to the mortgage interest for households on low incomes. **Croatia**, **Slovenia**, and **Cyprus** have invested in programmes to support individuals to build their own home¹⁰⁷. In the **Netherlands**, a programme was launched to enable people on temporary work contracts to access mortgages¹⁰⁸.

Social transfers are still, for the moment, the preferred tool for combatting the inequalities that foster inadequate housing. But demand-side policies often reduce access to housing unless they are accompanied by an increase in supply. Furthermore, improving access to housing for some groups while not reducing it for others is hugely complicated. Housing benefit, for example, enables claimants to pay higher rents, which can lead to price rises in the most affordable segment of the housing market. Making eligibility for allowances dependent on income thresholds also causes problems, as some vulnerable people, whose incomes are just above the threshold, may be facing equally difficult situations. It is thus worth recognising the central role played by decent incomes from work and non-housing related benefits¹⁰⁹. “To prevent excessive housing costs from reducing standards of living, it is important to provide good access to services for the public (such as education, healthcare, childcare and long-term care), regardless of income”¹¹⁰.

In addition to the financial aspect, households living in unfit housing often encounter social problems. Renovation subsidies should thus be paired with support measures to remove barriers to carrying out building works. In **Ireland** and **Poland**, the organisation Habitat for Humanity collects construction materials from businesses, individuals, and local waste disposal points. The material collected is then sold at reduced prices. The resulting revenue is used to support lower-income families to renovate their homes¹¹¹.

In Eastern European countries, Soviet-era buildings are difficult to renovate. These mainly consist of large co-owned blocks. Owners not only have to be convinced to renovate, but also have to be directed towards the best renovation solution. In **Bulgaria**, no co-ownership law exists to help occupants to coordinate renovating their buildings. Each owner renovates their part of the façade when they deem it necessary, which gives

some buildings a distinct characteristic described locally as “Torta” (slice of cake). Programmes supporting renovations previously targeted all households on an equal footing, regardless of income, but only well-off households, with the means to organise and implement works truly benefited. To remedy this, **Bulgaria** introduced another renovation programme with subsidies targeting lower income households. The same problem was observed in **Estonia**, with Vladimir Svet, Tallinn’s deputy mayor, noting that, “according to our statistics, houses in well-off neighbourhoods are more likely to use the measure. The houses in underprivileged neighbourhoods are less likely. All these measures work, but only for certain houses that manage to access them”¹¹².

In **France**, the SOS Taudis programme run by the Abbé Pierre Foundation funds support and legal assistance for people in extreme poverty and tenants who are victims of unscrupulous landlords. This programme also supports owner-occupiers in difficulty, helping them carry out renovation works on their homes. As part of this programme, subsidies can be provided to complement any existing government assistance or renovation loans (ANAH, local government, or pension benefits, etc.). Applications must be from owner-occupiers in particularly difficult economic, social, and family situations, and who are living in very unhealthy conditions. Since 2012, SOS Taudis has supported renovation works for almost 2,000 households across 85 French *départements*.

Help for households in order to combat rural depopulation in Hungary

Specific financial assistance for family housing was introduced in 2019 in Hungary to slow the depopulation of its villages. The grant is a one-off payment for families with children who buy, extend, or modernise a house in a village with a shrinking population. The grant amount depends on the number of children in the family and the type of works undertaken. For a family with three children, the grant is HUF 10 million (EUR 25,000). A maximum of HUF 5 million can be spent on the purchase, with the rest reserved for modernisation and renovation. As well as the grant, families can access a preferential loan of up to HUF 10 million, over a maximum duration of 25 years. As property prices are very low in the villages of the least developed regions, the grant was initially sufficient to buy a house in these areas. As part of the FETE programme¹¹³, Hungary's Order of Malta set up an expert team to help families access this grant. The team works in the FETE villages of four counties located in the north of Hungary, one of the country's least developed regions. By the end of June 2022, the team had helped 80 families to benefit from the grant. Of these families, 42 bought a better-quality house and 38 modernised their existing home. The families who bought a new home had previously been living in very run-down housing, which was often unfit for habitation. In other cases, the grant enabled young families to leave homes that were overcrowded and occupied by several generations of the family¹¹⁴.

Guaranteeing rights

Ensuring that legal habitability standards are respected and ensuring the effective protection of tenants as set out by law is another way of tackling unfit housing. In such circumstances, several factors can prevent tenants from accessing their rights. Tenants are by definition entering into unequal contractual relationships with their landlords. Tenants are not always aware of the legal procedures available, or prefer not to use them and so put up with non-decent living conditions because they have no alternative, or for fear of worsening their already precarious situation.

In **Ireland**, the situation is particularly worrying. The current legal framework, established by the 2009 Housing Act, has proven to be quite ineffective. Local authorities are hesitant to enforce the minimum habitability standards, as removing properties from the rental market only increases

pressure on an already very strained housing market. Applying the legislation thus falls mainly to tenants, who are not inclined to complain about their living conditions as they are fully aware of the potential consequences, in particular eviction.

In the **United Kingdom**, the 2018 Homes (Fitness for Human Habitation) Act aims to make landlords more accountable by obliging them to ensure their properties meet human habitation standards. The Homes (Fitness for Human Habitation) Act gives tenants the right to initiate legal action against landlords whose properties do not meet habitability standards. The law includes ways to oblige landlords to carry out works, compensation for tenants, and guarantees against retaliatory evictions¹¹⁵.

In **Belgium**, a body was created in 2003 to ensure the Brussels Housing Code was being respected: the Direction de l'Inspection Régionale du Logement (DIRL). This body is responsible for investigating complaints made by tenants and can initiate its own investigations. It is authorised

to give landlords formal notice to carry out maintenance works, to ensure decisions are enacted, to levy fines and, if need be, to prohibit the renting out of certain properties. Introducing rental licensing can be another useful tool to combat unfit housing, based on the principle that housing can only be rented out if a prior inspection has taken place. Such tools already exist, although they are not widespread. In **Wallonia**, a rental licence granted by local government employees has been required since 1998 for housing units smaller than 28m² and for shared housing. However, fewer than half of the housing targeted by the measure have such a licence. In **Flanders**, local authorities can require compliance certificates prior to a housing unit being rented out, but only one local authority in five does so – and none of the big cities.

In **France**, the 2014 ALUR law enables local authorities to require a rental licence or declaration. These “rental licences” – which the local authority can choose to require of landlords – are however not subject to systematic visits from health inspectors. As a tool to combat unfit housing, rental permits are not without their problems. They rely on landlords voluntarily taking steps when putting property on the rental market, and therefore require a monitoring system to guarantee their effectiveness.

Regulating the housing market

To combat housing market abuses, regulatory measures can be established by the Member States. One of the tools available is facilitating private investment in the construction of affordable housing. This means directing private investment towards socially useful sectors even though they are less profitable. Various measures with the aim of “facilitating metropolitan or regional land-use planning, streamlining the

planning permission process, making it easier to redevelop brownfields, and reforming zoning regulations”¹¹⁶ could be introduced. Nonetheless, to the extent that such measures are based on reducing administrative obstacles to building affordable housing, there is a risk of unintended consequences. Any relaxing of regulations on the private rental market could increase the risk to tenants of living in poor-quality housing, of facing excessive rent increases, or of being unfairly evicted¹¹⁷. Tax incentives also exist in some countries to this end. In **Portugal**, within the framework of the *Arrendamento Acessível* programme, private landlords who accept the principle of rent ceilings are not taxed on this income. In **Luxembourg**, landlords that rent their properties at social housing rates benefit from a 50% tax exemption on rental income and contractor partners receive subsidies from the Ministry of Housing to cover management and maintenance¹¹⁸. Finally, taxing vacant properties is another tool used to reduce rent prices by increasing supply. In **Amsterdam**, fines are levied from the eighth month of a property being vacant¹¹⁹. In **Brussels**, leaving housing unoccupied for more than 12 months is considered an offence¹²⁰, and local authorities can, under some circumstances, expropriate the empty housing units. This law has never been applied, however¹²¹.

Regulating the housing market can also be in the form of simple rent controls. This type of regulation is particularly effective in guaranteeing access to low-rent homes. In fact, in a 2019 Brussels-based study, the proportion of housing units whose rent exceeded the maximum indicative rent was higher in the central working-class neighbourhoods (78%). In other words, the segment of the housing market where low-rent homes are scarce, and therefore very in-demand, are where rents are most excessive¹²². Studies have shown that rent controls are effective at protecting vulnerable tenants, by limiting price increases and the effects of

evictions, when these neighbourhoods become more attractive. One of the drawbacks to this mechanism is however that, if it is not subject to means testing, it can lead to flawed allocation of affordable housing, benefiting households who need it less¹²³.

Several countries, such as **France**, the **Netherlands** and **Luxembourg** have set up bodies responsible for controlling and regulating private sector rents. In France, rent controls are applied in local authorities located in high-pressure housing markets. Local conciliation committees (CDCs), comprising equal representation of both landlord and tenant organisations, have been set up. Referral to the CDC is a precondition required by the judge, before legal proceedings related to rent prices can be initiated. In the **Netherlands**, a section of the private rental market is regulated by a points system determining the maximum rent for each housing unit. This is almost identical to the system used in the social rented sector. Disputes are settled by committees with an equal representation of landlords and tenants. This mechanism is, however, often criticised for its complexity and inability to take regional differences into account¹²⁴.

Increasing supply of affordable, good quality housing

While social housing (meaning residential housing rented at below-market prices) in general relies on the public or semi-public sector (such as housing associations), it can also be managed by the private sector. This happens in Poland for example, where social rental agencies can sign contracts with private landlords at below-market rates¹²⁵. Situations vary widely from country to country. Several post-commu-

nist countries such as **Slovenia**, **Poland**, **Czechia**, **Hungary**, and **Bulgaria** have sold off a large part of their social housing stock over the last few decades¹²⁶. In the majority of OECD countries, social housing makes up less than 10% of the stock, although some countries do much better. "In the **Netherlands**, 28% of all dwellings are social housing, in **Austria** 23%, in **Denmark** 20%, and in **France**, 17%"¹²⁷. In other countries, such as **Cyprus** and **Romania**, social housing is practically non-existent. Social housing is used by different demographics from one Member State to the next. In countries where social housing is limited, it is mainly used by particularly vulnerable households. In **Sweden** and **Denmark**, there is no means testing to access municipal housing. In **France**, means testing exists, but 60% of the population is eligible for social housing¹²⁸.

With a few exceptions, investment in public housing has fallen across the European Union. Austerity measures implemented in Europe in response to the 2008 financial crisis led to a failure of housing policies. Budget cuts were prioritised to the detriment of social housing, which exacerbated the housing crisis in many European countries. The shrinking social housing stock led to a more "residual" sector, whereby social housing is reserved for increasingly narrow sections of the population. The OECD highlights the link between the fall in public investment and the housing affordability problems being experienced across all Member States. "Renewed investment in social and affordable housing was already needed prior to the COVID-19 pandemic, and the pandemic has only added to this need for investment¹²⁹. The positive outcomes stemming from significant investment in social housing are also economic. "Policymakers and housing advocates in [...] **France**, **Ireland**, **Portugal** and the **United Kingdom**, among others, have emphasised the need to prioritise social and affordable housing as a key counter-cyclical investment opportu-

nity that can help support jobs and SMEs in the construction sector and deliver more affordable housing¹³⁰. Alongside this, large-scale investment in renovating the social housing stock may stimulate economic recovery, help meet environmental sustainability objectives, and improve the well-being of occupants¹³¹.

Following the COVID-19 pandemic, several Member States announced new investment in the sector but the degree of ambition and extent of the different programmes vary widely. In the majority of countries, “public investment in the supply of new homes doesn’t seem adequate to respond to the growing demand”¹³². Some countries even seem to have contradictory policies, for example **France**, which has set itself a goal of increasing its housing stock while reducing subsidies to social housing associations¹³³. It is also worth mentioning some positive examples, such as the increased budget for social housing in **Wales**, or the measures adopted in 2019 in Wallonia, aiming to achieve both ambitious renovation of social housing and a supply of new builds¹³⁴. In **Lithuania**, the number of social housing units increased from 10,486 in 2018 to 11,419 in 2021. Between 2017 and 2021, the ratio of social housing supply to people on waiting lists increased from 45% to 55%, and time spent on waiting lists fell from 51 months to 36 months. **Lithuania** also changed its priority criteria in 2022 by making single parents eligible, whereas previously only disabled people, orphans, and large families were prioritised¹³⁵.

The fight against unfit housing can be leveraged to create new social housing or to develop an affordable private housing supply. While several local projects have demonstrated this, few projects have been carried out on a national scale. In the Czech city of **Liberec**, ERDF funds were used to fight the “commercialisation of poverty”, by renovating derelict buildings, transforming them into affordable homes¹³⁶.

In **Spain**, the experimental project, Rehabita, enables the beneficial interest of a property to be transferred to the Government of Extremadura for a specific period, in return for which the autonomous government renovates the property and rents it out. This project increases the supply of housing, improves the urban environment and helps carry out building works to improve energy efficiency¹³⁷. In **Portugal**, the RPA-HA programme aims to finance building or renovation programmes specifically for housing with rents lower than the “affordable rent programme” ceilings¹³⁸.

Since 2014, Homes for Good in **Scotland** has raised GBP 20 million (EUR 23 million) in social investment to create affordable, high-quality housing for low-income households and households in need of support. The organisation is both a social enterprise lettings agency and a property developer – it buys and renovates empty or dilapidated houses. Currently, it manages 500 homes (300 of which it owns) in Glasgow and in the west of **Scotland**. Homes for Good also provides advice on reducing energy bills and on applying for benefits¹³⁹.

In France, the Abbé Pierre Foundation’s Toits d’Abord (Roofs First) programme provides specific solutions for those facing extreme poverty: very affordable, comfortable, and energy-efficient housing. The goal is to bring non-discretionary spending down to an acceptable level, with a rent ceiling to ensure the tenant’s payments remain low. A lot of work is being done on energy performance. For new builds, the expected EPC rating is A or B, and for renovations, the goal is to bring E, F, and G-rated buildings to A, B, or C standard. From 2005 to 2020, the Abbé Pierre Foundation was involved in making almost 9,000 homes available to people experiencing financial difficulties¹⁴⁰.

Urban renewal programmes

Unfit housing “is not simply a housing policy problem that can be resolved through dealing with housing or buildings; rather, it relates to urban policies as a whole and raises questions around their failure to remedy the situation sustainably”¹⁴¹. In fact, the fight against unfit housing and building decay is rarely the primary aim of urban renewal. Entirely transforming some chosen neighbourhoods tends, on the contrary, to create “border effects”, which make other neighbourhoods – those left behind by urban renewal – even more invisible¹⁴². People on the lowest incomes are rarely the beneficiaries of these large-scale building works, which are like a Trojan horse for gentrification. While ambitious renovation policies are necessary to solve the problem of unfit housing, they must also guarantee housing affordability for people living in working-class areas.

Currently, renovation policies are inextricably linked to projects improving the energy performance of buildings, which should make homes more comfortable and more affordable by reducing energy costs. Many urban renewal plans, which include sections on tackling unfit housing, have been initiated in European countries at national, regional, and local level, paid for mainly by EU funds.

According to a study by the Portuguese construction federation, Portugal had 1.5 million unfit housing units in 2014 – 126,000 of which were a public safety risk¹⁴³. IFRRU 2020, created in 2017, is a financial instrument that supports investment in urban renewal across Portugal¹⁴⁴. It brings together a number of funding sources including EU Portugal 2020 funds, as well as funding from the European Investment Bank and the Council of Europe Development Bank. A single loan appli-

cation is needed to facilitate investment in urban renewal and the energy efficiency of buildings, and there are no restrictions on who can apply for funding or conditions on the future use of the renovated building. In 2021, IFRRU 2020 invested EUR 307 million in renovating buildings. The housing market in **Portugal** remains particularly strained and prices have increased exponentially. According to Eurostat, the purchase price of housing jumped by more than 75% between 2010 and 2022, while rents increased by almost 25%. In April 2023, a number of NGOs led protests on the right to housing in several Portuguese cities¹⁴⁵.

Renovation policies are not always easy to implement. In **Poland**, 65% of buildings are more than 30 years old and a large number of them were built during the Communist era to standards that are now outdated. In February 2022, the Polish government presented a major strategy¹⁴⁶ to renovate housing stock, which plans to insulate 3.8% of its buildings per year – about 236,000 annual renovations over the course of the decade. This strategy raises some significant dilemmas, mainly how to identify people in need and the most vulnerable households. **Poland** has more than 14 million buildings, 5.5 million of which are individual houses and 500,000 of which are housing blocks¹⁴⁷.

What is Europe doing?

The European Union intends to address the challenge of unfit housing through its “green growth” strategy. The Green Deal was launched in July 2020, with the aim of ending greenhouse gas emissions by 2050. It includes a series of policy measures with the goal of “net zero growth emissions”. From a housing point of view, the fit for 55 legislative package, which is part of the Green Deal, is key. It contains several impor-

tant initiatives such as revisions of the Directive on the Energy Performance of Buildings and revisions of the Directive on Energy Efficiency. Negotiations on the revision of the Directive on the Energy Performance of Buildings are still ongoing. The cornerstone of the proposal is not yet confirmed: establishing minimum energy performance standards that would apply (according to the European Commission proposal and the Parliament's position) to all buildings, including therefore the residential sector, both owner-occupied and rented.

Some consider this a major advance, as such provisions – in line with the French model of banning poorly insulated homes from being rented – should ensure that housing is brought up to standard. This should ultimately lead to the eradication of unfit housing. There is however a real risk that this “Renovation Wave” (the name given to the strategy proposed by the European Commission in 2020 that covers the revision of the Directive on the Energy Performance of Buildings) will lead to increased rents, fewer affordable homes, and gentrification¹⁴⁸. To mitigate the social impact of the energy transition, the European Commission has put forward a Social Climate Fund (SCF), which aims to fund building renovation for people on low incomes living in the most energy-inefficient homes. However, the funding proposed (approximately EUR 86 billion over seven years) is insufficient to meet the goals of the SCF. Moreover, renovating the social housing sector alone would require EUR 13 billion extra per year until 2050 (in addition to the EUR 23 billion in annual investment planned by the social, cooperative, and public housing sector)¹⁴⁹. This calculation does not even take into account the investments needed for renovations in the private rental sector or for supporting home owners facing poverty (a widespread issue in Central and Eastern Europe). The functioning of the “direct income support” allocated to the SCF, which is intended to mitigate

the immediate negative distributional impact of the green transition, is also problematic. In reality, these funds are too low to fund green investment and subsidies adequately. However, without subsidies, those most in need will not be adequately supported.

Furthermore, financing these funds, in particular through the extension of the emissions trading scheme to the building and transport sector, including for private households, is an unfair mechanism. In fact, making individual households liable for carbon costs risks a negative and disproportionate distributional impact on low-income households – the very people the fund is intended to support. As it stands, the instruments proposed at EU level for the green transition do not provide for a genuinely fair transition. This means Member States have to find ways to mitigate the social impact.

So that Europe's Green Deal policies can truly pave the way for eliminating unfit housing, FEANTSA and the Abbé Pierre Foundation recommend:

1. RECOGNITION OF UNFIT HOUSING AS A PUBLIC HEALTH ISSUE

The pandemic highlighted the vital role of housing in debates around health. Given its importance, housing should be considered essential to improving the living conditions of households and as a way to leverage public policies. Combatting unfit housing should therefore be part of all EU measures taken to implement the “Renovation Wave”.

2. A EUROPEAN SOCIAL VISION, WITH ADEQUATE AND TARGETED FUNDING

EU funds should be directed towards renovating F- and G-rated housing that is occupied by the

poorest households, both private and public (e.g. social housing, private rental market, small-scale owner-occupiers, emergency accommodation, etc.). To this end, the European Commission should propose a truly ambitious instrument such as an EU fund focused on “cold and hot houses”, and on a reworking of the emissions trading system. The Social Climate Fund, which will correspond to a dedicated share of the revenues from the auctioning of emission allowances under the new system, can only be fair if the share in question is drastically increased.

Decarbonising heating and cooling systems should go hand-in-hand with renovating energy inefficient-housing. The homes of low-income groups should be targeted first and receive adequate financial support. A socially targeted and inclusive Renovation Wave is all the more fitting as it would enable lower income households to free themselves of fossil fuel technologies. The transition to green and affordable heating and cooling systems requires collaborative planning at local, regional, and national level to determine the best ways to decarbonise, in terms of the process to follow and how it is funded. This planning should take into consideration the specificities of the housing stock and the financial capacity of households, who should receive support with the process and the cost.

3. A RENOVATION STRATEGY, SENSITIVE TO PEOPLE'S RIGHTS AND THE IMPACT OF PRICE INCREASES

It is still unclear whether landlords, tenants, or public funds will assume the cost of the Renovation Wave and of meeting minimum performance standards across the residential sector. An EU renovation strategy, if it is designed to be social, should openly consider these issues and set out the need for mechanisms that protect

vulnerable groups. This includes rent ceilings, curbs on gentrification, and renovation focused on the needs of existing groups rather than on increasing property values.

4. COORDINATED WORK ON THE DEFINITION AND IDENTIFICATION OF UNFIT HOUSING IN EUROPE

Although housing is not a European Union competency, the link between the state of housing, energy poverty, and public health issues should incentivise the EU to engage in dialogue on the issue of unfit housing in Europe. Following the work started by FEANTSA during the 2012 Consensus Conference and the development of the Ethos Typology on Homelessness, an interpretive framework – applicable to all Member States – should be established on minimum habitability standards. Awareness campaigns and recommendations should also be developed to effectively combat prevalent problems (such as mould) in order to limit harm, particularly to the most vulnerable (e.g. children). Finally, this work should allow for the sharing of good practice. This can be done by sharing tools for identifying recipients, expanding projects that combat unfit housing through the development of affordable social or private housing, developing processes to support renovation, and developing prevention policies.

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A close-up portrait of a young woman with long, straight, light brown hair. She has numerous freckles scattered across her face and neck. She is looking directly at the camera with a neutral expression. The background is dark and out of focus.

CHAP. 3

**MINIMUM
DECENT HOUSING
STANDARDS
IN EUROPE**

1.

INTERNATIONAL LEGAL FRAMEWORK

The concept of “habitability” is a cornerstone of “adequate housing” as defined by Article 11.1 of the International Covenant on Economic, Social and Cultural Rights. Residents shall be provided with “adequate space and protection from cold, damp, heat, rain, wind or other threats to health, structural defects, and disease vectors to protect their physical safety”. The right to adequate housing is therefore violated when public authorities fail to take the necessary measures to ensure that housing for rent is decent.

According to General Comment No. 4, adequate housing shall meet a number of criteria such as the availability of services, materials, facilities and infrastructure. According to the Committee, such housing shall comprise facilities essential for health, safety, comfort and nutrition¹. These include “permanent access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services”.

Article 31.1 of the European Social Charter states that in order to ensure the effective exercise of the right to housing, States “undertake to take measures designed to promote access to housing of an adequate standard”. The notion of “housing of an adequate standard”² is defined by European Committee of Social Rights (ECSR) case law as follows:

1. a dwelling which is safe from a sanitation and health perspective, i.e. that possesses all basic amenities, including water, heating, waste disposal, sanitation facilities and electricity, and where specific hazards such as the presence of lead or asbestos are under control;
2. a dwelling which is not overcrowded, i.e. that the size of the dwelling must be suitable given the number of persons and the composition of the household in residence; and
3. a dwelling with secure tenure protected in law (condition referred to in Article 31(2)).

As they require States to ensure "housing of an adequate standard" for families, Article 16 (economic and social rights of families) and Article 31 (right to housing) of the Charter partially overlap³.

The right to dignified housing was at the heart of the collective complaint brought against Ireland by the International Federation of Human Rights (FIDH) in 2014⁴. The complaint concerned the poor condition of Irish social housing, including problems of poor energy performance, heating,

damp, and mould. According to the complainants, heating installations and standards were "inferior in local authority housing compared to other types of housing", and several studies confirmed that the buildings were "unable to provide adequate thermal and ventilation performance in their current condition, resulting in mould and damp". According to the ECSR, the problems of persistent damp and mould "go to the heart of the right to adequate housing" and raise "serious concerns about habitability and access to services".

The Committee agreed with these findings, referring to ICESCR General Comment No. 4 on the right to housing referred to above. The Committee decided that the Irish government had "failed to take sufficient and timely measures" to address the existence of a significant number of sub-standard housing units, which led to the violation of the rights of a number of tenants. Specifically, the government failed to collect data on the current housing situation of tenants, find solutions to remedy the situation and implement them without unreasonable delay.

2. NATIONAL LEGAL FRAMEWORKS

It is challenging to identify the legislation offering the best protection in terms of minimum requirements for decent housing, as these vary greatly between countries and specific laws and regulations are very different. However, the EU countries with the most stringent housing laws are all Western and Northern European coun-

tries. Conversely, Eastern European countries, such as Hungary, Romania and Bulgaria, are considered to have less rigorous legislation. To better understand the minimum requirements for decent housing, we studied the laws of around ten European countries.

FRANCE

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 18%.

Legal tools have been put in place in **France** to combat substandard housing, especially since the 1970s. In 1997 and 1998, several serious fires occurred in dilapidated Parisian buildings, causing the death of their occupants. In response to the public outcry, various measures were adopted, marking a turning point in the fight against substandard housing.

In French law, a distinction is made between the minimum comfort standards provided for in landlord and tenant rights and responsibilities, and the safety or hygiene rules that apply to everyone and are the responsibility of the public authorities.

Landlord and tenant relationships

Under French tenancy law⁵, landlords are obliged to provide tenants with decent accommodation where no obvious risks to the physical safety or health of the tenants exist. The right to decent housing has been enshrined in the constitution since 1995⁶.

France's decent homes Decree of 2002⁷ defines the criteria that a dwelling shall meet in order to be rented out: a minimum surface area, no pests or parasites, and a minimum energy performance. It also provides for at least the following: a standard heating installation; a drinking water supply; other domestic water and sewage disposal facilities preventing the release of odours and effluents; a kitchen or kitchenette equipped to accommodate a cooking appliance and a sink; an indoor toilet and washing facilities; and an electric power supply⁸. If a dwelling does not meet minimum decency standards, tenants may take

their case to a court of first instance, which can order the landlord to carry out works, and issue penalties, including, if necessary, a reduction in the rent by way of compensation.

Substandard housing in France

Inadequate housing, known as "unfit housing", is defined by the Law of 31 May 1990. A political concept that has evolved to become a legal one, it covers all situations that violate the right to adequate housing and affect the health or safety of individuals⁹.

In 2000, France's Law on Solidarity and Urban Renewal (SRU) and National Action Plan Against Substandard Housing were adopted¹⁰. The National Action Plan Against Substandard Housing means landlords can be held to account for housing that violates human dignity, and guarantees protection for the occupants. Regulations stipulate obligations on landlords, but also on local authorities, who are responsible for ensuring the safety and health of citizens. If there is a danger to the occupants, landlords should carry out remediation works and/or rehouse the occupants. The authorities must do this if the landlord fails to do so. This covers:

- Premises or facilities used for residential purposes and unfit for such use¹¹ (health risk);
- Premises affecting the health of occupants (health risk), dwellings and buildings using lead (risk of lead poisoning); and
- Buildings at risk of collapse (safety risk).

Tenants can contact a regional health agency or the city sanitation department (if one exists) about squalor. In case of danger (risk of collapse), the mayor has an obligation to prevent such a hazard.

BELGIUM

Percentage of the population living in inadequate housing in 2019 according to Eurostat: 15.7%.

Article 23 of the Belgian Constitution guarantees “the right to live life in accordance with human dignity”, thus demonstrating the importance given to decent housing. Regional governments are responsible for housing and for implementing this fundamental right. To this end, a “Housing Code” defining the conditions for renting out property has been adopted¹².

For example, the Brussels Housing Code of 2003 imposes minimum safety, health and amenity requirements that all rental housing shall meet¹³. Requirements cover the following:

Safety	Sanitation	Basic facilities
Structural soundness of the building	Damp	Cold water
Electricity	Parasites	Hot water
Gas	Lighting	WC
Heating	Ventilation	Electric power supply
Sewers	Minimum surface area	Heating
	Height	Cooking equipment
	Access	Smoke detectors

Provisions around inspections

If a tenant feels that his or her dwelling does not comply with these standards and the landlord does not follow up on his or her requests that works be carried out, they can make a non-compliance claim via the country’s regional housing inspection directorate (DIRL). The procedure is

straightforward and can be done online¹⁴. The inspectors visit the dwelling and prepare a report describing the condition of the property and the measures to be taken to bring it in line with requirements. Generally, the report requires landlords to carry out certain works within a certain period of time, but it can also declare the property uninhabitable if necessary. The DIRL can also intervene of its own accord. For example, in buildings where a complaint has been lodged by a tenant, the service may decide to check whether similar problems exist in the rest of the building. When a property is suspected of not meeting standards of decency, landlords are not notified in advance of the inspection.

If a landlord fails to comply, the tenant can file a petition with the local justice of the peace. The justice of the peace can then demand that: works be carried out to bring the property in line with minimum health standards; the contract be rescinded; the rent be reduced until the work is carried out; or that compensation be paid. To assess the condition of the property, the justice of the peace relies on elements such as the inventory of fixtures and fittings, and may also organise a site visit or rely on other evidence, e.g. a health and safety inspection, although this is not mandatory and the judge may deviate from it.

Local authority powers

Local authorities have powers to intervene when it comes to dwellings or buildings that present a danger to the inhabitants. A mayor can issue a decree that the dwelling does not meet standards of decency on the basis of Article 135 of the new byelaw, if he or she believes that the problems concern hygiene, safety and public health. These issues fall within his or her discretionary powers. A local authority acts, for example, if the

building is in a very poor condition and constitutes a hazard to citizens. Depending on the circumstances, the local authority can order the landlord(s) to carry out works or else may carry out the works itself on behalf of the landlord(s), and order the occupants to leave the premises within a certain period of time, or even decide on immediate evacuation. If the condition of the building so requires, the municipality may also issue an order stating that it is uninhabitable. With this decision, the mayor prohibits access to the building, which is then closed off once the occupants are evacuated.

In addition, several Brussels district councils have chosen to introduce a tax on unfit housing. In Auderghem, for example, this tax is aimed at dwellings declared unfit for habitation by the mayor. An energy renovation bonus for housing is also available in some regions including Auderghem¹⁵. Some district councils, such as Ixelles, Saint-Josse or Evere, offer local subsidies in addition to the regional grant.

The Brussels-Capital Region's housing department recently announced that rent indexation is now conditional on the result of the building's Energy Performance Certificate¹⁶. It is therefore no longer possible to increase the rent of a dwelling with an EPC F or G for tenancy agreements expiring after 14 October 2022. This measure aims to encourage landlords to improve the energy performance of a dwelling by renovating it (putting in better insulation, replacing/changing the heating system, changing windows and frames, etc.).

NETHERLANDS

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 14.8%.

In the **Netherlands**, the quality of housing is regulated by several pieces of legislation. These fall under both private and administrative law.

Landlord and tenant relationships

Dutch tenancy law requires landlords to take responsibility for the renovation and maintenance of rented properties. Unfit housing is housing that poses a risk to the health, safety or physical well-being of its occupants, neighbours and visitors.

Administrative provisions

The Housing Law¹⁷, which has been updated over the years, remains a key piece of administrative legislation on housing quality in terms of health, safety and habitability in the **Netherlands**. Its main objective is the eradication or at least the limitation of substandard housing. It therefore plays a major role in addressing the health and safety problems associated with substandard housing, and indirectly in combatting rogue landlords¹⁸. The criteria that landlords must meet are set out in two articles of the law¹⁹. Article 1a describes the notion of landlords' "duty of care" to ensure that the health or safety of others is not endangered. This article serves primarily as a "catch-all" for violations of the law²⁰. Article 1b explicitly prohibits landlords from violating the 2012 Building Decree (*Bouwbesluit 2012*). This government decree sets criteria and regulations regarding health, safety, usability, energy efficiency, waste disposal and the environment. Energy efficiency regulations to reduce the use of fossil fuels have been introduced with the key objective of limiting CO₂ emissions. These energy efficiency requirements only apply to new buildings.

The Dutch government passed new legislation in 2015 granting more powers to local authorities.

Through the Housing Law²¹, they can now use a wider range of instruments under administrative law.

These new instruments mainly include the imposition of “corrective sanctions”, ranging from escalating fines to more drastic measures such as the closure or seizure of buildings. When an escalating penalty is imposed, the landlord must pay until the violation has been remedied. Local authorities have the right to issue an administrative enforcement order meaning they themselves remedy the violation. The landlord must then reimburse the local authority for the cost of the repairs.

More severe sanctions can be issued, i.e. a closure order by which the local authority takes over the management of the property, or an seizure order by which the landlord is dispossessed of his property or premises. Since 2015, local authorities have also been able to issue fines. Research conducted in 2019²² indicates that none of the 35 municipalities surveyed had used seizure orders or management orders.

UNITED KINGDOM

Percentage of the population living in inadequate housing in 2019²³ according to Eurostat: 17.6%.

Since devolution in 1998, there has been significant divergence in housing legislation between the different nations of the **United Kingdom (England, Scotland and Wales)**. This section focuses on the situation in England and Scotland.

England

As regards legislation on rented accommodation, the Homes (Fitness for Human Habitation) Act 2018²⁴ introduced an implied legal guarantee that all rented accommodation in **England and Wales** shall be fit for human habitation at the start of a

tenancy and thereafter. In most cases, landlords have a legal duty to maintain the structure and exterior of their properties, and to repair water, heating and sanitation facilities.

The Housing, Health and Safety Rating System (HHSRS)²⁵ is used by local authorities to assess a range of risks in rented properties, such as damp, excess cold and electrical faults, as well as fires and falls risks. This assessment system is currently under review and is due for reform in the near future.

Landlord-tenant relationships

The Landlord and Tenant Act 1985 has been amended to require all landlords (private and social) to ensure that their properties, including the common areas of buildings, are fit for human habitation at the start of the tenancy and throughout the tenancy. The Act states that there is an implicit agreement between tenant and landlord at the start of the tenancy that the property will be fit for human habitation.

Under English law, landlords are responsible for most repairs. Repairs must be carried out within a reasonable period of time, i.e. as soon as the problems become known²⁶.

Landlords’ responsibilities include repairs to electrical wiring, pipes and boilers, heating and hot water, chimneys and ventilation, sinks, baths, plumbing, communal areas such as lobbies and staircases, the structure and exterior of the building, including walls, steps and bannisters, roofs, external doors, and windows. Landlords shall also redecorate if necessary when a problem is resolved. They are always responsible for these repairs, even if the tenancy agreement states otherwise.

Instruments to combat inadequate housing

The Homes (Fitness for Human Habitation) Act 2018 aimed to strengthen tenants' recourse against landlords who fail to meet their legal obligations around maintaining the integrity of the property²⁷. If landlords refuse to carry out repairs or do not respond to phone calls, messages, emails or letters, tenants can report a sub-standard property to their local council.

Tenants can also ask their local council to inspect their dwelling if unsanitary conditions are affecting their health or safety. Local councils have an "environmental health" service that monitors housing conditions, especially in private rented accommodation. This service will only investigate serious problems that could affect the health or safety of tenants. It has the power to order landlords to carry out necessary works or to improve housing conditions.

A local council will only inspect a dwelling if the problems appear to be serious and the landlords are not taking steps to address them. The council may make an informal visit to the dwelling before deciding whether to carry out an inspection under the Housing Health and Safety Rating System (HHSRS). The council will usually inform landlords if it intends to inspect the dwelling.

Legislation has introduced protections for tenants against "retaliatory evictions" where they have a legitimate complaint about the condition of their home. The type of complaint to which these rules apply are serious problems that could result in the risk of harm to the health or safety of the tenants or a member of their family. Examples of repairs covered by these rules include a leak in the property or a heating problem (especially in cold weather). The vast majority of landlords address such serious pro-

blems quickly. This legislation is aimed at those who not only fail to carry out these repairs, but then attempt to evict tenants in response to a complaint²⁸.

Scotland

In **Scotland**, there are a number of housing quality standards that apply to different tenures: owner-occupied, social housing (rented by a council or housing association) and private rented housing. These different standards may influence in part the condition of housing in the different tenures²⁹.

- A "Tolerable Standard"³⁰ is a basic standard defined by legislation that applies to dwellings of all categories. Municipalities have the power to enforce this standard. It is estimated that only a small proportion of Scottish dwellings, around 2%, are below the tolerable standard.
- Private landlords have a duty to ensure that the accommodation they rent meets the "Repairing standard"³¹ (which includes the tolerable standard), as set out in legislation.

The social rented sector is the most regulated tenure and currently has the most stringent standards. Social landlords have to ensure that rented accommodation meets the tolerable standard, in addition to other aspects of the Scottish Housing Quality Standard and the Energy Efficiency Standard for Social Housing.

The Scottish government plans to introduce legislation for a common housing standard for all tenures.

IRELAND

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 16.6%.

Landlord-tenant relationships

The Irish Housing Act 1992 sets out the minimum standards that private landlords have to meet when renting out accommodation³². If a dwelling does not meet these standards, it is considered unfit for habitation. In this regard, the landlord of a dwelling carries out to:

“the structure of the dwelling, all such repairs as are, from time to time, necessary and ensure that the structure complies with any standards for houses for the time being prescribed under section 18 of the Housing (Miscellaneous Provisions) Act 1992.”³³

“the interior of the dwelling, all such repairs and replacement of fittings as are, from time to time, necessary so that that interior and those fittings are maintained in, at least, the condition in which they were at the commencement of the tenancy and in compliance with any such standards for the time being prescribed.”³⁴

Legal instruments to combat inadequate housing

The Housing Act 2009 introduces an enhanced sanction regime for landlords by inserting sections 18A and 18B into the Housing (Miscellaneous Provisions) Act 1992. These introduce an improvement notice and a prohibition notice³⁵. Section 18A states that where a landlord breaches a requirement in the Housing Regulations, the housing authority can issue an

“improvement notice” informing the landlord of the breach, the remediation works required, the time limit within which the works need to be carried out and information about the appeals procedure. The landlord informs the tenants and the local authority when the remedial works have been carried out. Landlords can oppose an improvement notice – and if this opposition is not accepted by the local authority, they can appeal the authority’s decision in the district court. Landlords’ right to oppose is problematic as it makes the process particularly time consuming, cumbersome and expensive for the local authority, which will only apply this procedure as a last resort. The housing authority can withdraw an improvement notice, but in doing so is not prevented from issuing another improvement notice in respect of the property.

Section 18B states that where a landlord fails to comply with an improvement notice, the housing authority may issue a “prohibition notice” to inform the landlord of his or her failure to comply with the improvement notice. The prohibition notice takes effect once the existing tenancy is vacated, i.e. the landlord may not re-let the property until the breach of regulations has been remedied. The landlord may appeal such a notice in the district court. Where the landlord has remedied the violation, they are required to notify the housing authority and the tenants. The housing authority issues a written notice of compliance with the prohibition notice to landlords, with a copy forwarded to the tenants. The authority may also withdraw a prohibition notice, but in doing so is entitled to issue another notice in respect of the property. The local authority may, in the interests of public health and safety, make such arrangements as it considers necessary and appropriate to bring the contents of the prohibition notice to the attention of the public.

Concerning Ireland’s Residential Tenancies Act 2004, although housing authorities are responsible for enforcing the Minimum Standards

Regulations, claims relating to the standards and maintenance of private rented accommodation may be brought before the Residential Tenancies Board by tenants against their landlords. Compliance with minimum standards is a legal obligation on landlords, but enforcement of the Residential Tenancies Act often requires a dispute to be filed with the Residential Tenancies Board.

FINLAND

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 4.5%.

In **Finland**, the housing system is governed by a multi-level system of laws and regulations. The regulations for building construction are described in the National Building Code, which only applies to new buildings. The Land Use and Building Act (132/1999) sets out the general conditions for construction, including technical requirements for structures such as strength and stability, fire safety, health and safety of users, accessibility, noise reduction, acoustic conditions and energy efficiency. These technical requirements are specified in the National Building Code and in other decrees and regulations such as the Ministry of the Environment's Decree on Building Plans and Reports (2015)³⁶.

When erecting a building, contractors must ensure the strength and stability, fire safety, health, user safety, accessibility and noise management of structures, and that a user and maintenance manual is available. The building and its grounds must be suitable for the intended use and accessible to children, older and disabled people. The energy efficiency of the building must be proven by calculations and improved as far as possible. In addition, local authority officials supervise building projects to ensure that the provisions of the Land Use and Building Act are met, taking into account environmental factors and natural conditions.

The Finnish Building Code has imposed minimum standards for thermal insulation and ventilation in new buildings since 1976, with subsequent amendments to improve energy efficiency. The new code that came into force on 1 January 2018, established requirements for the total energy consumption of new buildings, with the aim of setting a benchmark for Near Zero Energy Buildings (NZEB) in Finland. Energy certificates have been used in most new buildings since 2008, and an additional requirement was introduced in 2009 to make their use mandatory when selling or renting large buildings as well as new small residential buildings³⁷.

Landlord-tenant relationships

For rented accommodation, there are certain standards set by legislation, including the law on residential tenancy agreements (1995), as well as local regulations and building codes. These standards aim to ensure the safety and health of tenants and include requirements for heating, ventilation, lighting and electrical safety. Buildings shall must be kept in good condition and meet fire safety standards.

Landlords shall provide tenants with detailed information about the unit and its features, such as the location of fire extinguishers and emergency exits, and shall ensure that the unit complies with local regulations and building codes. There may also be specific requirements for disabled access and energy efficient appliances. The specific health and safety standards are as follows³⁸:

- Structural safety: the rented property shall be in a safe and habitable condition and meet all necessary safety standards. Landlords shall maintain the property so that it is safe during the tenancy.

- Sanitation: the rented property shall comprise adequate plumbing, heating and ventilation systems, and shall be clean and free of health hazards such as pests. Landlords shall ensure that the property remains in a decent condition throughout the tenancy.
- Fire safety: the rented property shall comprise smoke detectors, fire alarms and fire extinguishers, and be free from fire hazards. Landlords shall ensure that the fire safety equipment is in good working order.
- Electrical safety: the electrical wiring and appliances in the rented property shall be in good condition and meet all safety standards. Landlords shall ensure that the electrics are in good condition and functional.
- Accessibility: the rented property shall be easily accessible, with stairs, handrails and appropriate lighting. Landlords shall ensure that the property remains accessible during the tenancy.

Tenants also have a responsibility to make sure a rented property is healthy and safe, for example by reporting any safety hazards to landlords. The law provides a mechanism for resolving disputes between landlords and tenants on health and safety issues via mediation or other forms of dispute resolution, or through court action if the dispute cannot be resolved by other means. In all cases, the law provides a clear and structured process for resolving disputes and ensuring that landlords and tenants are held accountable for ensuring rented properties are healthy and safe.

SWEDEN

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 7.1%.

In **Sweden**, when constructing a building, builders must take account of various legal requirements to ensure that it is safe, environmentally friendly and complies with local regulations. Building codes are an essential part of the construction process, defining technical requirements such as load-bearing capacity, fire safety, insulation and ventilation. These codes aim to ensure that the building is structurally sound and safe for occupants³⁹. Environmental protection, safety and spatial planning are key concerns when building housing in Sweden. The Environmental Code⁴⁰ (1998) sets out rules to minimise environmental impact and preserve natural resources.

Minimum decent housing standards in **Sweden** are governed by the Swedish Housing Act (*Bostadsbalken*) and its associated regulations. The Act states that everyone has the right to housing suitable for human habitation, with access to running water, heating, ventilation and a safe indoor environment. The Swedish National Board of Housing, Building and Planning (*Boverket*) is responsible for implementing and enforcing the Act, providing guidelines and recommendations on minimum housing standards.

While the Swedish Housing Act sets minimum standards for dignified housing, these standards may be exceeded by individual housing providers, local authorities or other organisations providing housing. The act also sets out procedures for resolving disputes between tenants and landlords and for enforcing the minimum standards.

The Land Code (1970/994) and the Environmental Code (1998/808) contain provisions that apply to rental properties, ensuring that they have continuous heating, access to hot and cold water, sewage disposal, personal hygiene facilities,

electricity, cooking appliances, storage and laundry facilities. The dwelling must also meet structural soundness, fire safety and sanitation requirements.

The building regulations require all new buildings to meet specific energy standards in insulation, ventilation, heating, cooling and lighting systems. In addition, Sweden has adopted voluntary standards including the "passivhaus" standard and environmental building certification schemes such as *Miljöbyggnad* and BREEAM to assess the environmental performance of a building. All buildings in Sweden shall have an energy performance certificate, which provides information on the energy performance of the building and its potential to be improved. These standards and regulations aim to reduce greenhouse gas emissions and promote sustainability in the construction sector.

SPAIN

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 19.7%.

In **Spain**, housing authorities are regional, meaning that national standards do not contain very detailed descriptions. The Basque Country's Housing Law provides a definition of decent housing and adequate housing, as well as a set of parameters that must be met for housing to be adequate. Other autonomous regions' legislation that contain a definition, albeit brief, of adequate housing are the laws of Andalusia and of the Balearic Islands, and Galicia's Housing Law.

The Spanish legal system requires a series of documents to be produced for each dwelling built. These must certify that it was built with full permissions, prove that it is habitable and guarantee that it complies with the necessary conditions. Possessing an up-to-date certificate of occupancy implies that the dwelling is fit for habitation.

The *cédula de habitabilidad* (habitability certificate) is an administrative document that certifies that a dwelling meets the basic requirements for habitation. These conditions depend on the autonomous community (region) in which it is located and the year of its construction. Not all autonomous communities have regulations on the conditions for obtaining this certificate, and many have not made it compulsory. This is particularly the case in the autonomous communities of Andalusia, Aragon, Castilla-La Mancha, Castilla y León, Galicia, Madrid and the Basque Country⁴¹.

In the community of Madrid, prior verification of compliance with the habitability requirements laid down in the basic State planning regulations is required before a local authority can grant planning permission or an authorisation for works, use, construction and installation or occupation. Such regulations cover: health, noise management, energy saving and thermal insulation; the technical building code; and the local authority planning regulations for the granting of licences, which include plans and local authority regulations concerning compliance with planning, environmental and safety rules.

Landlord-tenant relationships

Nationally, the obligations to preserve and maintain property are governed by Spain's Urban Lease Act (LAU)⁴² and the Commonhold Property Act (LPH). Article 21 of the Urban Lease Act provides that landlords are obliged to carry out all the necessary repairs to keep the dwelling in a habitable condition for the use agreed in the contract, and are not allowed to increase the rent to cover these works. This is a legal (not contractual) obligation, which continues as long as the deterioration of the dwelling is not attributable

to the tenants and it is not forfeited or destroyed for reasons beyond the control of the landlord, in which case the tenancy agreement may be terminated.

The same Article 21 of the Urban Lease Act establishes that, if the works necessary to maintain the dwelling in a habitable state are urgent and it is not reasonably possible to postpone them until the end of the tenancy, the tenants are obliged to inform the landlord(s) as soon as possible of the need for the repairs. This is to facilitate verification of the state of the dwelling and to allow repairs be carried out, even if this may entail inconveniences or even lack of access to part of the property.

Nonetheless, if the works last more than 20 days, the tenants have the right to a rent reduction proportional to the section of the property that is out of service. This is without prejudice to the tenants' right, after notifying the landlord, to carry out urgent repairs in order to avoid imminent damage or serious inconvenience, and to demand immediate reimbursement of the amount paid for such repairs.

According to Article 27.1 of the Urban Lease Act, if one party fails to fulfil the obligations in the tenancy agreement, the party who has fulfilled his obligations can demand the obligation be fulfilled or ask for the agreement to be terminated. This is in accordance with Article 1.124 of the Spanish Civil Code. Article 27.3 of the Urban Lease Act also expressly states that tenants can terminate a contract for "(a) failure of the lessor to carry out the repairs referred to in Article 21".

Finally, the law does not describe the works required to maintain the dwelling in habitable condition, so it is necessary to rely on case law and interpretations by the civil courts, that rely on different criteria. In practice, this obligation to maintain the premises in a habitable condition is difficult to enforce, as the enforcement mecha-

nisms involve legal action with all the costs that this entails to be borne by the tenants. In the absence of a specific procedure for preventative measures, their application can be delayed for a long time. If a landlord refuses to comply with a decision, the tenants have to ask for its enforcement before the Court of Justice.

If landlords fail to carry out the necessary maintenance works, there are several remedies:

- Introduction of a civil suit to demand maintenance works on the basis of Article 21 of the Urban Lease Act via an ordinary declaratory procedure. This will also include an enforcement procedure if the judgement favours the tenants and is not implemented by the landlords voluntarily;
- Bringing a claim for compensation when tenants, after having requested works be undertaken by the landlord, carry out the works themselves; and
- Out-of-court negotiations with landlords to carry out maintenance works, which is the quickest solution but depends on the goodwill of the landlord.

If tenants are obliged to take legal action to have maintenance works carried out, they may claim compensation for damages caused until the work is undertaken.

Local authority powers

In Madrid, for example, local authority departments have to assess the habitability conditions of dwellings using the powers that the legislation confers to local authorities around inspection and sanitary control of property and the urban environment. This is only on request and in justified cases.

A dwelling must meet certain regulatory requirements, including safety, accessibility, living space, prevention of damp, waste collection and disposal, indoor air quality, water supply, sewage disposal, etc.

In this respect, substandard housing is considered to be a dwelling that does not meet the minimum conditions of habitability due to structural problems, overcrowding, lack of lighting and ventilation, lack of basic facilities, degraded or inadequate environment, etc.⁴³.

Any citizen registered in the Madrid local authority area may request an assessment of the hygiene, sanitation and habitability conditions of the dwelling in which he or she lives when one or more risks to health exist. The local authority inspects the dwelling, after informing the applicant. The inspector assesses the conditions of habitability and decency of the dwelling, and informs the parties involved of the measures to be taken to resolve the problem.

PORTUGAL

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 25.2%.

Article 65 of Portugal's Constitution provides for the right to adequate housing by stating that "everyone shall have the right, for himself and his family, to a dwelling of adequate size satisfying standards of hygiene and comfort and preserving personal and family privacy"⁴⁴. The Portuguese Basic Housing Law came into force on 1 October 2019 and provides a general framework for the right to housing in the country, including protection against discrimination in terms of housing on a wide range of grounds⁴⁵.

In **Portugal**, according to legislative decree 160/2006, inadequate housing cannot be rented out. This legislative decree establishes that tenancy agreements must display the build-

ing's use permit (issued by local authorities). Recent legislation also defines the criteria for inadequate housing. This includes the Legal Framework on Housing (Law 83/2019, Article 9) and legislative decree 37/2018 (Primary Right – Housing Support Programme), which defines "the conditions of unfit housing" and establishes different types of financial assistance when these conditions are found (Article 5).

Legislative decree 89/2021 expands on the norms of the Legal Framework on Housing, establishing the guarantee of alternative housing, preferential rights as law and housing inspection conditions⁴⁶.

Landlord-tenant relationships

Landlords must carry out maintenance works on the dwellings they own every eight years⁴⁷. Moreover, "the landlord shall, regardless of this period, carry out all the work necessary to maintain the safety, health and visual appearance"⁴⁸. Other obligations are foreseen for landlords around maintenance and repairs, under Article 1074 of the Portuguese Civil Code.

The law regulating the relationship between landlords and tenants (Portuguese Civil Code) only contains one article (Article 1036) on repairs. This article stipulates that if a landlord does not carry out repairs, tenants can carry them out and demand reimbursement of the costs. Tenants may, for example, pay discounted rent for a certain period of time in order to compensate for the money spent, according to Article 1074 of the Portuguese Civil Code⁴⁹.

In practice, due to the imbalance of power, vulnerable tenants with one-year tenancy agreements rarely access their rights. However, the vast majority of tenancy agreements are not

one-year contracts, but rather four- or five-year contracts, in accordance with articles 1094, 1095, 1096 of the Portuguese Civil Code, amended by Law no.13/2019.

Local authority powers

Tenants have the right to request an inspection of their dwelling by the local authority. However, the local authority can only intervene if the dwelling is in a particularly dire state and if there is a risk of collapse. In such cases, the local authority notifies the landlords that they should carry out works. The local authority is also involved when landlords want to contribute to the aesthetic improvement of certain areas.

If there is a risk of collapse (dilapidated or abandoned housing), or if the housing actually collapses, people are rehoused in emergency accommodation. Resettlement is managed by the local social services.

HUNGARY

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 20.4%.

In **Hungary**, the legal framework for housing encompasses the following four pieces of legislation: the Fundamental Law of Hungary⁵⁰, Act CLXXXIX of 2011 on Local Governments⁵¹, Act V of 2013 bringing the Hungarian Civil Code⁵² into effect and Act LXXVIII of 1993 on the Leasing of Apartments and Premises⁵³.

Hungarian law lacks an explicit definition of inadequate housing. According to the Fundamental Law of Hungary, the Hungarian State, represented by the Hungarian government, guarantees housing or accommodation for all. However, this formulation is difficult to interpret

in legal terms and does not establish an enforceable right.

The Fundamental Law of Hungary also states that local governments should do everything in their power to ensure decent housing. Based on this provision, the Local Government Act refers to housing management as a task that can be taken over by local governments as part of local public duties. However, the legislation does not provide any regulatory or administrative tools for local governments in relation to private renting.

Landlord-tenant relationships

Under the Leasing Act, landlords are generally obliged to pay the costs of necessary repairs to the dwelling, but tenants are responsible for the costs of ordinary maintenance of a rented flat, unless otherwise agreed.

In practice, tenants are not in a position to amend the rental conditions set by landlords. Furthermore, landlords often rent out their accommodation without a written contract.

The Hungarian Civil Code allows tenants to terminate their tenancy if the accommodation they occupy poses a risk to their health. In practice, as there are few affordable housing solutions in **Hungary**, tenants are sometimes forced to accept inadequate conditions or even violations of tenancy agreements. Therefore, the right of termination is not an effective solution to enforce landlords' obligations.

Generally, tenants cannot protect themselves against abusive practices by landlords. They can claim compensation from landlords, but apart from that there is no specific rule or authority to protect them and ensure that the works are carried out. There are no provisions in the Leasing Act to protect tenants.

Although there is a framework for categorising flats according to a number of factors (minimum room size, existence of a room for cooking, a bathroom and indoor flushing toilet, electricity, water supply, access to hot water, sewage disposal, central heating, individual heating), this is only a simple categorisation, from which no obligation arises⁵⁴. There are other *ad hoc* provisions favourable to people in poverty, but these measures are not sufficient to establish the conditions necessary to guarantee decent housing.

POLAND

Percentage of the population living in inadequate housing in 2020 according to Eurostat: 6.0%.

Article 75 of the Polish Constitution states that “the public authorities shall pursue a policy conducive to satisfying the housing needs of citizens and, in particular, combatting homelessness, supporting the development of social housing and promoting citizens’ efforts to obtain housing. The law defines the protection of tenants’ rights⁵⁵.”

According to Article 76 of the Constitution, “the public authorities shall protect consumers, users and licensees against actions that endanger their health, privacy, or threaten their safety and against unfair practices in the market. The scope of this protection is defined by law⁵⁶.”

However, the provisions of the Constitution do not provide a sufficient legal basis for legal claims.

Landlord-tenant relationships

The Tenant Protection Act 2001⁵⁷ only sets out habitability criteria for social housing in terms of furnishings and technical standards⁵⁸.

On the Polish private rental market the government only intervenes in the regulation of the housing market in one type of tenancy agreement (the “Occasional Tenancy Agreement”), which has to be registered with the tax authorities.

The general rules laid down in the Polish Building Act of 7 July 1994 governing the construction and letting of buildings are binding on landlords and managers who are not bound by tenancy agreements. Generally, any such landlord or manager is obliged to ensure the safety of the building and to carry out periodic inspections.

There are civil law provisions that oblige landlords to keep rental flats in a decent condition. Landlords’ obligations regarding the maintenance of rented premises are mainly laid down in articles 682 and 662 of the Polish Civil Code⁵⁹; and the Polish Tenant Protection Act⁶⁰ (UOPL) (Articles 6a and 6b of the Maintenance and Renovation Act).

These provisions are applicable as soon as the tenancy agreement is signed. It should be noted that the regulations in the UOPL prevent the application of some of the provisions of the Polish Civil Code⁶¹. This concerns in particular the distribution of maintenance and renovation works between the parties to the tenancy agreement. However, both regulations are often ignored by agreement between the parties⁶², and they design their legal relationship as they see fit.

The Polish Civil Code contains two provisions favourable to tenants, regarding the conditions of the dwelling and the obligations on the landlord in this respect (less efficient than the UOPL).

1. The possibility of terminating the tenancy agreement without notice if the apartment has defects that pose a health risk to the tenants or their families⁶³. The parties to the lease cannot change this regulation. It applies even when (i) the tenants were aware of these defects at the

time of signing the tenancy agreement and (ii) the problem has been solved. Tenants do not have to ask landlords to remedy a problem or to wait for it to be resolved before terminating the lease. According to case law, such defects endangering the health or life of the tenants are, for example: damp and mould⁶⁴, emission of toxic substances from materials used in the construction of a building⁶⁵, and low temperatures⁶⁶.

2. Tenants have the option of carrying out necessary renovation or repairs at the expense of the landlord(s)⁶⁷. Certain conditions need to be met:
 - It is the legal responsibility of landlords to carry out the repairs;
 - Works are necessary for the normal use of the flat or as provided for in the contract; and
 - Tenants should ask landlords to carry out the necessary works and set a deadline.

If these formal requirements are not met, tenants are not entitled to benefits from this provision. Only after the deadline has expired can tenants carry out the necessary works at the expense of landlords.

In practice, this is an easier remedy to ensure that the works are carried out as it does not require a court judgement. In addition, tenants are entitled to it if the conditions are met. However, tenants must pay for the works. Tenants can deduct the costs incurred from the rent. If the rent is insufficient to cover the costs, the tenants can ask the landlords to reimburse the remaining costs. If they refuse to reimburse the costs, legal proceedings may be necessary.

The Polish Tenant Protection Act (UOPL) provides for more detailed regulations, thus prevailing over the Polish Civil Code. It concerns the sharing of maintenance and renovation works, and the obligations on the parties in the tenancy agreement. Landlords are obliged to guarantee the proper functioning of all equipment, thus allowing tenants to use water, gas or other fuel, heating, electricity, lifts and other equipment in the building. Landlords are obliged to carry out all repair works on the building as well as necessary renovation in the event of possible damage to the flat, equipment or electrics.

Tenants are obliged to keep premises in a sanitary condition and to respect the house rules. In addition, they must take care of the accommodation and the common areas so that they remain in good condition.

On the private market, these provisions are subject to contractual changes. However, the tenant has some leeway to get renovation or repairs done, and this tends to be quite wide. Case law shows that this leeway does not always correspond to the regulations of the Polish Civil Code, which is less restrictive for tenants.

Tenants are obliged to maintain and repair floors, windows and doors, furniture, kitchen appliances, radiators, boilers, heaters, baths, showers, sinks, parts of the electrics, and ovens/stoves/central heating. These repairs can therefore be considerable and expensive to carry out. According to the UOPL, which prevails over the Polish Civil Code, tenants are responsible for the majority of the most common repairs in rental flats.

3. CONCLUSIONS

- The private rental sector relies heavily on the regulation of the relationship between landlords and tenants, determined by individual tenancy agreements.
- Rental regulations give tenants the opportunity to report problems that are the responsibility of landlords, but this does not take into account the power imbalance between tenants and landlords, which does not allow tenants to access the rights to which they are entitled.
- There is still a need to develop new regulations that can help address the shortcomings of this contractual approach by introducing measures whereby public authorities can intervene.

4. GOOD PRACTICE AND RECOMMENDATIONS

- When confronted with problems arising from inadequate housing, lengthy and costly legal action should not be the only means of defence for tenants.
- Providing legal aid to tenants to help them understand and access their rights, particularly against a backdrop of a strained housing market and budget cuts.
- Introducing extra-judicial procedures such as corrective sanctions (the **Netherlands**), or the possibility for tenants to carry out necessary renovation or repairs at the expense of the landlord (**Poland**).
- Ensuring that there are effective local bodies responsible for the supervision of housing conditions. Providing local authorities and local authorities with the means to assess the compliance of rental housing, such as unfit for habitation orders (**Belgium**); rental permits (**France**); local sanitation control (**France**).
- Granting tenants the right to request a health or safety inspection. This can be reinforced, as in **Belgium** by the right to no longer notify the landlord in advance of the inspectors' visit; or as in the UK, through links with the Housing, Health and Safety Rating System (HHSRS), whereby tenants can lodge a complaint with the Local Government and Social Care Ombudsman if they are not satisfied with the local council's response to their complaint.
- Giving tenants the option of terminating a tenancy agreement without notice if the flat has defects that endanger their health or safety (**Poland**).
- Establishing legislation to bolster the tenancy agreement of tenants requesting improvement works, i.e. prohibition of eviction of households from the dwelling in case of request for renovation to ensure the dignity of the dwelling, no rent increase in the event of necessary works, suspension of the tenancy agreement if the accommodation is unfit or hazardous.

5. EUROPEAN RECOMMENDATIONS

Although housing is not a competence of the European Union, European law covers housing in a wide range of areas. Given the increased importance of tenancy and housing law in Europe and the important collateral effects of EU law and policy in other areas, the TENLAW project promotes a greater role for EU coordination in this area. Legal harmonisation was considered unrealistic, but the project demonstrated that the Open Method of Coordination (OMC), which has been implemented in other areas of social policy, is the best institutional tool currently available⁶⁸.

Consumer law could also be referred to. An effective protection policy would ensure consumer/tenant rights against abusive practices

by landlords and provide better protection for vulnerable tenants. Empowering consumers and protecting their safety and economic interests effectively have become key tenets of EU policy. It is therefore vital to protect the rights of tenants as consumers: tenants should not receive weaker protection than consumers of other goods and services. Tenants should also be able to demand that leases are drafted in a transparent, simple and intelligible way, like any other consumer contract. Tenants should also be able to demand that contract terms are brought to their attention in such a way that the average consumer can understand them and use them to defend their rights⁶⁹.

1

General Comment No. 4, interpretation of Article 11.1 in relation to adequate housing, by the Committee on Economic, Social and Cultural Rights: http://tbineternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT/CESCR/GEC/4759&Lang=en

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Digest of the case law of the European Committee of Social Rights which presents an interpretation of the articles of the European Social Charter by the European Committee of Social Rights (version 2018), accessed 27 February 2023.

3

Centre on Housing Rights and Evictions (COHRE) v. Italy, Complaint no. 58/2009, decision on the merits of 25 June 2010, Section 158.

4

FIDH v. Ireland, Complaint no. 110/2014, decision on the merits of 12 May 2017, Section 40-53, 105-106.

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Law no. 89-462 of 6 July 1989 on relationships between landlord and tenant (Article 6): https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000037670751/

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Constitutional Council, Decision 94-359 DC of 19 January 1995.

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Decree no. 2002-120 of 30 January 2002 on decent housing features implementing Article 187 of Law no. 2000-1208 of 13 December 2000 on solidarity and urban renewal.

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Law no. 89-462 of 6 July 1989 aimed at improving landlord-tenant relationships and amending Law no. 86-1290 of 23 December 1986 (Article 6): https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000037670751/; Decree no. 2002-120 of 30 January 2002 on characteristics of decent housing, implementing Article 187 of Law no. 2000-1208 of 13 December 2000 relating to urban solidarity and renewal: <https://www.legifrance.gouv.fr/loda/id/JORFTEXT00000021471/>.

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Article 84 of Law no. 2009-323 of 25 March 2009 on making housing available and anti- eviction measures and Law no. 90-449 of 31 May 1990 aimed at implementing a right to housing: https://www.legifrance.gouv.fr/afichTexte.do;jsessionid=3522D94B28511C991069AC445E4D85B5.tplgfr24s_3?cidTexte=JORFTEXT000000159413&dateTexte=20100710.

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Law no. 2000-1208 of 13 December 2000 on urban solidarity and renewal: <https://www.legifrance.gouv.fr/loda/id/LEGITEXT000005630252/2020-10-23/>

11

Premises unfit for habitation may be an attic, a cellar, a garden shed, a garage, a windowless room, etc.

12

Insalubrité. En finir avec l'impunité des bailleurs. RBDH: <http://rbdh.brow.be/insalubrite-en-finir-impunite-bailleurs/>

13

See above.

14

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Renovation assistance is known as the "rénovation" bonus: <https://renolution.brussels/fr>

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Law of 22 June 1901 containing legal provisions concerning social housing, *Bulletin des actes* no. 266.

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Quoted by Vols M. and Belloir A. (2019) – "Tackling Rogue Landlords and Substandard Housing: Local Authorities' Legal Instruments and their Effectiveness", *Journal of Property, Planning and Environmental Law*, 11(1): 2-19. <https://doi.org/10.1108/JPPPEL-08-2018-0025>

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Vols M. and Belloir A. (2019) – "Tackling Rogue Landlords and Substandard Housing: Local Authorities' Legal Instruments and their Effectiveness".

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Improvement of the Housing Act's Enforcement Instruments Act: https://www.eerstekamer.nl/wetsvoorstel/33798_versterking

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Vols M. and Belloir A. (2019) – "Tackling Rogue Landlords and Substandard Housing: Local Authorities' Legal Instruments and their Effectiveness".

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No UK Eurostat data after 2018.

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Homes (Fitness for Human Habitation) Act 2018: <https://www.legislation.gov.uk/ukpga/2018/34/enacted>.

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The Housing, Health and Safety Rating System (HHSRS) was introduced by the Housing Act 2004.

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Retaliatory Eviction and the Deregulation Act 2015, guidance note: <https://www.gov.uk/government/publications/retaliatory- eviction-and-the-deregulation-act-2015-guidance-note>; Revenge eviction if you ask for repairs: https://england.shelter.org.uk/housing_advice/repairs/revenge_eviction_if_you_ask_for_repairs

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<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2021/10/13/43a5d8fb-e099-401f-aff6-38f34be2b8ed>

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Housing conditions and standards (updated), Berry K. https://digitalpublications.parliament.scot/ResearchBriefings/Report/2021/10/13/43a5d8fb-e099-401f-aff6-38f34be2b8ed#c68f065c-3d66-11e8-8e2d-000d3a23af40_dita

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<http://www.irishstatutebook.ie/eli/2019/si/137/made/en/print>

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Housing (Miscellaneous Provisions) Act, 1992, Standards for rented houses.

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Housing (Miscellaneous Provisions) Act, 1992, Standards for rented houses.

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Housing (Miscellaneous Provisions) Act 2009, schedule 1 part 4. *Offenses* <http://www.irishstatutebook.ie/eli/2009/act/22/enacted/en/html>

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Decrees and legislation relating to building construction in Finland can be found here: <https://ym.fi/en/the-national-building-code-of-finland>

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https://www.ymparisto.fi/enus/Building/Ecoefficiency_and_energy_consumption_in_buildings/Energy_certificate_for_buildings

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<https://www.madrid.es/portales/mumimadrid/es/Inicio/Servicios-sociales-y-salud/Salud/Salubridad-y-Habitabilidad-de-la-Vivienda/?vgnextfmt=default&vgnextoid=a79f1e971705c410VgnVCM1000000b205a0aRCRD&vgnextchannel=0815c3eb248fe410VgnVCM1000000b205a0aRCRD>

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1993 LXXVIII. Act on Certain Rules for the Lease and Disposal of Dwellings and Premises.

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61

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62

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63

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CHAP. 4

**EUROPEAN
INDEX
OF HOUSING
EXCLUSION 2023**

99

1. THE LOOMING SPECTRE OF INFLATION

With the outbreak of war in Ukraine at the end of February 2022, the crisis triggered by the pandemic in 2020 appeared to have tightened its grip. After two very difficult years, Europe then experienced inflation rates not seen for over twenty years. Although significantly high everywhere, inflation has been worse in some European countries than others. In December 2022, the relatively low annual rates recorded in **Spain** (5%), **Luxembourg** (6%) and **France** (7%) contrasted with much higher rates in **Hungary** (25%), **Latvia** (21%) and **Lithuania** (20%)¹. Energy and food prices were hit particularly hard. Energy prices rose sharply (25% in December 2022) as a result of the cutting off of Russian gas supplies to Europe. Food prices also saw an exceptional rise (14% in December 2022), as Ukraine and Russia accounted for almost 30% of international wheat exports². In all European countries, food and energy, along with housing, took up the bulk of the budgets of low-income households. Energy costs were a particularly egregious burden for low-income and casual workers, many of whom live in poorly insulated homes, making them vulnerable to soaring energy prices.

In **Austria**, in the second quarter of 2022, 1.1 million people faced a significant financial burden due to housing costs, and around 19% of the population aged between 16 and 69 expected to encounter difficulties in meeting these costs in the subsequent three months. The extent of this financial burden and the expectation of financial difficulties had increased significantly compared with the previous two quarters³. In France, according to the Institut des Politiques Publiques (public policy institute) (IPP), the energy price shock reduced the buying power of the 20% with the lowest incomes by 6% in 2022⁴. The Abbé Pierre Foundation predicted an increase in fuel poverty among this cohort, who were already experiencing difficulty paying their electricity and gas bills⁵. In 2022, almost 22% of households said their homes were too cold because they couldn't put the heating on or they were poorly insulated, compared with 20% in 2021 and 14% in 2019, according to the French Energy Ombudsman⁶. In **Italy**, as a result of rising prices, household energy costs rose by 20% between 2020 and 2021. At the end of 2021, energy poverty was affecting 2.2 million households (9% of Italian families), a figure that could rise to four million in the years to come, according to the consultancy CGIA⁷. In **Poland**, the war in Ukraine had a significant impact on housing costs. Rent prices rose significantly (by almost 25% in major cities), as did interest rates, making mortgages difficult to obtain. Gas and electricity prices rose by 130% and 40% respectively from the start of the war⁸. Plus, by October 2022, annual inflation had risen to 17%. According to the Polish Statistical Office's Household Budget Survey, 1.6 million people were living in extreme poverty in 2021, which is 4% of the population⁹. EAPN Poland's forecasts for 2022 were alarming – organisations feared a return to the rates of extreme poverty seen in 2015, i.e. 7% of the population¹⁰. The Polish National Federation for Solving the Problem of Homelessness also warned of the risk

of a massive increase in the number of homeless people during the winter of 2022-2023, due to the rising costs of food, basic necessities, fuel and energy¹¹. In **Czechia**, the rise in property prices in 2021 (up by more than 30% in some regions) prompted people traditionally inclined towards home ownership to turn to renting. As a result, demand for rental accommodation rose, and with it, rental prices (by around 5% per quarter). This increase came on top of soaring prices for energy and everyday consumer goods. As a result, the target groups for food banks expanded, and the NGO sector was preparing for crisis scenarios outside the scope of its normal activities.

European governments took steps to cushion the blow of these cost increases and protect people, but many of these measures proved insufficient to prevent the most vulnerable from falling into or falling further into poverty. Most governments favoured non-targeted measures to influence prices (i.e. reductions in excise duties and VAT) over policies to boost incomes¹². In **Germany**, for example, the federal government invested more than EUR 200 billion in three packages of relief measures over the course of 2022¹³. Most of the measures taken in February and May were designed to relieve all citizens, regardless of income level (i.e. reduced monthly transport tickets, flat-rate energy prices, etc.). Some did specifically target those struggling the most, such as the increase in the heating costs allowance, which benefited more than two million people (recipients of housing allowance and students). The third package announced in October 2022 (known as the *"Doppel-Wumms"*) is by far the most comprehensive. Alongside individual measures (transport tickets, increased family allowances, etc.), the package included two major reforms that primarily concern the most disadvantaged sections of the population. The first involved an increase in the amount of unemployment benefit and a provisional adjustment to

benefits to bring them in line with inflation. The second concerned housing allowance, which has been increased and eligibility broadened (a heating component has also been included on a permanent basis). However, according to several observers, the threshold for accessing the application procedure is very high and many eligible households could not access their entitlements¹⁴. Finally, the federal government agreed a “brake on electricity and gas prices”, capping prices at a quota of 80% of annual consumption. In **Austria**, the government introduced the *“Klimabonus und Teuerungsausgleich”*, a climate and inflation adjustment bonus available to anyone who could prove that they had their main residence in **Austria** for at least six months of the year in 2022¹⁵. Vienna introduced financial assistance of EUR 200 for every household in December 2022, but this measure did not apply to those living in hostels¹⁶. In **France**, the government also committed considerable sums of money, but generally without targeting particular demographics. The country’s *“bouclier tarifaire”* (energy price “shield”) froze gas and electricity tariffs at their October 2021 rate, and limited price rises to

4%. At-pump price reductions on fuel were also introduced. This key measure cost the exchequer EUR 24 billion in 2022¹⁷. Some more redistributive measures were also adopted: an inflation allowance of EUR 100 was paid at the end of 2021 to people earning less than EUR 2,000 a month (costing EUR 3.8 billion) and an energy voucher of EUR 100, already dispensed in 2021, was renewed in 2022 (allocated to 12 million households at a cost of EUR 1.8 billion). But overall, the assistance granted to the most disadvantaged households did little to offset the regressive social policies that had been implemented for several years, including the cuts (of more than EUR 4 billion a year) made to the *Aide personnalisée au logement* (APL), a housing allowance benefiting the poorest 30% of households¹⁸. In **Poland**, a tax cut ensured gas and electricity prices remained virtually unchanged for all households, regardless of income. The government also introduced allowances for households using other energy sources (such as coal, used by almost half of Poles for heating), the prices of which have fluctuated with the market¹⁹.

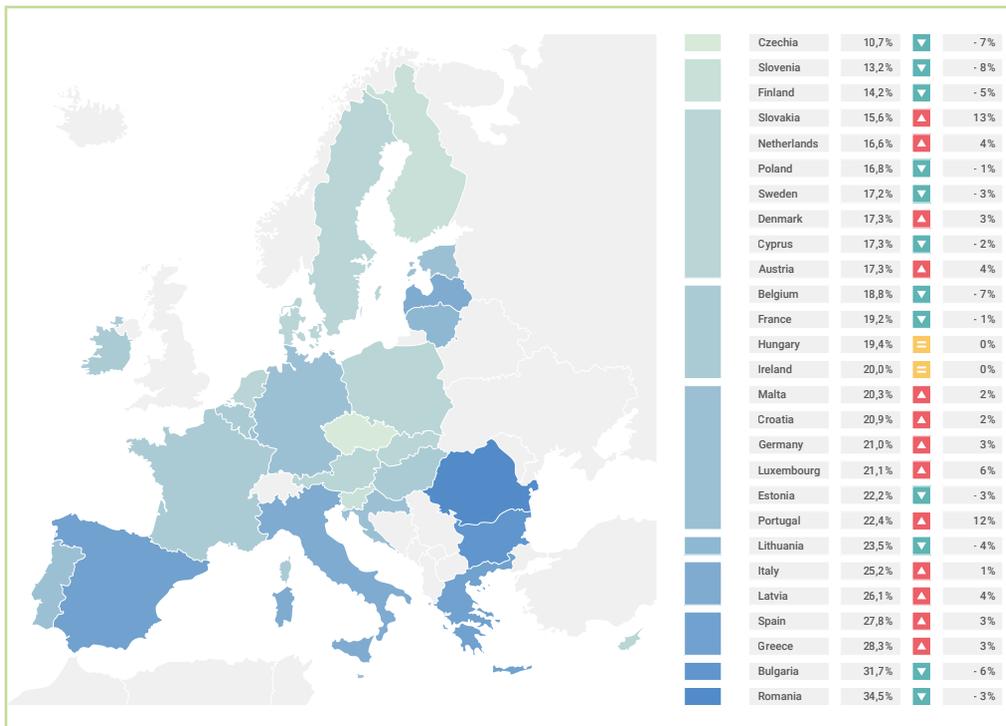
2. THE RISING HOUSING AND ENERGY PRICE BURDEN

The data used in this section were sourced mainly from statistics collected and compiled by Eurostat. Much of it came from the latest edition of the European Union Survey on Income and Living Conditions (EU-SILC)²⁰. The results of this survey, published in 2023, covered households as they were in 2021²¹. Some of the tables and graphs presented therefore reflect housing exclusion in Europe during the second year of the Covid-19 pandemic, a year marked by a recovery in economic activity and historic growth rates for EU countries²². It was also during this pivotal year that household wages fell as gas and electricity prices soared.

Poverty in Europe

In 2021, 16.8% of Europeans were living below the poverty line (60% of the median equivalised income after social transfers), i.e. more than 73.6 million people²³. That same year, more than one in five Europeans (21.7%) was at risk of poverty or social exclusion²⁴. The highest rates were recorded in **Romania** (34.4%), **Bulgaria** (31.7%), **Greece** (28.3%) and **Spain** (27.8%). While the proportion of the population affected by this risk had fallen on average since 2015 in the EU 27 (-9.6%), there was a slight increase between 2020 and 2021 (0.5%). During this time, the number of people at risk of poverty or social exclusion increased in 13 countries, particularly in **Slovakia** (13%), **Portugal** (12%), **Luxembourg** (6%) and **Latvia** (4%). Minors were particularly affected: in 2021, almost a quarter of Europeans under the age of 18 (24.4%) were at risk of poverty.

FIGURE 1
PEOPLE AT RISK OF POVERTY OR SOCIAL EXCLUSION
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)



Source: Eurostat · [ILC_PEPS01N](#) / Last update: 2023-04-16 / Series break in 2020: Germany · Denmark · France · Ireland · Luxembourg
Series break in 2021: Luxembourg

More than one in ten Europeans (11.9 %) were unable to cover certain expenses deemed necessary to maintain an acceptable standard of living in 2021. This proportion of Europeans facing material and social deprivation²⁵ was particularly high in **Romania** (34.5%), **Bulgaria** (30.4 %)

and **Greece** (29.2%). While this rate of deprivation was still too high on average across the European Union, it fell significantly between 2020 and 2021 (-6.3%). This fall was seen in all Member States except **Italy** (+2.7%), **Malta** (+4.3%), **Portugal** (+6.3%) and **Luxembourg** (+12.8%).

TABLE 1**PEOPLE EXPERIENCING MATERIAL AND SOCIAL DEPRIVATION
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)**

	2021	2020 - 2021
Romania	34.5	-11.3
Bulgaria	30.4	-9.8
Greece	29.2	-4.9
Hungary	17.7	-4.3
Spain	15.4	0.0
Lithuania	13.6	-20.5
Portugal	13.5	6.3
EU	11.9	-6.3
France	11.4	-15.6
Italy	11.3	2.7
Cyprus	11.2	-1.8
Latvia	11.1	-25.0
Belgium	10.2	-7.3
Malta	9.8	4.3
Ireland	9.7	-19.8
Slovakia	9.2	-5.2
Germany	9.0	-1.1
Croatia	8.4	-10.6
Poland	6.3	-1.6
Denmark	5.9	-10.6
Luxembourg	5.3	12.8
Estonia	5.1	-22.7
Slovenia	4.8	-21.3
Czechia	4.8	-4.0
Netherlands	4.6	-20.7
Austria	4.4	-21.4
Finland	3.6	-21.7
Sweden	3.5	-10.3

Source: Eurostat · [ILC_MDS07](#) / Last update: 2023-05-10 / Series break in 2020: France · Ireland · Luxembourg
Series break in 2021: Luxembourg

According to a survey carried out in 2022 by Ipsos and Secours populaire of 6,000 Europeans in six countries (**France, Italy, Greece, Germany, Poland** and the **United Kingdom**), one in four people said they were facing financial and material difficulties²⁶. The results of this survey also showed that more than half of people (55%) believed they ran a

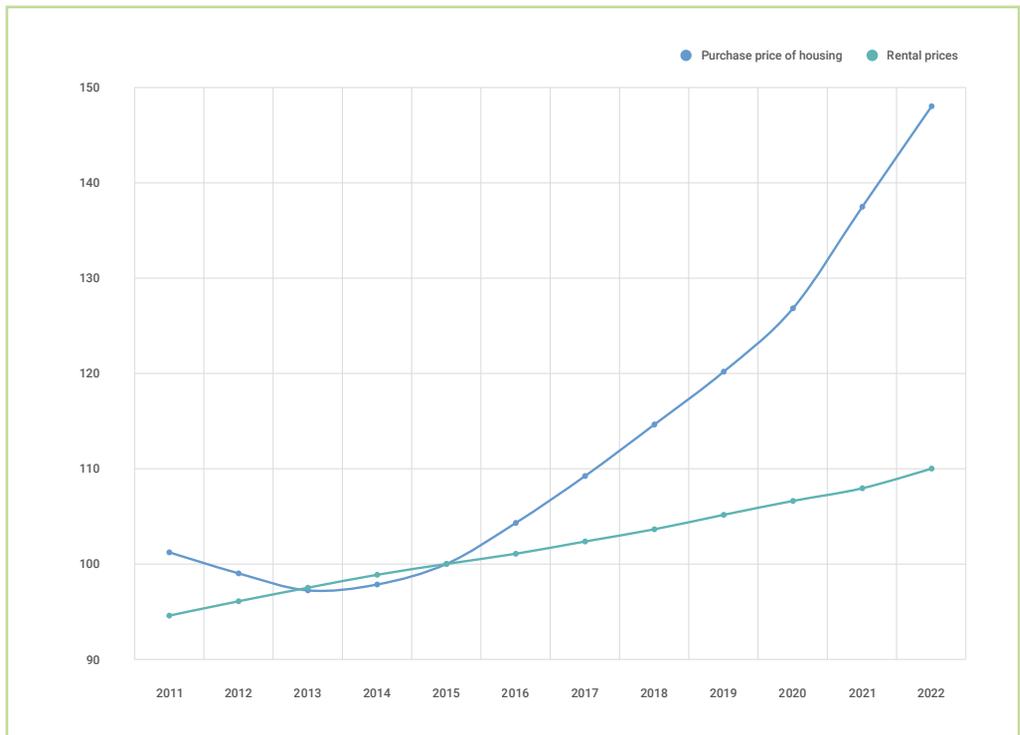
significant risk of finding themselves financially stretched in the near future. Also according to the survey, the vast majority of Europeans had already had to make difficult choices because of a tight financial situation: 62% had already had to cut down on travel, 47% had to turn down the heating to reduce the cost of their bills, 34%

had already had to forego getting treatment for a health problem and 29% had already been forced to skip meals. For some Europeans, saving was no longer enough: 42% of those surveyed had already asked friends and family to lend or give them money to meet their basic needs. In addition, 27% of those surveyed said they were afraid they might lose their home and 17% said they had already been taken in by friends or family because they could no longer pay their rent.

A steep rise in housing costs

Between 2012 and 2022, house price indices in the European Union rose by 49.6% and rental price indices by 14.5%. This long-term trend was observed in almost all Member States. Over this period, only **Greece** (-23.1%) and **Cyprus** (-0.8%) saw rents fall. The countries with the highest increases in rents were **Ireland** (+81.1%), **Estonia** (+115.5%) and **Lithuania** (+116.7%).

FIGURE 2
HOUSE PRICE TRENDS
(EU 27, INDEX: 2015 = 100, AT CURRENT PRICES)



Source : Eurostat - [PRC_HPI_A](#) / [PRC_HICP_AIND](#) / Last updated: 2023-04-05 / 2023-04-19

As of 31 December 2022, the residential property price index in the EU 27 stood at 147.8 (100 is equivalent to 2015). While this index rose sharply in recent years (+20.7% since the end of 2019), the increase slowed significantly during 2022 (+3.5%

compared with +10.2% in 2021 and +5.8% in 2020). Nevertheless, compared with the reference year of 2015, residential property prices rose by more than 50% in 16 Member States – more than doubling in **Hungary, Czechia** and **Lithuania**.

TABLE 2

**RESIDENTIAL PROPERTY PRICE INDEX
(2015 = 100, TRANSACTION VALUE, ALL HOUSING TYPES)**

Hungary	256.2
Czechia	214.5
Lithuania	203.5
Portugal	195.9
Estonia	191.4
Luxembourg	189.5
Latvia	187.4
Netherlands	184.4
Slovakia	179.2
Slovenia	178.4
Bulgaria	175.1
Austria	173.9
Croatia	170.1
Poland	169.6
Ireland	168.5
Germany	156.7
EU 27	147.8
Malta	147.2
Romania	146.8
Spain	143.0
Belgium	135.8
France	133.7
Sweden	133.5
Denmark	128.6
Finland	108.6
Cyprus	108.0
Italy	106.9

Source : Eurostat · [PRC_HPI_Q](#) / Last updated: 2023-04-05

Housing cost overburden

On average, housing costs took up 18.9% of the disposable income of European households in 2021, an increase of 2.2% compared to 2020. For households living below the poverty line, they took up 37.7%. In **Greece**, no less than 60% of the

budget of these households living below the poverty line was spent on housing. For these same households, the cost of housing also took up a particularly high proportion of their income in **Denmark** (56.5%), the **Netherlands** (48%), **Sweden** (44.4%), **Germany** (43.8%) and **Czechia** (43.4%).

TABLE 3
**HOUSING COSTS AS A PROPORTION OF DISPOSABLE INCOME OF HOUSEHOLD FINANCES
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)**

	LOW-INCOME HOUSEHOLDS		TOTAL POPULATION	
	2021	2020 - 2021	2021	2020 - 2021
Greece	60.0	-6.1	34.2	-7.3
Denmark	56.5	1.3	26.3	-0.4
Netherlands	48.0	8.4	23.9	7.2
Sweden	44.4	1.6	22.1	2.8
Germany	43.8	2.6	23.4	8.8
Czechia	43.4	4.8	19.3	0.0
Spain	39.8	8.7	18.2	7.7
Austria	39.7	-2.2	17.9	1.1
Bulgaria	37.9	-2.6	21.6	-6.9
EU 27	37.7	2.2	18.9	2.2
France	37.5	3.3	17.4	-1.1
Finland	36.1	3.4	17.8	1.7
Belgium	35.7	-1.9	17.6	-1.1
Poland	34.7	8.1	17.9	4.7
Italy	32.6	1.2	15.8	3.9
Croatia	31.7	1.9	16.0	1.3
Romania	31.6	9.3	17.0	2.4
Portugal	30.7	12.5	15.1	5.6
Slovenia	30.6	1.7	14.7	0.0
Slovakia	30.4	1.3	16	-10.6
Estonia	28.6	4.8	14.2	3.6
Latvia	28.1	0.4	15.2	2.0
Hungary	25.1	-9.7	12.5	-6.0
Luxembourg	24.4	-28.9	12.7	-23.5
Ireland	24.1	-19.4	14.4	-8.3
Lithuania	24.0	-5.9	11.6	-7.2
Cyprus	18.7	3.3	11.2	0.0
Malta	18.0	5.3	9.0	0.0

Source : Eurostat · ILC_MDED01 / Last updated: 2023-04-03 / Data missing in 2021 (data replaced by 2019-2020 data): France · Slovakia
Series break in 2020: Germany · France · Ireland · Luxembourg · Poland / Series break in 2021: Luxembourg · Portugal

The proportion of European households overburdened by housing costs²⁷ rose from 7.8% in 2020 to 8.3% in 2021 (+6.4%). The proportion of low-income households affected by this housing cost overload was 33% in 2021, an increase

of 4.8% in one year. The increase in this cohort was particularly significant in the **Netherlands** (+40.2%), **Portugal** (+38.7%), **Malta** (+24.5%) and **Cyprus** (+24%).

TABLE 4
PROPORTION OF HOUSEHOLDS OVERBURDENED BY HOUSING COSTS
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)

	LOW-INCOME HOUSEHOLDS		TOTAL POPULATION	
	2021	2020 - 2021	2021	2020 - 2021
Greece	76.7	-8.0	28.8	-13.5
Denmark	72.1	2.7	15.5	9.9
Netherlands	46.7	40.2	12.5	50.6
Germany	41.7	5.8	11.0	22.2
Sweden	40.6	6.6	8.5	2.4
Czechia	38.2	-1.8	6.2	-4.6
Bulgaria	37.2	-10.8	11.6	-19.4
Spain	36.2	18.3	9.9	20.7
Belgium	33.3	-2.1	7.5	-3.8
EU 27	33	4.8	8.3	6.4
Austria	31.1	-16.2	6.1	-3.2
Italy	28.6	0.0	7.2	0.0
Poland	27.9	18.7	5.7	16.3
Romania	26.1	8.8	7.6	7.0
France	24.6	7.9	5.6	1.8
Portugal	24.0	38.7	5.9	43.9
Slovakia	22.5	-16.0	3.2	-43.9
Croatia	21.5	4.9	4.5	7.1
Slovenia	20.9	-9.5	4.1	-6.8
Estonia	18.7	10.7	4.4	0.0
Finland	17.8	2.3	4.3	4.9
Latvia	17.4	0.0	4.9	2.1
Luxembourg	16.8	-51.0	5.1	-40.0
Lithuania	12.9	11.2	2.7	0.0
Hungary	12.8	-37.6	2.4	-51.0
Malta	12.2	24.5	2.7	-3.6
Cyprus	9.3	24.0	2.5	31.6
Ireland	8.8	-54.4	2.5	-44.4

Source : Eurostat · ILC_IVH007A / Last updated: 2023-04-03 / Data missing in 2021 (data replaced by 2019-2020 data): France · Slovakia
Series break in 2020: Germany · Denmark · France · Ireland · Luxembourg · Poland / Series break in 2021: Poland

**EUROPEAN INDEX
OF HOUSING EXCLUSION 2023**

In 2021, a European household living below the poverty line spent an average of EUR 393 a month on housing²⁸, a sum that has risen by 10.2% in ten years. The **Netherlands** (EUR 631), **Denmark** (EUR 630), **Germany** (EUR 572), **Austria** (EUR 560) and **Luxembourg** (EUR 539) were among the

countries where housing costs are particularly high. The largest increases in total monthly costs between 2011 and 2021 were recorded in **Romania** (+180.6%), **Bulgaria** (+67.9%), **Poland** (+36.2%), **Estonia** (+29.1%), **Slovenia** (+26.8%) and **Austria** (+23.6%).

FIGURE 3
TOTAL MONTHLY HOUSING COSTS FOR HOUSEHOLDS AT RISK OF POVERTY (€ PPA)
AND CHANGE FROM 2011 TO 2021 (IN %)



Source : Eurostat · [ILC_MDED03](#) / Last updated: 2023-04-03 / Data missing in 2021 (data replaced by 2020 data): France · Slovakia
Series break in 2020: France / Series break in 2021: Luxembourg · Portugal

Household debt

In 2021, 3.2% of Europeans were in rent or mortgage arrears. In the space of a year, this proportion of households rose sharply in **Romania** (+150.0%), **Estonia** (+85.7%) and **Cyprus** (+54.3%).

That same year, the proportion of households beneath the poverty line who were behind with such payments was 8.7% – an increase of 3.6% on 2020. The proportion of these households was particularly high in **Cyprus** (+126.5%), **Romania** (+100%) and **Croatia** (+75%).

TABLE 5
HOUSEHOLDS IN RENT OR MORTGAGE ARREARS
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2021	2020 - 2021	2021	2020 - 2021
Greece	18.4	-6.1	8.5	-8.6
France	17.0	-7.1	5.4	-6.9
Spain	15.8	-5.4	6.5	-5.8
Ireland	13.4	-17.3	7.0	-5.4
Sweden	12.1	37.5	2.6	8.3
Cyprus	11.1	126.5	5.4	54.3
Slovakia	8.7	-13.0	3.6	-28.0
EU 27	8.7	3.6	3.2	-3.0
Finland	8.5	-24.8	4.0	-7.0
Austria	8.1	-19.8	3.0	-9.1
Portugal	8.0	66.7	2.5	4.2
Czechia	7.8	21.9	1.6	-5.9
Hungary	6.7	9.8	2.2	4.8
Italy	6.6	10.0	2.5	8.7
Netherlands	6.5	-4.4	1.7	-15.0
Belgium	6.2	-28.7	1.8	-33.3
Luxembourg	5.9	-15.7	2.3	9.5
Slovenia	5.6	55.6	1.8	0.0
Denmark	5.5	-47.1	1.9	-36.7
Germany	4.5	9.8	2.2	15.8
Malta	3.7	-44.8	1.8	-18.2
Latvia	2.5	-32.4	1.6	-20.0
Lithuania	2.3	-28.1	0.9	-47.1
Bulgaria	1.5	0.0	1.2	-7.7
Croatia	1.4	75.0	0.7	-12.5
Estonia	1.3	30.0	1.3	85.7
Romania	1.2	100.0	1.0	150.0
Poland	0.7	16.7	0.5	-16.7

Source : Eurostat · ILC_MDES06 / Last updated: 2023-04-21 / Data missing in 2021 (data replaced by 2019-2020 data); Slovakia Series break in 2020: Germany · France · Ireland · Luxembourg / Series break in 2021: Luxembourg · Portugal

While the statistics on gross household debt ratios²⁹ do not cover all Member States, the available data indicates that this ratio increased in 13 countries between 2020 and 2021. This rate exceeded 100% of disposable income in **France**

(103.5%), **Belgium** (106.7%), **Finland** (119.1%) and **Cyprus** (124.7%), and exceeds 170% of disposable income in **Sweden** (172.3%), **Luxembourg** (180.9%), the **Netherlands** (184%) and Denmark (207.3%).

TABLE 6
GROSS HOUSEHOLD DEBT-TO-INCOME RATIO
(2021, IN % OF DISPOSABLE INCOME / CHANGE FROM 2020 TO 2021, IN %)

	2021	2020 - 2021
Denmark	207.3	-2.9
Netherlands	184.0	-1.7
Luxembourg	180.9	4.6
Sweden	172.3	0.7
Cyprus	124.7	-1.7
Finland	119.1	1.1
Belgium	106.7	1.1
France	103.5	1.2
Ireland	95.0	-7.8
Portugal	94.2	-0.8
Spain	89.5	-2.7
Germany	88.8	2.5
Austria	86.1	-0.1
Greece	78.8	-5.2
Slovakia	75.0	4.8
Estonia	70.3	0.4
Italy	63.9	0.1
Czechia	61.2	1.2
Poland	55.8	2.7
Croatia	52.2	-5.5
Slovenia	41.9	-2.0
Lithuania	38.1	4.7
Hungary	35.9	1.1
Latvia	29.2	-4.6

Source : Eurostat - [NASA_10_KI](#) / Last update: 2023-02-13

An increase in energy costs

As a result of the Covid-19 pandemic and the increase in international demand, electricity and gas prices began to soar. "Between December 2020 and December 2021, the import price of energy in the Eurozone more than doubled.

This increase was quite unprecedented. Energy import prices, while quite volatile, do not generally change by more than around 30% during a year³⁰. The gradual suspension of gas deliveries from Russia to certain Member States over the course of 2022 exacerbated this energy crisis even further, i.e. the rise in gas prices has brought with it a surge in electricity prices.

TABLE 7
ANNUAL PRICE INDEX FOR ELECTRICITY, GAS AND OTHER FUELS (2015 = 100)
AND CHANGE FROM 2021 TO 2022 (IN %)

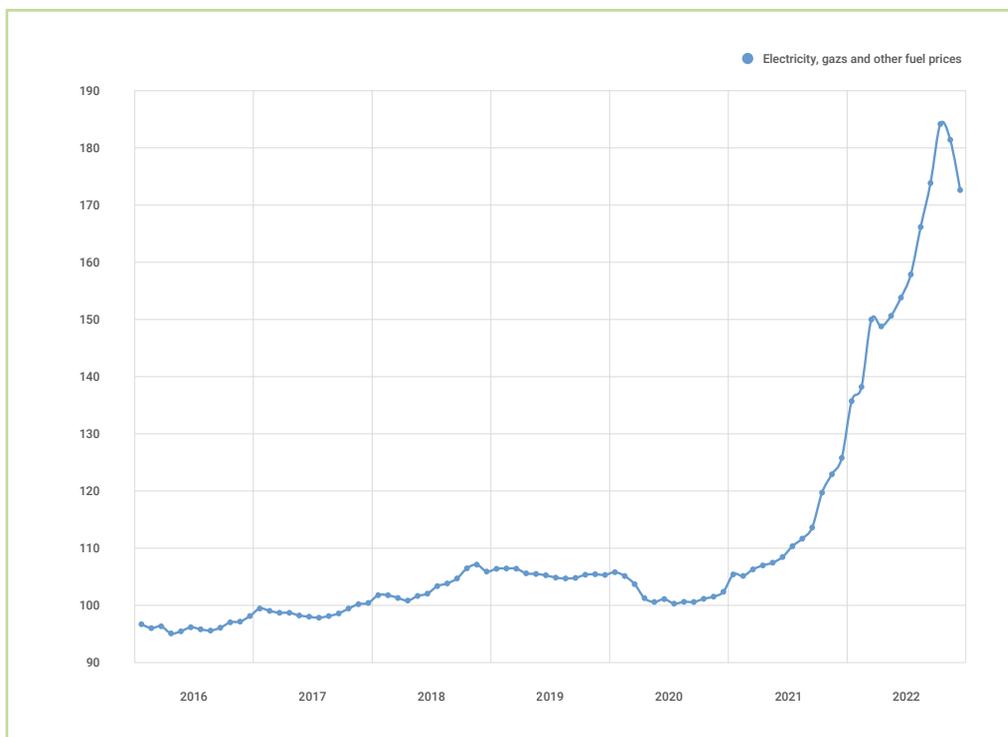
	2022	2021 - 2022
Netherlands	264.3	114.0
Belgium	226.7	73.2
Estonia	224.7	82.4
Italy	206.1	85.3
Lithuania	178.5	78.2
Ireland	172.0	52.2
Romania	169.1	29.5
Sweden	165.0	29.3
Latvia	162.8	56.3
Cyprus	160.7	40.8
EU 27	159.4	42.4
Greece	158.6	50.8
Finland	154.0	31.2
Denmark	153.2	47.7
Austria	151.1	38.2
France	149.1	24.1
Luxembourg	148.1	29.0
Poland	147.3	32.0
Germany	146.5	38.6
Spain	145.2	31.4
Bulgaria	142.5	22.5
Czechia	141.0	31.2
Slovenia	134.7	23.1
Hungary	131.0	26.0
Portugal	123.1	26.9
Slovakia	116.1	16.6
Croatia	114.1	17.4
Malta	99.4	0.0

Source : Eurostat · [PRC_HICP_AIND](#) / Last updated: 2023-04-19

According to the Harmonised Index of Consumer Prices³¹, the rise in electricity, gas and other fuel prices between 2021 and 2022 affected all EU 27 Member States except **Malta**. The surge in prices was particularly alarming in **Ireland** (+52.2%), **Belgium** (+73.2%), **Lithuania** (+78.2%), **Estonia**

(+82.4%), **Italy** (+85.3%) and the **Netherlands** (+114%). Between October 2021 and October 2022, energy prices rose by an average of 53.8% in the European Union – 38.4% for electricity and 73.6% for gas.

FIGURE 4
MONTHLY TREND IN PRICES OF ELECTRICITY, GAS AND OTHER FUELS
(EU 27, INDEX: 2015 = 100)



Source : Eurostat · [PRC_HICP_MIDX](#) / Last updated: 2023-04-19

In 2021, 6.4% of Europeans and 15.9% of European households living below the poverty line were in arrears on their utility bills (water, electricity, gas, heating). Between 2020 and 2021, an increase in

the proportion of households living below the poverty line and in arrears was recorded in 11 countries, including **Sweden** (+19.2%), **Cyprus** (+23.2%), **France** (+29.6%) and **Portugal** (+58.1%).

TABLE 8**HOUSEHOLDS IN ARREARS ON THEIR UTILITY BILLS: WATER, ELECTRICITY, GAS, AND HEATING
(2021, IN % / CHANGE FROM 2020 TO 2021, IN %)**

	LOW-INCOME HOUSEHOLDS		TOTAL POPULATION	
	2021	2020 - 2021	2021	2020 - 2021
Greece	49.8	-0.4	26.3	-6.7
Bulgaria	35.6	-19.6	19.2	-13.5
Croatia	27.4	5.0	15.2	11.8
Hungary	24.0	-4.0	9.7	-6.7
Spain	23.6	-3.3	9.5	-1.0
Cyprus	22.8	23.2	9.1	-1.1
France	19.7	29.6	7.1	29.1
Slovenia	19.2	10.3	7.7	-18.1
Ireland	16.9	-20.7	7.5	-5.1
EU 27	15.9	0.0	6.4	-1.5
Italy	15.8	4.6	6.5	8.3
Romania	14.8	-30.5	7.3	-47.5
Slovakia	13.7	-46.7	5.2	-38.1
Finland	13.6	-15.5	5.8	-18.3
Portugal	13.6	58.1	5.3	51.4
Lithuania	13.1	4.8	5.5	-12.7
Poland	12.7	10.4	5.2	10.6
Malta	12.0	-13.7	7.2	14.3
Latvia	10.7	-24.1	5.8	-30.1
Luxembourg	10.5	8.2	3.6	24.1
Belgium	10.3	1.0	2.9	-23.7
Sweden	8.7	19.2	2.2	-8.3
Austria	7.9	-19.4	2.4	-22.6
Estonia	7.8	-13.3	4.1	-18.0
Denmark	7.4	-40.3	2.9	-31.0
Czechia	7.3	-3.9	1.5	-21.1
Germany	6.5	-5.8	3.7	12.1
Netherlands	4.6	-20.7	1.2	-20.0

Source : Eurostat · [ILC_MDES07](#) / Last updated: 2023-04-21 / Data missing in 2021 (data replaced by 2019-2020 data); Slovakia
Series break in 2020: Germany · France · Ireland · Luxembourg / Series break in 2021: Luxembourg · Portugal

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Material and social deprivation is an indicator that shows "an enforced lack of necessary and desirable elements to lead an adequate life". The rate of material and social deprivation corresponds to the proportion of the population unable to afford at least five of the following thirteen "goods and services": paying bills on time; heating their home properly; meeting unexpected expenses; eating protein every other day; taking a week's holiday once a year; replacing damaged or worn-out furniture; owning a car; owning two pairs of shoes; replacing worn-out clothes with new ones; meeting up with friends for dinner or a drink once a month; taking part in leisure activities on a regular basis; spending a small amount of money each week on themselves; and having an internet connection at home. The rate of severe material and social deprivation (SMSD) refers to the proportion of the population unable to cover expenditure on at least seven of the above items. Eurostat (2023) – "Severe Material and Social Deprivation Rate (SMSD)", [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Severe_material_and_social_deprivation_rate_\(SMSD\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Severe_material_and_social_deprivation_rate_(SMSD))

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ESTIMATED NUMBER OF HOMELESS PEOPLE IN EUROPE SUM OF COUNT RESULTS (ETHOS LIGHT 1 - 2 - 3) AND EXTRAPOLATION TO THE EUROPEAN POPULATION

Country	Date	ETHOS 1	ETHOS 2	ETHOS 3	National population	%
Germany	2022	210,612			83,237,124	0.253
Belgium	2021	6,700			11,554,767	0.058
Denmark	2022	3,738			5,873,420	0.064
Spain	2022	16,006			47,432,805	0.034
Finland	2022	794			5,548,241	0.014
France	2021	209,074			67,656,682	0.309
Hungary	2022	6,944			9,689,010	0.072
Ireland	2022	11,632			5,060,005	0.230
Luxembourg	2017	420			590,667	0.071
Poland	2019	23,812			37,972,812	0.063
Portugal	2021	9,604			10,298,252	0.093
Sweden	2017	14,065			9,995,153	0.141
Czechia	2019	19,653			10,649,800	0.185
Total		533,054		→	305,558,738	→ 0.174
Europe	2022	896,430		←	513,854,345	← 0.174

APPENDICES

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The data used to draw up this report were collected from the sources referred to below, and in particular from:

- Interviews with national / local members of FEANTSA and partner organisations
- Testimonials from sources described in footnotes
- Official FEANTSA publications, Foundation Abbé Pierre and the European Observatory on Homelessness
- Eurostat / EUSILC database

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HOUSING EXCLU KEY STATISTICS

196,012,400

100 %

HOUSEHOLDS IN THE EUROPEAN UNION

THE POPULATION OF THE EU STOOD AT 447.5 MILLION PEOPLE ON 1 JANUARY 2020.

15,288,967

HOUSEHOLDS OVERBURDENED BY HOUSING COSTS

MORE THAN 40% OF INCOME SPENT ON HOUSING COSTS.

7,8 %

34,106,158

17,4 %

HOUSEHOLDS LIVING IN OVERCROWDED CONDITIONS

8,428,533

**HOUSEHOLDS FACING SEVERE
HOUSING DEPRIVATION**

4,3 %

895,000

!

**MINIMUM ESTIMATE OF THE NUMBER OF HOMELESS
PEOPLE (ETHOS LIGHT 1, 2 AND 3)**

SION IN EUROPE

6,468,409

3,3 %

HOUSEHOLDS IN ARREARS
ON THEIR RENT
OR MORTGAGE REPAYMENTS

14,700,930

HOUSEHOLDS EXPERIENCING FINANCIAL
DIFFICULTY IN MAINTAINING
ADEQUATE HOUSING TEMPERATURES

7,5 %

29,009,835

14,8 %

HOUSEHOLDS LIVING
IN DAMP CONDITIONS

26,853,699

HOUSEHOLDS LIVING IN HOUSING
SITUATED IN A PARTICULARLY
POLLUTED AREA

13,7 %

SMOKE, DUST, UNPLEASANT ODOURS OR WATER POLLUTION
ON A REGULAR BASIS

%

PERCENTAGE
OF THE EUROPEAN
POPULATION

A HOUSEHOLD
CONSTITUTES ALL
THE INHABITANTS
OF THE SAME
DWELLING.
THE FIGURES
CANNOT BE
SIMPLY ADDED
TOGETHER
BECAUSE A SINGLE
HOUSEHOLD MAY
BE AFFECTED
BY SEVERAL
HOUSING
DIFFICULTIES.

SOURCE: EUROSTAT,
DATA FOR 2020

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FEANTSA

FEANTSA
194, Chaussée de Louvain
1210 Brussels – Belgium
Tel. : +32 (0)2 538 66 69
www.feantsa.org



FONDATION
Abbé Pierre

Fondation Abbé Pierre
3-5 rue de Romainville
75019 Paris – France
Tel. : +33 (0)1 55 56 37 00
www.fondation-abbé-pierre.fr