



SECOND OVERVIEW OF HOUSING EXCLUSION IN EUROPE

2017

The Foundation Abbé Pierre - FEANTSA



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EDITORIAL

At the beginning of his mandate as President of the European Commission, Jean-Claude Juncker promised 'social fairness'. The European Union's aims include fighting poverty and social exclusion and the principle of human dignity has always been at the centre of the European project. Europe's 2020 Strategy established the goal of taking 20 million people out of poverty. The European Union has committed to eradicating extreme poverty with the adoption of the UN's 2030 Agenda. Various international and European treaties, including the International Covenant on Economic, Social and Cultural Rights, the European Convention on Human Rights and the European Social Charter (revised), have been used for decades by supranational courts to define the exact meaning of social rights, including those related to housing. The legal standards that have come from decisions made in these courts are clear: respecting the right to housing is no longer a political choice but a legal obligation. Public authorities are compelled to respect, protect, and implement this universal right.

And yet... Homelessness is on the increase in Europe, reaching record numbers across almost all Member States. Homeless people have been left on the fringes of a European project that prides itself on 'leaving nobody

behind'. People living below the poverty threshold are being put under severe strain by the housing market. They are being increasingly marginalised by a private rental market that feeds off a systematic lack of affordable housing; their financial security and wellbeing are being endangered by housing expenditure that is taking up an increasingly large proportion of their budget. The most vulnerable sections of the population are being ignored and left with nowhere to turn. A large number of young people are being abandoned, families are being destabilised, and migrants are being stigmatised. The number of evictions skyrocketed in some countries in the aftermath of the 2008 subprime crisis. Eviction in itself has always been hugely traumatising for the victims but it is explained by legal experts and defended by landlords as a necessary evil. The dramatic situation in Greece shows the most violent side to this ongoing crisis. 2017 marks the seventh anniversary of the first Memorandum of Understanding signed between the Troika and Greece, which initiated the series of austerity measures. The social impact of these, and other, measures are observed in this report.

And yet... The finance ministers of Eurozone countries and the International Monetary Fund have once again been putting pressure

on the Greek government since the beginning of the year to introduce further austerity measures in exchange for financial support. The European Commission is pushing hard to 'revitalise' and 'fight stigmatisation' of the securitisation market, even though this market is prospering and played an undeniable role in the 2008 subprime crisis. Vulture funds are buying up social housing that is being sold off in Spain, where the crisis has left millions of empty housing units in the aftermath of the property bubble. In the name of the subsidiarity principle, whereby Member States have competence with regard to housing policy, the European Commission is still not making the link between a balanced economy and an accessible housing market that is fit for purpose.

This report is a warning. In almost all European countries, increases in the number of homeless people are observed both over the short and long term. This is in spite of data collection that is often considered partial by sector professionals. In France, the number of homeless people increased by 50% between 2001 and 2012, according to INSEE (France's National Institute of Statistics and Economic Studies). The study carried out by Italy's National Institute for Statistics, although biased, shows an increase of 6% in the number of homeless people between 2011 and 2014. In Denmark, the number of homeless people is counted in a more comprehensive way with the definition being broader, and this number has increased by 23% between 2009 and 2015, according to the Danish National Centre for Social Research. In the Netherlands, where the definition also includes a wide variety of housing deprivation and exclusion situations, the number of homeless people has increased by 24% between 2013 and 2016. Studies carried out in certain European capitals also show alarming increases in the phenomenon including Brussels, Paris, London, Dublin, Vienna, and Barcelona.

This report is a call to action. First, to draw the attention of European decision-makers to the fact that there is no economic stimulus without social stimulus and that the housing sector is at the centre of this. The tools required to deal with the challenges of housing exclusion in Europe already exist. At European level, networks bringing together various entities – local, regional, and national governments, NGOs, civil society collectives, research bodies, European financial institutions – are actively committed to partnerships aiming to break down barriers in the sector and unleash a creative dynamic promoting accessible housing for all that is sustainable for the future. Instruments established by the European Commission, such as the Urban Agenda for the EU or the European Pillar of Social Rights, can act as protectors for the implementation of the right to housing. There is no shortage of inspiration, and good practice abounds: in Finland, long-term programmes for reducing homelessness (ongoing for 20 years) have proven their value, by focussing on the provision of permanent, affordable housing, and providing specialised support for the most vulnerable people. While other Member States have committed to this path, clear European incentives would give greater momentum to these proven solutions that deserve to be prioritised.

Be fair, Europe - Stand Up for Homeless People.

Joan Uribe

President of FEANTSA

Christophe Robert

Managing Director
of the Foundation Abbé Pierre



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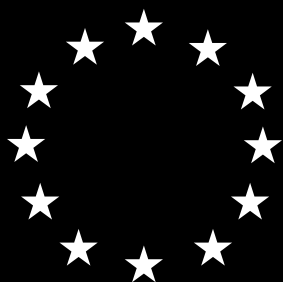
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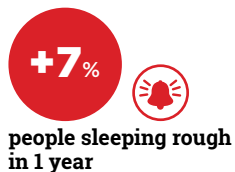
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ALARMING TRENDS

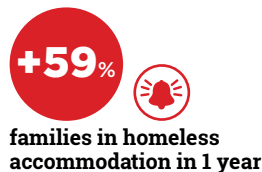
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LOCATION - NON-COMPARABLE -
NON-EXHAUSTIVE OF ALARMING TRENDS
IN HOMELESSNESS IN EUROPE

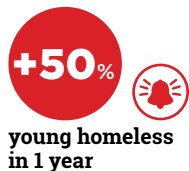
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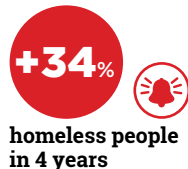
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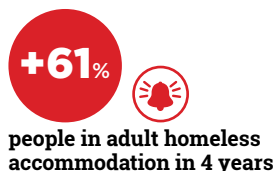
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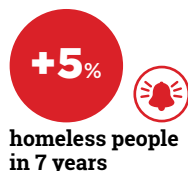
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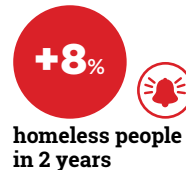
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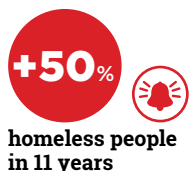
SPAIN



SPAIN BARCELONA



FRANCE



EUROPE AND HOMELESSNESS

ALARMING TRENDS



FINLAND

-10%



single homeless
in 3 years

DENMARK

+85%



young homeless
in 6 years

LITHUANIA

+32%



people in shelters
for mothers and children
in 8 years

POLAND

+17%



homeless people
in 2 years

GERMANY

+35%



homeless people estimated
in 2 years

AUSTRIA

+28%



registered homeless
people in 6 years

ITALY

+6%



homeless people
in 6 years

GREECE ATHENS

71%



9,000 estimated homeless
people were forced to live
on the streets in the past
5 years

Evidence from across Europe points to a worsening homelessness situation. Finland is the only exception, showing the effectiveness of implementing a long-term homelessness strategy.

WARNING: These statistics are not comparable. The situations described, the sources (official as far as possible), the periods of time and the methodologies are different and specific to each of the countries concerned. Details and explanations regarding the data are available in the following pages.

METHODOLOGIES, DEFINITIONS AND SOURCES

FOR HOMELESSNESS DATA COLLECTION IN EU COUNTRIES

When it comes to homelessness, it is difficult to make comparisons across Europe due to an absence of common definitions and methodologies. Instead of presenting European figures, this 'map of alarming trends' brings to light facts and figures from most European Union Member States. This information shows how alarming the situation is in most countries. The map offers a closer look at certain cities or categories of people particularly affected by homelessness. Insofar as possible, the data comprises the most recent official figures from the country concerned and, if these figures are not available, other sources are provided. Background information regarding the definition, methodology, and source are sub-

sequently described. The trends appearing on the map refer to recent changes in the available statistics (and not indications based on other available sources¹); and as such should be treated with caution since long- and short-term changes may vary or even contradict each other.

The table below compiles the most recent statistics on the number of homeless people in the different Member States. It provides contextual information on definition, methodology and source. For further reading, see the European Observatory on Homelessness studies (EOH Comparative Studies on Homelessness, 2014) and the previous edition (2015) of this report - which includes a chapter on the extent of homelessness in the EU and on government policies to tackle homelessness-.

1
See 2016 FEANTSA country profiles
<http://www.feantsa.org/en/resources/resources-database?search=&theme=&type=Country+profile&year=>

MEMBER STATE	STATISTICS PROVIDED	PERIOD	DEFINITION AND METHODOLOGY	SOURCE(S)	TRENDS
Austria	14,600 people	Year 2014	National data. The data, calculated yearly, only takes into account people presenting as homeless and does not include those living rough.	Ministry for Social Affairs (2014), <i>National Social Report Austria 2014</i> , available at: https://www.sozialministerium.at/cms/siteEN/attachments/5/7/7/CH3839/CMS1459257407020/national-social-report_2014.pdf	2008: 11,400 people → 28% increase between 2008 and 2014

> Vienna	9,770 people	Year 2013	The Wiener Sozialbericht (<i>Vienna Social Report</i>) counts the number of users of the support services for homeless people.	<i>City of Vienna, Vienna Social Report 2015</i> , https://www.wien.gv.at/gesundheit/einrichtungen/planung/soziales/sozialbericht.html	→ 19% increase between 2010 and 2013
Belgium > Brussels	2,603 people	One night in 2014	No national statistics exist: separate studies are available for Brussels, Wallonia, and Flanders, with non-comparable data. In relation to Brussels, a survey was carried out on a given night by the La Strada centre which supports homeless services in the city. The survey is based on a broad definition of homelessness which uses the FEANTSA ETHOS grid ² (7 operational categories out of 13 applied), and includes people living rough, in emergency accommodation, in homeless shelters/women's shelters, in supported accommodation (Habitat Accompagné, Housing First), as well as people receiving longer-term support or living in temporary/non-conventional structures (unofficial shelters, 'negotiated occupancy', religious communities, and squats). It excludes people living in insecure accommodation (staying with family or friends), in accommodation for immigrants, homeless as due to be released from institutions, under threat of eviction, under threat of domestic violence, or in extreme overcrowding.	<i>La Strada (2014), Troisième dénombrement des personnes sans abri, sans logement, et en logement inadéquat en Région de Bruxelles-Capitale</i> [Third census of people who are homeless, without accommodation, or living in unfit housing in the Brussels-Capital Region], 6 November 2014, 2014, available at: http://www.lastrada.brussels/portail/fr/denombrement-2014	One night in 2010: 1,944 people → 34% increase between 2010 and 2014
Bulgaria	3,486 homeless services places occupied	One night in 2015	Places occupied in homeless hostels, excluding people who are living rough, staying with family or friends, and other individuals without accommodation.	Agency for Social Assistance (2015) cited in <i>Bulgaria 2015 Strategic Social Reporting Questionnaire</i> , available at: http://ec.europa.eu/social/BlobServlet?docId=13903&langId=en	–
Croatia	462 people	One night in 2013	This covers homeless people registered with social protection centres on 31 December.	Ministry of Social Policy and Youth (2015), <i>National Social Report 2015, Republic of Croatia</i> , available at: http://ec.europa.eu/social/keyDocuments.sp?advSearchKey=SPCNationalSocialReport&mode=advancedSubmit&langId=en&policyArea=&type=0&country=34&year=0	–

2
http://www.lastrada.brussels/portail/images/LaStrada_Denombrement_2014_rapport_FR.pdf (p. 11)

EUROPE AND HOMELESSNESS

ALARMING TRENDS

3

See 2016 FEANTSA
Country Profile - Czech
Republic: [http://www.
feantsa.org/en/country-
profile/2016/10/17/
czech-
republic?bcParent=27](http://www.feantsa.org/en/country-profile/2016/10/17/czech-republic?bcParent=27)

Czech Republic	11,496 people	One night in 2011	National data extracted from the 2011 population census. The data, calculated on a given night, only takes into account the people who accessed accommodation for the homeless or emergency accommodation on that night. Experts and NGOs believe the actual figures are far higher ³ .	Czech Statistical Office/ Hradecký, I. et al. (2012), <i>Souhrnný materiál pro tvorbu Koncepce práce s bezdomovci v ČR na období do roku 2020</i> [Summary of how the concept for working with homeless people in the Czech Republic until 2020 was developed]. [online], available at: http://www.esfcr.cz/file/8471/	–
Denmark	6,138 people	One week in 2015	A national census of homeless people, conducted by the SFI – The Danish National Centre for Social Research, takes place every two years, over a given week (sixth week of the year). The definition of homelessness is very broad, based on nine operational categories of the FEANTSA ETHOS grid: people living rough, in emergency accommodation, in accommodation for the homeless, in hostels, staying with family or friends, in short-term transitional supported accommodation, or homeless as due to be released from institutions such as prisons or hospitals. An evaluation of homelessness among young people (from 18 to 24) is also included in the same study.	Benjaminsen, L. and Hesselberg Lauritzen H. (2015), <i>Hjemløshed i Danmark 2015. National kortlægning. Copenhagen, SFI – The Danish National Centre for Social Research. Report 15:35. [Overview of homeless people in Denmark 2015. National map]. Available at: http://www.sfi.dk/publikationer/hjemloeshed-i-danmark-2015-2880/</i>	One week in 2009: 4,998 → 23% increase in six years Homeless young people in 2009: 633 → 85% increase in six years
Estonia > Tallinn	1,371 people	Year 2012	No official data. Survey. Being homeless was defined as 'not having private or rented accommodation, not having permanent housing opportunities, or living in a place on a temporary basis'.	Tallinn Social Work Centre/Wagner, L., Korp, E. and Walters, C. (2014) <i>Homelessness in Estonia, Overview and Analysis</i> , European Journal of Homelessness 8(2), 231-244 Available at: http://www.feantsaresearch.org/IMG/pdf/profiling-homelessness-2.pdf	–

Finland	6,700 single people and 325 families	One night in 2015	National annual housing deprivation survey carried out by the Housing Finance and Development Centre of Finland (ARA). The survey, conducted on a given night (November 15th), offers a broad definition of homelessness based on six operational categories of the FEANTSA grid: people living rough, in emergency accommodation, in accommodation for the homeless, in hospital facilities due to homelessness, due to be released from prison with nowhere to go, and staying with family or friends.	ARA (2017) Asunnottomat 2016 (Selvitys 1/2017) [Homeless people 2016]. Available at: http://www.ara.fi-fi-Fl/ARAtietopankki/Tilastot_ ja_selvitykset/Asunnottomuus/Asunnottomat_2016(42132)	7,500 single people and 417 families in 2013 → 10% decrease in homeless single people between 2013 and 2016
France	141,500 people	One night in 2012	Survey of those using accommodation services or soup kitchens conducted in 2001 and 2012 by INSEE (National Institute of Statistics and Economic Studies) primarily in cities with more than 20,000 residents (supplemented by an additional study carried out in smaller cities). For the purpose of this survey, INSEE categorises a person as being 'homeless' on a given day if, on the preceding night, that individual has used accommodation services or slept in a place not designed for habitation (streets, makeshift shelter). The surveys indicate the place where the person has slept the night before. The estimate includes adults, children, and those dependent on the national reception scheme for foreigners (namely reception centres for asylum seekers). People who do not make use of accommodation services or soup kitchens are excluded from the survey. Geographic coverage is not uniform. The same survey was used for the Paris area ⁴ ; however, figures for Paris only reflect French-speaking respondents and exclude the national reception scheme for foreigners.	INSEE/Yaouancq, F., Lebrère A., Marpsat, M., Régnier, V., Legleye, S., and Quaglia, M. (2013), <i>L'hébergement des sans-domicile en 2012. Des modes d'hébergement différents selon les situations familiales</i> . [Homeless survey. Different types of accommodation depending on family circumstances.], INSEE Première No. 1455, (Paris: INSEE), available at: http://www.insee.fr/fr/ffc/ipweb/ip1455/ip1455.pdf	→ 50% increase between 2001 and 2012
Germany	335,000 people	Year 2014	No official national data collection. BAG W, the umbrella organisation of non-profit homeless service providers in Germany, produces an annual estimate of homelessness centred on regional statistics (i.e. North Rhine-Westphalia's regular and comprehensive statistics ⁵), and surveys carried out by Bag W. Annual estimates are based on a broad definition of homelessness which includes all of the ETHOS Light categories ⁶ .	BAG W (2014), <i>Schätzung der Wohnungslosigkeit in Deutschland 2014</i> [Estimate of homelessness in Germany 2014]. Available at: http://www.bagw.de/de/themen/zahl_der_wohnungslosen/	248,000 homeless people in 2012 → 35% increase between 2012 and 2014

4
<http://www.insee.fr/fr/statistiques/1294484>

5
See 2016 FEANTSA Country Profile - Germany
<http://www.feantsa.org/en/country-profile/2016/10/18/country-profile-germany?bcParent=27>

6
<http://www.feantsa.org/en/toolkit/2005/04/01/ethos-typology-on-homelessness-and-housing-exclusion>

EUROPE AND HOMELESSNESS

ALARMING TRENDS

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See 2016 FEANTSA Country Profile - Greece.
<http://www.feantsa.org/en/country-profile/2016/10/18/country-profile-greece?bcParent=27>

8

<http://media.gov.gr/index.php>

Greece	7,720 people	Year 2009	No regular official national data collection. A one-off study was conducted in 2009 by the National Centre for Social Solidarity (NCSS), primarily identifying people living rough and in emergency accommodation, but excluding migrants and Travellers. The methodology used has since been denounced by the Ministry for Health and other social partners. Other estimates and surveys have since been conducted by watchdogs and NGOs⁷. Official registers show the number of refugees and asylum seekers living in camps (where living conditions are similar to those of people living rough) on a given day, even if they are dynamic and changing each day depending on the numbers listed⁸: on 30 November 2016, 32,535 people were registered in the refugee camps.	Ministry of Health and the National Centre for Social Solidarity (NCSS)/ FEANTSA (2016), Country Profile - Greece, available at: http://www.feantsa.org/en/country-profile/2016/10/18/country-profile-greece?bcParent=27	–
> Athens	9,000 people	Year between March 2015 and March 2016	A study, supported by Athens Mayor, was conducted by the City of Athens Homeless Shelter (KYDA) and was funded by the Norwegian government with the contribution of other European countries. A total of 451 respondents participated in the study that lasted from March 2015 until March 2016. It is estimated that there are about 9,000 homeless people in Athens, which corresponds to 1,4% of Athens population. The findings show that 71% of Athens homeless were forced to live on the streets in the past five years.	KYADA & City of Athens (2016), available at: https://www.cityofathens.gr/node/28429 For an English summary, see http://greece.greekreporter.com/2016/05/31/most-of-the-athens-homeless-are-greeks-victims-of-economic-crisis/	–
Hungary	10,206 people	One night in 2016	Annual survey on a given night (3 February) by those providing services to homeless people (BMSZKI), including feedback provided voluntarily from researchers, local authorities, and NGOs. All of the services and people concerned are not covered. These estimates include people living rough and in shelters.	Győri, P., Gurály, Z., and Szabó, A. (2016), <i>Gyorsjelentés a hajléktalan emberek 2016 február 3-1 kérdőíves adatfelvételéről</i> [Report on the Third of February Homeless Survey in Hungary - 2016]. Available at: http://www.bmszki.hu/sites/default/files/field/uploads/f-3-2013-english-final.pdf	–

Ireland	4,283 adults 1,173 families, 2,426 dependent children	Week of 19 to 25 September 2016	National official data is collected on a monthly basis by local authorities and compiled by the Minister for Housing, Planning, Community and Local Government (DHPCLG) via the Pathway Accommodation & Support System (PASS) ⁹ . The data includes people in public emergency accommodation structures run by the local authorities. The data on shelters for domestic violence victims are available from the Child and Family Agency (Tusla). The data on asylum seekers in accommodation centres is available from the Reception and Integration Agency.	Department of Housing, Planning, Community & Local Government, <i>Homelessness Report</i> - September 2016. Available at: http://www.housing.gov.ie/housing/homelessness/homelessness-report-september-2016	→ 10% increase in homeless adults since January 2016 → 33% increase in homeless families since January 2016
> Dublin	1,014 families	Week of 19 to 25 September 2016	In Dublin, the Dublin Region Homeless Executive uses the online PASS system to collect data from most of the services available to homeless people in the city of Dublin. Those who use these services are counted in 'real time'.	Dublin Region Homeless Executive, <i>Families who are homeless</i> - September 2016. Available at: http://www.homelessdublin.ie/homeless-figures	→ 59% increase in homeless families between September 2015 and September 2016
Italy	50,724 people	One month in 2014	Official national data is collected by the National Institute for Statistics (ISTAT) and the first survey carried out in 2011 with a follow-up survey in 2014. The 2014 survey was conducted over a given month across 158 Italian towns and identified people who had used basic services (meal distribution, shower facilities, night-time accommodation) provided by one of the 768 service providers at least once. According to the ETHOS typology, by 'homeless' the survey means people who are living rough, in emergency accommodation. It excludes those in insecure or unfit housing.	ISTAT (2014), <i>Le Persone Senza Dimora</i> [Homelessness – study in 2011 with follow-up in 2014]. Available at: http://www.istat.it/it/archivio/72163	One month in 2011: 47,648 people → 6% increase between 2011 and 2014
Lithuania	2,487 people with 2,340 people in emergency accommodation for mothers and children	One night in 2015	National data on homelessness is collected by Statistics Lithuania as part of a general population census. The figures for a given year represent homeless people who are defined as having no permanent place of residence, or the means to rent or buy a basic property, and who, for this reason, are living rough, in premises not designed for habitation, or in temporary accommodation (night shelters, emergency accommodation centres, and shelters for mothers and children).	Statistikos Lietuva [Statistics Lithuania] (2015), available at: http://osp.stat.gov.lt/en/home	→ 27% increase in homeless people in reception centres or living rough between 2007 and 2015 → 32% increase of those in accommodation for mothers and children between 2007 and 2015

10

See FEANTSA 2016
Country Profile -
Poland: <http://www.feantsa.org/en/country-profile/2016/10/19/country-profile-poland?bcParent=27>

Luxembourg	2,144 people	One night in 2016	Biennial census of people in 19 adult accommodation structures on a given night in the Greater Region of Luxembourg according to data provided by the facility managers, conducted by the Ministry for Family and Integration.	Ministry for Family and Integration (2016), <i>Recensement des structures d'hébergement à la date du 15 mars 2016</i> [Accommodation census on 15 March 2016] [available online soon].	→ 61% increase between 2012 and 2016
The Netherlands	31,000 people including 12,400 young people between 18 and 30 years	One night in 2016	Annual estimate by the Central Bureau of Statistics of people registered as homeless with local authorities. The figures represent people from 18 to 65 who are living rough, in emergency accommodation, in short-term accommodation, or staying with family or friends on an irregular basis. Young homeless people (18-30 years) are also included in this study.	Central Bureau of Statistics (CBS) (2016), available at: https://www.cbs.nl/nl-nl/nieuws/2016/51/dakloos-vaker-jong-en-niet-westers	25,000 people in 2013 → 24% increase between 2013 and 2016 → 50% increase in homeless young people between 2015 and 2016
Poland	36,161 people including 1,892 children	One night in 2015	No regular official national data collection. The Ministry of Family, Labour and Social Policy (MPiPS) conducts a national study of homeless people every two years. Participation is voluntary and data coverage is incomplete, and the methodology used is strongly opposed by NGOs. The figures represent people living rough and in emergency accommodation. Other estimates are also available ¹⁰ .	MPiPS [Ministry of Family, Labour and Social Policy] (2015), available at: http://www.mpips.gov.pl/pomoc-spoleczna/	→ 17% increase since 2013 → 23% increase in homeless children since 2013
Romania	41,085 people	Year 2011	No regular official data collection nationally and very little data available. The figures estimate the number of people registered as 'marginalised' by the authorities between 1 January and 31 December 2011, and represents those who do not own or rent a place to live.	FEANTSA (2016), Country Profile - Romania, available at: http://www.feantsa.org/en/country-profile/2016/10/19/country-profile-romania?bcParent=27	-

Portugal	4,420 people	Year 2013	No regular official national data collection. The figures correspond to a study conducted by the Institute of Social Security in 2013 of people registered in the social security information system as being 'actively homeless' i.e. in receipt of ongoing support from social workers.	Instituto de Segurança Social [Institute of Social Security] (2013), <i>Estratégia Nacional para a Integração das Pessoas em Situação de Sem-Abrigo</i> [National Strategy for the Integration of Homeless People].	–
Slovakia > Bratislava	2,000 to 3,000 people	–	–	De Paul International (2015), <i>Why is housing deprivation such a problem in Slovakia?</i> [online], available at: http://www.depaulinternational.org/our-services/slovakia/causes-of-homelessness-in-slovakia/	–
Slovenia	3,829 people	One night in 2011	Data collected by the Statistical Office of the Republic of Slovenia via a survey of people living in buildings not designed for habitation and those using the Centres for Social Work or NGOs as their permanent address (this includes some people who live in rented accommodation whose landlord does not permit them to use the address for official purposes).	Statistical Office of the Republic of Slovenia/ SORS (2011), Occupied dwellings, Slovenia, 1 January 2011 – Provisional Data.	–
Spain	22,939 people	From 13 February to 25 March 2012	Official data is collected by the National Statistics Institute (INE) ¹¹ via a survey of users of free food products and emergency accommodation across cities with more than 20,000 residents. Accordingly, the survey does not constitute full geographic coverage. The definition of homelessness covers people living rough, in emergency accommodation, in long-term collective accommodation (reception centres, shelters for victims of domestic violence, and reception centres for asylum seekers or undocumented migrants), as well as those living in buildings deemed unfit for habitation, in temporary accommodation (hotels), and in squats.	INE [National Statistics Institute] (2012), <i>Encuesta a las Personas sin Hogar 2012 (metodología, diseño de registros y micro datos)</i> [Survey on Homeless Persons for the Year 2012 (methodology, attendance Records, and microdata)]. Available at: http://www.ine.es/dyngs/INEbase/en/categoria.htm?c=Estadistica_P&cid=1254735976608	2005: 21,901 people → 5% increase between 2005 and 2012

11
http://www.ine.es/dyngs/INEbase/en/categoria.htm?c=Estadistica_P&cid=1254735976608

EUROPE AND HOMELESSNESS

ALARMING TRENDS

12

<http://www.feantsa.org/en/country-profile/2016/10/19/country-profile-spain?bcParent=27>

13

<http://www.feantsa.org/en/country-profile/2016/10/19/country-profile-sweden?bcParent=27>

14

Increase of almost 600% in the number of people in long-term accommodation on the 'secondary housing market' not included here. In part due to the better coverage of this survey, but also because this sector has grown

> Barcelona	2,914 people	One night in 2016	In Barcelona, the City Council and the Network of Attention to Homeless People (XAPSL) jointly publish a census of homeless people (people living rough, and in emergency, residential, or transitional accommodation) on a given night.	XAPSL, available at: http://recompte.barcelona/?page_id=8 See also FEANTSA Country Profile - Spain ¹² .	One night in 2014: 2,700 people → 8% increase between 2014 and 2016
Sweden	34,000 people	One week in 2012	National data collection is carried out by the National Board of Health and Welfare every five years over one week in May from a wide range of services in contact with homeless people. The definition of homelessness on which this broad and detailed survey is based covers most of the operational categories of the ETHOS grid including people staying with family or friends, due to be released from institutions, subletting privately for less than three months, and privately renting a room from an individual for less than three months.	NBHW (2011), <i>Hemlöshet och utestängning från bostadsmarknaden 2011 – omfattning och karaktär</i> [Overview of homelessness and housing exclusion 2011 – Scope and characteristics]. See also FEANTSA Country Profile - Sweden ¹³ .	The number of people living rough, in shelters, in accommodation centres, in institutions, and with no place to go has increased by 29% between 2015 (6,600 people) and 2011 (8,500 people). The number of people staying with friends or family increased by 55% between 2005 (4,400 people) and 2011 (6,800 people) ¹⁴ .
United Kingdom/ England	3,569 people sleeping rough 14,470 households 'statutorily homeless'	One night in autumn 2015 From 1 October to 31 December 2015	The data is collected by the Department for Communities and Local Government. The first figure represents total headcounts and estimates of the number of people sleeping rough on a given night during a specific period by the local authorities. Local authorities decide whether to proceed with a headcount or an estimate. The second figure represents the quarterly total of households owed a 'statutory duty' of housing assistance by the local authority as they are considered eligible due to being homeless through no fault of their own and accordingly become part of a category characterised as in 'priority need'. This only covers households who turn to their local authority to obtain this assistance.	DCLG [Department for Communities and Local Government] (2015), <i>Statutory Homelessness: October to December Quarter 2015 England, Housing Statistical Release</i> , [Statutory Homelessness: available at: https://www.gov.uk/government/statistics/statutory-homelessness-in-england-october-to-december-2015] DCLG (2015), <i>Rough sleeping in England: Autumn 2015, Homelessness Statistical Release</i> . available at: https://www.gov.uk/government/statistics/rough-sleeping-in-england-autumn-2015	→ 30% increase in people sleeping rough between autumn 2014 and autumn 2015. → 6% increase in 'statutorily homeless' households between October-December 2014 and October-December 2015.

> London	8,096 people sleeping rough	A year between 2015 and 2016	In London , the CHAIN database, commissioned by the Greater London Authority and managed by St Mungo's, compiles information recorded by outreach teams and services working with people who are sleeping rough. The data allows the number of people who slept rough on at least one night during a given year (from 1 April to 31 March) to be estimated.	<i>Combined Homelessness and Information Network database</i> , available at: https://data.london.gov.uk/dataset/chain-reports	→ 7% increase between 2014/2015 and 2015/2016
United Kingdom/ Scotland	34,662 'homeless applications'	From April 2015 to April 2016	Data collected by all local authorities and published by the Scottish government on a yearly and half-yearly basis, using a system similar to the English one.	National Statistics Scotland, available at: http://www.gov.scot/Resource/0050/00508824.pdf	→ 4% decrease between April 2014-April 2015 and April 2015-April 2016
United Kingdom/ Northern Ireland	19,621 people 'registered as homeless'	A year between 2014 and 2015	Data collected by the Department for Social Development which publishes a quarterly housing bulletin including statistics relating to homeless 'applications' and 'accepted applications'.	Department for Communities, available at: https://www.communities-ni.gov.uk/	→ 4% increase between 2013-2014 and 2014-2015.





CHAP. 2

**EUROPEAN
INDEX**
OF HOUSING
EXCLUSION

23

I. HOUSING EXCLUSION IN EUROPE

The aim of this Index is to provide a statistical overview of housing and housing exclusion today in European Member States. This is done using data made available by Eurostat through EU-SILC (EU Statistics on Income and Living Conditions). This 2017 edition of the report uses Eurostat data from **year 2014** -released in 2016- since this is the most recent data available European-wide.

When reading the data, note that:

- # The tables are organised from the column in bold, from top to bottom, highest to lowest performing.
- # Colours were added to highlight the changes and thus make it easier to read: green for decreases and red for increases.

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A NOTE OF CAUTION

The second edition of this report was born of a desire to use the Eurostat surveys in a more systematic manner in order to create a large-scale European analysis of housing exclusion. These surveys are based on national data collection systems and while they are dependent on the quality of each EU Member State's statistical systems, they are also the only data available at European level on this increasingly worrying, yet scarcely documented, problem.

In general, caution is required when interpreting statistical data and that is the case for this study. The data collected must not be considered definitive and exhaustive, but rather as indicators enabling reasoned reflection on this complex and multi-faceted issue. The validity of the available Eurostat statistics depends, in effect, on the various impacts of monitoring, whether in relation to changes in the survey method or how categories are framed, or regulatory or legislative changes, which can worsen or mitigate certain issues. Inconsistencies and series

breaks must thus be taken into account. For 2014, the year in question here, series breaks¹ are flagged for some data on Bulgaria, Estonia and the United Kingdom, while some data on the Netherlands and Romania are flagged as provisional.

Caution is therefore advised when looking at changes over time. For Croatia and the European Union as a whole, changes are observed from 2010. For the United Kingdom, a series break in 2012 distorts any attempt to calculate change before this particular year so changes are only taken into account from 2012.

In this context, the reader must bear in mind that comparisons between countries are limited by the different socio-historical contexts, and variations in the structure of the different markets – housing, employment, finance, services – as well as household and population demographics, the proportion of renters to homeowners and the urban-rural balance, etc. There are so many factors affecting housing conditions in Europe that are unique to each country.

1

Series breaks are defined by Eurostat as a change of source or change of methodology compared to the data used in the year preceding the break.

GENERAL COMMENTS

2

The European Commission's *Macroeconomic Imbalance Procedure*, introduced each year by an *Alert Mechanism Report* and which accompanies the *Annual Growth Survey*, is an instrument of the European Commission's Directorate-General for Economic and Financial Affairs. It uses predefined and selected indicators to detect potential economic imbalances in Member States, which require policy actions. To analyse whether the housing markets are in a good or bad state, the indicators used only relate to the purchase price of housing and variations in the current year, with thresholds for under-evaluation or over-valuation that are calculated in an opaque manner. http://ec.europa.eu/economy_finance/economic_governance/macroeconomic_imbalance_procedure/alert_mechanism_report/index_en.htm

3

The data used in this report are Eurostat data describing the reality of the year 2014, published in 2016.

4

Also see OECD, *New OECD Affordable Housing Database*, 2017: <http://www.oecd.org/fr/social/base-de-donnees-logement-abordable.htm>

There has been little comprehensive analysis on access to housing carried out at European level. When such analysis is carried out, it is often a strictly economic evaluation, which judges the housing markets as performing or non-performing on the basis of incomplete or biased data. The main tool used by the European Commission for these evaluations is the annual analysis of house prices and their variations², which enable broad trends in prices over the long term to be teased out, yet are in no way adequate for an overall evaluation. In these evaluations, the concepts of 'over-evaluation' and 'under-evaluation' are used to measure macroeconomic imbalances in Europe, and to potentially issue recom-

mendations to those Member States that are 'imbalanced'. However, housing is not solely an investment product: the housing economy is intrinsically linked to other sectors of the economy, to living conditions, and to social changes. As such, several criteria should form part of a rigorous evaluation of the state of housing in European countries; this second edition of the Overview of Housing Exclusion in Europe is an attempt to highlight the various Eurostat data from 2014³ on the housing conditions of Europeans, and to highlight the most striking elements that emerge. This work is part of promoting a more systemic approach to housing market dynamics, which are increasingly feeding into exclusion and playing a prominent role in consolidating social inequality in Europe⁴.



1. HOUSING COSTS AND INSECURITY IN EUROPE: GENERAL DATA

The price of housing increased faster than incomes over the last 15 years in European countries, with the exceptions of Finland, Germany, and Portugal. Several countries such as Spain, Ireland, the Netherlands, and the United Kingdom experienced a peak in prices in 2008 when the financial crisis hit.

For the majority of European Member States (Austria, Belgium, Denmark, France, the Netherlands, Sweden, the United Kingdom), the price-to-income ratio has not fallen back to the

long-term average, and some countries' ratios are even starting to increase again (Austria, Denmark, Sweden, the United Kingdom). Generally speaking, the European average has not yet returned to the long-term average.

! This indicator does not reflect intra-national disparities regarding price (differences between large attractive cities where prices have risen dramatically, and areas facing abandonment where prices have fallen steeply), nor income disparities within EU Member States.

TABLE 1

HOUSE PRICE-TO-INCOME RATIO (STANDARDISED), 1999-2015
(100 = LONG-TERM AVERAGE)

COUNTRY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Austria	–	98.8	98.3	97.5	94.8	90.0	89.2	89.1	89.3	88.0	91.5	99.8	103.3	107.3	113.3	115.9	120.8
Belgium	91.5	91.9	92.2	97.8	103.4	110.6	119.9	125.8	130.2	129.9	128.3	132.8	136.7	138.3	139.6	138.1	139.8
Denmark	102.2	105.9	106.0	105.0	104.7	110.3	125.9	150.1	153.4	143.8	122.6	119.2	113.7	108.7	111.0	113.2	117.5
Finland	96.1	95.8	90.3	92.0	93.0	96.3	102.0	104.8	105.3	100.7	98.0	102.5	101.4	100.9	100.1	99.5	97.7
France	77.5	80.1	82.7	86.9	95.7	106.4	120.6	130.3	132.9	131.2	122.0	125.8	131.5	130.7	128.0	125.3	121.6
Germany	94.5	93.5	89.4	88.4	85.1	82.3	80.0	78.3	77.6	76.1	77.1	77.2	79.3	82.4	86.5	89.3	91.5
Greece	86.6	93.4	101.2	107.9	103.5	98.8	107.6	111.8	111.7	107.8	101.5	106.2	110.2	107.0	102.8	97.2	93.0
Ireland	99.9	119.9	119.3	121.0	131.8	139.3	141.6	156.6	159.1	140.0	121.8	111.5	95.5	82.8	85.8	98.3	97.9
Italy	81.6	84.8	87.5	92.6	99.3	106.0	111.7	115.1	117.6	118.6	118.1	117.8	116.3	117.2	110.6	105.5	101.7
The Netherlands	105.6	119.1	121.0	126.2	130.7	135.2	139.5	141.6	142.8	144.7	139.5	137.4	131.7	122.5	114.3	115.4	115.9
Portugal	110.9	113.3	114.0	110.2	109.7	105.3	103.2	101.9	97.9	89.6	89.3	87.5	86.6	83.0	81.1	84.4	84.4
Spain	86.1	84.8	87.2	97.9	111.6	126.7	139.9	153.1	165.3	157.1	144.8	145.2	133.1	117.4	106.9	106.0	107.7
Sweden	86.4	90.5	90.1	91.8	95.8	103.2	109.4	117.3	124.2	119.5	118.7	125.6	122.5	119.7	124.2	132.1	145.8
United Kingdom	77.6	83.9	86.9	98.9	111.5	122.3	126.7	132.4	140.3	129.5	114.3	118.1	115.8	112.5	114.0	120.5	124.0
Euro area	93.2	94.7	95.0	98.7	101.9	105.6	110.9	114.4	115.8	114.9	111.9	112.2	111.3	109.6	107.3	106.7	106.5

Source: OECD, House prices database

5

The long-term average used as a reference value for this ratio is calculated on the complete period available when the indicator started in 1980 or after, or from 1980 if the indicator has been available for a longer time. The standardised ratio is indexed to a reference value of 100 for the entire reference period. Values above 100 indicate that the price-to-income ratio has surpassed the long-term average. This gives a possible indication of pressures in the housing market.

30

As in the first edition, this report will address the housing conditions of Europeans overall, and will focus particularly on analysing the difficulties experienced by poor households⁶, not only to avoid the most dramatic situations being hidden by the average, but also to document those realities rarely taken into account by European analyses of the housing markets. It is thus necessary to present general background data on the level of poverty in each country.

The poverty rate is the percentage of households whose income is beneath the poverty threshold, i.e. less than 60% of the national median income (after social transfers).

Between 2013 and 2014, this rate increased in 18 European countries, and by 0.5% in the European Union as a whole. Monetary poverty has therefore gained ground since the previous edition of this study. While changes over one year make it difficult to draw out noticeable trends, changes in the medium term are more revealing: since 2010, the poverty rate in the European Union was on an upward trajectory, from 16.5% in 2010 to 17.2% in 2014.

6

For these EU-SILC studies, Eurostat defines a household as a budgetary unit, i.e. as a social unit with common arrangements, sharing domestic expenditure and daily needs and living in a shared common residence. It is made up of one person living alone or a group of people not necessarily related to one another living at the same address and collectively consuming certain goods or services, i.e. sharing at least one meal per day or sharing a living room. Collective and institutional homes (hospitals, retirement homes, care homes, prisons, military barracks, religious institutions, boarding schools, residences run by employers for their staff) are not taken into account.

7

PPS, Purchasing Power Standard: incomes are harmonised according to the purchasing power of the different currencies, according to country. This makes comparisons between countries more accurate.

TABLE 2

POVERTY THRESHOLDS AND POOR HOUSEHOLDS
(WHOSE INCOMES ARE LOWER THAN 60% OF THE
NATIONAL MEDIAN INCOME), 2014

COUNTRY	Poverty threshold 2014 for a household, (in euro) in thousands	Poverty threshold 2014 for a household, PPS* in thousands of euro	Poor households in 2014 (%) (incomes less than 60% of the national median income)
Czech Republic	4.573	6.654	9.7
The Netherlands	12.535	11.283	11.6
Denmark	16.717	11.992	12.1
Slovakia	4.086	5.883	12.6
Finland	14.221	11.550	12.8
France	12.719	11.584	13.3
Austria	13.926	12.997	14.1
Cyprus	8.640	9.457	14.4
Slovenia	7.146	8.597	14.5
Hungary	2.707	4.535	15.0
Sweden	16.272	12.368	15.1
Belgium	13.023	11.755	15.5
Ireland	11.686	9.598	15.6
Malta	7.672	9.300	15.9
Luxembourg	20.592	16.962	16.4
Germany	11.840	11.530	16.7
United Kingdom	12.317	10.138	16.8
Poland	3.202	5.736	17.0
European Union (28 countries)	-	-	17.2
Lithuania	2.894	4.557	19.1
Croatia	3.135	4.644	19.4
Italy	9.455	9.165	19.4
Portugal	4.937	6.075	19.5
Latvia	3.122	4.392	21.2
Bulgaria	1.987	4.052	21.8
Estonia*	4.330	5.545	21.8
Greece	4.608	5.166	22.1
Spain	7.961	8.517	22.2
Romania**	1.317	2.454	25.4

Source: Eurostat, 2016.

* Estonia: series break in 2014.

**Romania: provisional data for 2014.

2. TENURE STATUS OF POOR HOUSEHOLDS: THE PRIVATE RENTAL MARKET INCREASINGLY PROMINENT

The study of tenure status of European households, and poor households in particular, is necessary to grasp the differences between countries regarding housing, as well as to understand the potential concentration of people in particular housing types, according to their housing status. These concentrations are linked to the history of areas and to the impact of macro-economic dynamics on the housing markets.

In 12 of the 28 countries, poor households are mainly outright homeowners whose only outlay is maintenance of the property; this is particularly true of the former socialist states. Countries with a large, affordable stock of social housing, such as Finland and France, or countries that direct poor households towards social housing in large numbers such as Ireland, have a high rate of poor households living in free or subsidised housing.

TABLE 3**DISTRIBUTION OF POOR HOUSEHOLDS BY TENURE STATUS, 2014 (EN %)^a**

Country	Homeowners without outstanding mortgage	Homeowners with mortgage	Private tenants	Tenants in free or subsidised housing	Total
Romania	94.4	0.5	0.9	4.2	100
Croatia	83.5	3	2.1	11.4	100
Lithuania	78.7	2.3	1.6	17.4	100
Bulgaria	77.0	0.8	1.5	20.8	100
Slovakia	73.7	6.5	14.4	5.3	100
Poland	72.2	3.4	5.2	19.3	100
Latvia	69.3	2.5	12.0	16.2	100
Hungary	65.5	14.2	3.2*	17.0*	100
Estonia	61.9	8.4	4.6	25.1	100
Greece	57.6	9.5	25.8	7.2	100
Malta	55.3	14.2	4.2	26.3	100
Slovenia	51.7	4.6	14.7	28.9	100
Rep. Czech	47.7	9.6	35.1	7.5	100
Italy	46.9	8.4	23.0	21.8	100
Cyprus	41.5	5.6	22.7	30.2	100
EU 28	38.7	13.3	29.3	18.6	100
Portugal	38.0	20.6	17.8	23.7	100
Spain	34.6	25.5	23.9	16.1	100
Ireland	29.9	19.6	18.4	32.1	100
Finland	27.9	16.2	21.8	34.1	100
United Kingdom	26.9	21.5	19.5	32.2	100
Belgium	21.8	16.1	39.7	22.4	100
France	20.8	14.1	38.1	27.0	100
Denmark	19.7	12.9	67.4	0.0	100
Austria	19.5	10	49.5	21.0	100
Germany	18.2	10.9	57.2	13.6	100
Luxembourg	13.6	30.7	46.5	9.2	100
The Netherlands	9.8	23.1	66.2	0.9	100
Sweden	8.5	25.7	64.1	1.7	100

Source: Eurostat, 2016. (Estonia series break/Romania provisional data) *Hungary: unrealistic data in light of the latest housing study in 2015 - the rate of poor households renting in the private sector is closer to 6%. About 14% of poor households are renting.

8

Colours were added for the sake of readability: green for low rates and red for high rates.

TABLE 4**HOUSING COSTS FOR POOR HOUSEHOLDS ACCORDING TO TENURE STATUS**
(IN €, PER MONTH, IN PURCHASING POWER PARITY)

The table is organised in ascending order of the cost of housing for total number of poor households. The influence of tenure status on the cost of housing can be observed here. The housing expenditure of poor households is two to three times higher in northern and western European countries (with the exception of Ireland) than in

eastern and southern European countries (with the exception of Greece). The cost of housing for poor renters is extremely high in Luxembourg, the United Kingdom, Denmark, and the Netherlands. Poor homeowners spend less on their housing in general than poor renters, except in Greece, Germany, and the Netherlands.

Country	HOMEOWNERS		RENTERS		TOTAL	
	2014	Change 2009-2014	2014	Change 2009-2014	2014	Change 2009-2014
Romania	105	18.3	215	100.5	108	20.8
Lithuania	138	26.6	172	28.5	140	26.4
Latvia	144	18.4	196	75.9	154	29.2
Bulgaria	162	50.9	218	74.2	165	52.5
Estonia*	163	41.9	285	88.8	174	48.9
Malta	157	-8.0	241	29.6	177	0.0
Croatia (change since 2010)	185	-67.3	288	-531.7	189	-86.2
Hungary*	221	16.5	269	-5.9	227	14.5
Cyprus	175	15.7	417	-170.2	234	11.9
Portugal	207	54.8	329	73.5	243	68.7
Poland	271	78.8	299	17.5	273	76.5
Slovakia	268	30.3	308	45.1	275	32.7
Italy	202	-18.0	458	20.7	281	-4.7
Slovenia	252	8.8	435	58.2	293	33.9
Spain	248	-33.8	497	-115.9	322	-52.9
Ireland	214	-26.0	512	92.8	350	26.5
Czech Republic	304	36.0	457	163.9	361	82.2
Finland	274	29.6	458	25.7	372	25.0
European Union (28) (change since 2010)	319	10.1	483	10.1	385	16.3
Greece	439	55.0	442	-285.4	440	-25.3
France	280	-1.7	554	60.3	449	46.4
Sweden	413	-33.5	502	28.6	472	9.9
Austria	351	42.0	580	82.5	494	70.4
Belgium	400	69.6	575	76.2	506	89.6
United Kingdom (change since 2012)*	372	131	701	184	538	165
Germany	543	-70.0	541	81.1	542	37.9
Denmark	483	-109.1	628	126.7	582	38.0
Luxembourg	307	-36.0	840	144.4	591	59.4
The Netherlands*	622	-17.7	618	62.1	619	28.5

Source: Eurostat, 2016.

* Estonia 2014: Series break. * The Netherlands 2014: provisional data. * United Kingdom: Data break 2012.

* Hungary: Unreliable data - the gap between homeowners and renters is higher.

9

Purchasing power parity (PPP) enables the cost, in monetary units, of the same quantity of goods and services in different countries, to be compared. Conversion, via PPP, of expenditures expressed in national currencies into a common artificial currency, the purchasing power standard (PPS), smooths out the differences in price levels between countries that are due to fluctuations in exchange rates.

3. HOUSING EXPENDITURE ENDANGERS THE SECURITY AND WELLBEING OF EUROPEANS, PARTICULARLY THOSE LIVING IN POOR HOUSEHOLDS

10

The following are taken into consideration here: initial rental costs, loan or mortgage repayment, rent payment and loan repayment for parking space, garage space etc., living expenses, and services (e.g. caretaker) and utilities. The total cost of housing and the disposable income here are after deductions of housing allowances; this makes the data more reliable (for this indicator, the data are different depending on how public assistance is used in the reduction of housing costs); for example, in Germany, if we consider housing allowances as an integral part of income, the proportion of disposable income spent on housing costs for poor households exceeds 50%. However, if we consider housing allowances as a reduction in housing expenditure, the proportion falls to 40.2%.

11

Total population, i.e. Poor households and non-poor households.

12

The gap between poor households, with under 60% of the median disposable income, and non-poor households, above 60% (and not the gap between poor households and total population).

We are looking at housing expenditure via three main indicators: The proportion of household budget that is spent on housing, exposure of households to price fluctuations in the private housing market and households' levels of indebtedness.

The average proportion of disposable income spent on housing is determined by the level of income relative to market price level.

Housing expenditure is increasing for the population as a whole and particularly for poor households. The average proportion of their budget that households spend on housing costs varies widely from country to country. In ten countries, the average proportion of disposable

income spent on housing by poor households exceeds the threshold for what is considered as being 'overburdened' by housing costs, i.e. 40% of income. **In the European Union as a whole, poor households are overburdened by housing costs as they spend 42.5% of their disposable income on housing.** Countries where households spend the largest share of income on housing are Greece (where the situation is stark), Denmark, the Netherlands, and Germany. Inequality between poor and non-poor households regarding proportion of their budget spent on housing has increased significantly over the last five years in Ireland, Estonia, Portugal, Germany, Denmark, and Greece.

TABLE 5

AVERAGE PROPORTION OF HOUSEHOLDS' DISPOSABLE INCOME SPENT ON HOUSING COSTS¹⁰ IN 2014
(IN % AND IN PERCENTAGE POINTS)

PAYS	AVERAGE PROPORTION SPENT ON HOUSING COSTS BY POOR HOUSEHOLDS		AVERAGE PROPORTION SPENT ON HOUSING COSTS BY THE TOTAL POPULATION ¹¹		INEQUALITY - POOR/NON-POOR
	2014 (%)	Change since 2009 (in points)	2014 (%)	Change since 2009 (in points)	Change in the gap between the poor and the non-poor ¹² since 2009 (in points)
Malta	15.3	-3.9	8.7	-1.6	-2.5
Cyprus	21.7	5.5	13.5	2.7	3.2
Luxembourg	29.3	1.3	14.0	0.4	1.4
Ireland	32.3	5	15.4	0.5	5.4
Slovenia	33.4	3.6	17.1	2.5	2
Italy	33.9	1.3	17.1	0	1.7

Source: Eurostat, 2016.

* Bulgaria and Estonia: data break in 2014. * Romania and the Netherlands: provisional data for 2014.

*United Kingdom: Data break 2012. *Hungary: unreliable data, particularly for poor households.

TABLE 5
**AVERAGE PROPORTION OF HOUSEHOLDS' DISPOSABLE INCOME SPENT ON HOUSING COSTS¹⁰ IN 2014
(IN % AND IN PERCENTAGE POINTS)**

PAYS	AVERAGE PROPORTION SPENT ON HOUSING COSTS BY POOR HOUSEHOLDS		AVERAGE PROPORTION SPENT ON HOUSING COSTS BY THE TOTAL POPULATION ¹¹		INEQUALITY - POOR/NON-POOR
	2014 (%)	Change since 2009 (in points)	2014 (%)	Change since 2009 (in points)	Change in the gap between the poor and the non-poor ¹² since 2009 (in points)
Lithuania	34.4	4.7	18.6	2.6	2.4
France	35.3	2.9	18.3	0.6	2.8
Finland	36.1	1.6	18.0	-0.3	1.9
Estonia*	36.2	9.7	18.3	2.8	9.1
Latvia	36.3	3.6	20.1	1.7	1.1
Croatia (change since 2010)	37.2	-9.3	20.0	-3.9	-5.4
Poland	37.5	2.5	22.5	1.4	1.5
Slovakia	38.6	-2.1	20.3	-1.7	-0.1
Portugal	39.2	11.4	19.3	3.5	10.2
Bulgaria*	39.4	8.7	23.6	5.2	4.4
Austria	39.5	0.9	18.3	0.4	0.4
Spain	39.8	3.8	19.1	1.3	3.7
Hungary*	40.0	2.3	25.2	2.1	0.8
Belgium	40.3	2.9	20.8	1.1	2.3
Romania*	40.5	1.2	25.1	-0.3	2.9
EU (28) (change since 2010)	42.5	1.7	22.6	-0.2	1.9
Sweden	45.4	-3.9	22.0	-1.8	-1.9
United Kingdom (change since 2012)*	46.8	10.6	25.2	5.4	6.3
Czech Republic	47.0	3.1	24.2	1.8	1.7
The Netherlands*	49.5	3.4	29.4	1.4	2.3
Germany	52.2	1.2	27.3	-3.6	5.7
Denmark	58.7	3.2	28.1	-5.6	9.8
Greece	76.0	20.7	42.5	12.3	11.9

Source: Eurostat, 2016.

* Bulgaria and Estonia: data break in 2014. * Romania and the Netherlands: provisional data for 2014.

*United Kingdom: Data break 2012. *Hungary: unreliable data, particularly for poor households.

When a household's housing expenditure exceeds a certain threshold, established at 40% of household revenue, the burden of this expenditure is considered excessive. Such overburden threatens the security and wellbeing of the household. This is what is meant by 'housing cost overburden rate'. The figures are worrying: in three European countries (the Netherlands, Germany, and Denmark), the stability and wellbeing of more than half of all poor households are in danger because of excessive housing costs. In Greece, almost all poor households spend more than 40% of their income on housing. In the European Union as a whole, 40% of poor households are in this situation. In only two European countries, fewer than 15% of poor households are overburdened by housing costs (Malta and Cyprus), followed by France and Finland (around 20%). This might be explained by the large, affordable public housing stock and index-linked transfer incomes, as well as the composition of households in the latter two countries.

TABLE 6

PROPORTION OF POOR AND NON-POOR HOUSEHOLDS OVERBURDENED BY HOUSING COSTS (I.E. SPENDING MORE THAN 40% OF THEIR INCOME ON HOUSING) (2014, IN %)

COUNTRY	Proportion of poor households overburdened by housing costs in 2014 (%)	Proportion of non-poor households overburdened by housing costs in 2014 (%)
Malta	5.8	0.8
Cyprus	14.4	2.2
France	20.9	2.7
Finland	21.2	2.8
Ireland	23.9	2.1
Lithuania	27.4	2.2
Slovenia	29.4	2.6
Croatia	30.0	2.2
Estonia*	30.8	2.0
Luxembourg	30.9	2.1
Italy	31.9	2.9
Poland	32.0	4.8
Latvia	32.5	3.5
Portugal	33.7	3.2
Slovakia	36.4	5.1
Austria	36.7	1.6
Hungary	38.4	8.3
Romania**	39.1	6.6
Spain	39.6	2.7
European Union (28 countries)	40.0	5.5
Bulgaria	40.4	5.2
Sweden	40.5	2.1
United Kingdom*	41.7	6.7
Belgium	42.6	4.5
Czech Republic	44.1	6.9
The Netherlands	51.1	10.7
Germany	54.4	8.3
Denmark	68.1	8.5
Greece	95.0	25.3

Source: Eurostat, 2016.

* United Kingdom: Series break in 2012 and 2014/Estonia: Series break in 2014. **Romania: provisional data for 2014.

When the change between 2009 and 2014 in the percentage of poor and non-poor households that are overburdened by housing costs is compared, it is clear that the most vulnerable households are seeing their vulnerability increase much more rapidly than non-vulnerable households. Only six EU countries have reduced this gap between 2009 and 2014 (Croatia, Sweden, Malta, Slovakia, Austria, and Hungary). Inequality between poor

and non-poor households with regard to housing cost overburden has increased steeply since 2009 in Luxembourg, Portugal, the United Kingdom (since 2012), Germany (since 2010), Bulgaria, and Estonia. In Greece, nobody has been spared: the proportion of households overburdened by housing expenditure has increased significantly across the board, by 14.7% for non-poor households and by 27.9% for poor households.

TABLE 7
CHANGE IN INEQUALITY LEVELS BETWEEN POOR AND NON-POOR HOUSEHOLDS REGARDING HOUSING COST OVERBURDEN RATE, 2009-2014
(IN PERCENTAGE POINTS).

COUNTRY	Change in poor households overburdened by housing costs 2009-2014	Change in non-poor households overburdened by housing costs 2009-2014	Change in the gap between the poor and the non-poor since 2009
Croatia (change since 2010)	-18.4	-3	-15.4
Sweden	-9	-1.4	-7.6
Malta	-4.8	-0.7	-4.1
Slovakia	-4.1	-0.4	-3.7
Austria	-4.6	-1	-3.6
Hungary	2.4	3.3	-0.9
Czech Republic	1.1	1.1	0
European Union (28) (change since 2010)	2.8	-0.1	2.9
Poland	3.7	0.7	3
Latvia	4	1	3
Cyprus	4.7	1.1	3.6
Finland	4.1	0.4	3.7
Romania**	1.8	-2.5	4.3
Italy	4.3	-0.4	4.7
Belgium	5.5	0.6	4.9
France	6	0.3	5.7
Spain	4.4	-1.3	5.7
Ireland	6.6	0.5	6.1

Source: Eurostat, 2016.

* United Kingdom: Series breaks in 2012 and 2014/Estonia: Series break in 2014. **Romania: provisional data for 2014.

TABLE 7

**CHANGE IN INEQUALITY LEVELS BETWEEN POOR AND NON-POOR HOUSEHOLDS REGARDING HOUSING
COST OVERBURDEN RATE, 2009-2014**
(IN PERCENTAGE POINTS).

COUNTRY	Change in poor households overburdened by housing costs 2009-2014	Change in non-poor households overburdened by housing costs 2009-2014	Change in the gap between the poor and the non-poor since 2009
Denmark	-2.4	-8.7	6.3
The Netherlands	7.8	1.4	6.4
Lithuania	7.1	0.4	6.7
Slovenia	7.7	1	6.7
Luxembourg	11.7	1.1	10.6
Portugal	12.2	0.5	11.7
United Kingdom (change since 2012)*	15.7	3	12.7
Greece	27.9	14.7	13.2
Germany (change since 2010)	12.2	-1.1	13.3
Bulgaria	16.6	2.9	13.7
Estonia*	16.1	0.2	15.9

Source: Eurostat, 2016.

* United Kingdom: Series breaks in 2012 and 2014/Estonia: Series break in 2014. **Romania: provisional data for 2014.

The exposure to market indicator measures the number of households affected by market fluctuations, i.e. facing unpredictability and price hikes, either as homeowners with an ongoing mortgage or as renters on the free market. The table below also includes the gap in market exposure between poor and non-poor households. In most countries, particularly the less wealthy ones, poor households are less exposed to the market than the rest of the population. As was the case in 2013, the nine (of the 28) countries where poor households are more exposed to the market than non-poor households do not form a homogeneous group: Czech Republic, Slovenia, Slovakia, Luxembourg, Austria, Spain, Germany, Greece, and France. In these countries, price hikes affect private tenants and homeowners with a mortgage

who have signed up to variable-rate loans and mortgages. When poor households fall into these categories, they are affected by hikes that make it difficult for a reasonable affordability rate to be sustained. When poor households fall outside of these categories, hikes in house prices can mean they are 'protected' by ownership or subsidised housing but this does not shield them from poor quality housing. This indicator does not show that some situations are more desirable than others, but rather shows the type of vigilance needed for public policy-making depending on whether poor households are exposed to the market or sheltered from it.

TABLE 8**INDICATOR ON EXPOSURE TO MARKET**

COMBINED PERCENTAGES OF PRIVATE TENANTS AND HOMEOWNERS WITH MORTGAGE (2014, IN %).

COUNTRY	Poor households exposed to market fluctuations (in %)	Non-poor households exposed to market fluctuations (in %)	Gap between poor and non-poor households (ratio)
Bulgaria	2.30	6.2	0.37
Lithuania	3.90	10	0.39
Estonia*	13.00	26.3	0.49
Poland	8.60	16.3	0.53
Finland	38.00	56.3	0.67
Ireland	38.00	53.3	0.71
United Kingdom	41.30	57.4	0.72
Latvia	14.50	19.1	0.76
Portugal	38.40	50.2	0.76
Hungary	17.40	22.5	0.77
Malta	18.40	22.6	0.81
Croatia	5.10	6.2	0.82
Belgium	55.80	63.4	0.88
Cyprus	28.30	31.2	0.91
European Union (28)	42.70	46.9	0.91
Denmark	80.30	87	0.92
Romania**	1.40	1.5	0.93
The Netherlands	89.30	92.1	0.97
Sweden	89.80	92.1	0.98
Italy	31.40	31.6	0.99
France	52.20	50.5	1.03
Germany	68.10	65.8	1.03
Greece	35.30	32.8	1.08
Slovakia	20.90	18.6	1.12
Spain	49.40	42.8	1.15
Austria	59.50	51.3	1.16
Slovenia	19.30	15.6	1.24
Luxembourg	77.20	62.1	1.24
Czech Republic	44.70	33.7	1.33

Source: Eurostat, 2016.

* Estonia: series break in 2014. **Romania: provisional data for 2014.

In 22 of the 28 EU countries, i.e. the vast majority of Member States, poor households' exposure to market fluctuations increased faster than for non-poor households, with a particularly noteworthy increase in the gap in Denmark (where the number of poor households exposed to the market increased by 6.1% while the number of non-poor households exposed decreased by 1.4%); in France (where the number of both poor and non-poor households exposed to the market increased, with the number of poor households exposed increasing very significantly since 2009; by 18.2%, the second biggest increase in Europe); and in the

Czech Republic (where the increase also affected both household types, but the number of poor households exposed increased by 26.9%). Two hypotheses can be drawn from this: In eastern and southern Europe, poor households possibly have better access to the free market from which they had previously been excluded. For western and northern countries, it is probable that the increased number of poor households on the free market goes hand in hand with the growing vulnerability of these households, which are exposed to volatile house prices and rents.

TABLE 9

CHANGE IN EXPOSURE TO THE MARKET ACCORDING TO POVERTY STATUS, 2009-2014
(IN PERCENTAGE POINTS)

COUNTRY	Poor households exposed to the market Change 2009-2014	Non-poor households exposed to the market Change 2009-2014	Progression in the gap between poor/non- poor with regard to the market 2009-2014
Poland	2.6	8	-5.4
Hungary	-3.2	1.8	-5
Luxembourg	-0.3	2	-2.3
Germany (change since 2010)	-2.5	-1.2	-1.3
Slovakia	2.0	3	-1
United Kingdom (change since 2012)***	0.5	1.4	-0.9
Italy	3.2	3.5	-0.3
Malta	4.7	4.8	-0.1
Estonia*	5.3	5.1	0.2
Romania	0.4	-0.7	1.1

Source: Eurostat, 2016.

*Estonia: Series break in 2014. *** United Kingdom: Data break 2012.

TABLE 9
CHANGE IN EXPOSURE TO THE MARKET ACCORDING TO POVERTY STATUS, 2009-2014
 (IN PERCENTAGE POINTS)

COUNTRY	Poor households exposed to the market Change 2009-2014	Non-poor households exposed to the market Change 2009-2014	Progression in the gap between poor/non- poor with regard to the market 2009-2014
European Union (28) (change since 2010)	2.1	0.9	1.2
Lithuania	-0.3	-1.6	1.3
Latvia	4.1	2.6	1.5
Slovenia	7.5	4.7	2.8
Greece	2.9	-0.6	3.5
Belgium	6.6	3	3.6
The Netherlands	4.8	1.1	3.7
Portugal	10.4	6.6	3.8
Croatia (change since 2010)	0.3	-3.7	4
Finland	3.4	-1.1	4.5
Ireland	10.7	6.1	4.6
Spain	3.1	-1.6	4.7
Bulgaria	-1.7	-7.2	5.5
Sweden	10.2	4.4	5.8
Austria	2.9	-3.1	6
Cyprus	10.7	3.4	7.3
Denmark	6.1	-1.4	7.5
France	18.2	7	11.2
Czech Republic	26.9	14.8	12.1

Source: Eurostat, 2016.

*Estonia: Series break in 2014. *** United Kingdom: Data break 2012.

Inequality with regard to arrears debt is greater in the EU 15 countries, despite the more established, systemic redistribution and income security instruments that they may have. The European country where households are most indebted with regard to property is Greece, with 27.1% of poor households in debt. Other countries where more than 15% of poor households have rent and mortgage arrears are the Czech

Republic, France, and Spain. **In the European Union as a whole, 10.2% of poor households rent and mortgage arrears and they are about four times more exposed than non-poor households.** Nonetheless, this indicator must be read with caution, and the cultural nuances and different priorities accorded to the varying expenditure items should be taken into account.

TABLE 10
RENT AND MORTGAGE ARREARS
2014 (IN %).

COUNTRY	Percentage of the total population in property arrears	Percentage of poor households in property arrears	Percentage of non-poor households in property arrears
Romania**	0.7	1.8	0.3
Lithuania	0.9	2.0	0.6
Croatia	1.0	2.3	0.7
Poland	1.4	2.4	1.2
Sweden	1.7	5.9	0.9
Germany	2.1	5.8	1.3
Bulgaria*	2.2	2.6	2.1
Ireland	2.2	1.4	2.3
Luxembourg	2.2	5.9	1.5
Estonia*	2.7	4.0	2.3
Malta	2.8	7.7	1.9
Denmark	3.2	9.9	2.3
Belgium	3.4	12.5	1.7
Czech Republic	3.7	16.3	2.4
Austria	3.7	9.9	2.7
United Kingdom	3.7	7.7	2.9
Latvia	3.8	6.5	3.1
European Union (28 countries)	4.1	10.2	2.9
Slovenia	4.2	9.9	3.2
The Netherlands**	4.5	13.1	3.4
Slovakia	4.5	11.5	3.6
Finland	4.7	11.4	3.7
Italy	4.9	10.3	3.5
France	5.8	16.9	4.1
Portugal	5.8	12.8	4.1
Spain	7.2	18.9	3.8
Hungary	7.3	14.8	5.9
Cyprus	8.9	11.7	8.5
Greece	14.6	27.1	11.1

Source: Eurostat, 2016.

* Bulgaria and Estonia: series break in 2014. * Romania and the Netherlands: provisional data for 2014.

It is also worthwhile, given the lack of intra-national data that would give a more detailed and contextualised analysis of these issues, to look at the housing cost overburden rate from the point of view of degree of urbanisation. In eastern and southern countries, as well as less urbanised countries (Finland, Sweden, and Ireland), poverty is more concentrated in rural areas. In France and Luxembourg, poverty rates are highest in the suburbs and intermediate density areas. In

Denmark, the United Kingdom, Belgium, Austria, and Germany, cities are where the highest levels of poverty are found.

Households in cities tend to be more overburdened by housing costs than those in rural areas, except in Croatia, Bulgaria, and Romania. In Germany and Denmark, about one household in five in the city is overburdened by housing costs while in Greek cities more than two households in five spend more than 40% of their income on housing.

TABLE 11
HOUSING COST OVERBURDEN RATE OF HOUSEHOLDS BY DEGREE OF URBANISATION
(TOTAL POPULATION, 2014, IN %).

Country	CITIES ¹³		LESS POPULATED CITIES AND SUBURBS		RURAL AREAS	
	2014	Change 2009-2014 (in points)	2014	Change 2009-2014 (in points)	2014	Change 2009-2014 (in points)
Malta	1.5	-1.3	2.0	-1.4	0.0	/
Cyprus	5.2	2.6	3.2	1.2	2.3	0
France	7.0	1.4	4.5	1.8	2.9	0.7
Ireland	7.0	1.1	5.9	1.9	3.5	1.3
Finland	7.3	2.1	4.3	0.2	3.6	-0.5
Croatia (change since 2010)	7.5	-6.3	7.2	-5.8	7.8	-7.1
Lithuania	9.2	3.7	5.2	-5.2	5.5	-0.1
Portugal	9.7	2.8	10.3	3.8	7.1	3.1
Slovenia	9.9	5.3	6.3	2.1	5.1	1.7
Sweden	9.9	-4	6.1	-2.9	7.2	-1.2
Latvia	10.0	-2.1	14.3	10.9	8.3	1.3
Luxembourg	10.1	5.3	7.0	4.4	5.7	2.8
Estonia	10.3	4.6	8.2	4.4	6.2	3
Italy	10.5	1.4	6.7	-0.6	7.8	2.4
Slovakia	10.8	2.7	8.0	-1.1	8.8	-1.6
Poland	10.9	1.6	10.0	2.3	8.5	1.1
Spain	11.8	-0.1	11.7	0.2	8.7	2.2
Bulgaria	11.8	5	11.5	3.1	15.1	8
Austria	12.2	3	5.8	1.3	3.0	0
European Union (28) (change since 2010)	13.2	0.6	10.7	1.7	9.8	0.5
Hungary	13.2	4.1	14.1	5.1	11.4	2.7
Romania	13.7	0.9	13.8	3	18.6	1.6
United Kingdom (change since 2012)*	14.4	6.5	10.5	3.6	9.3	3.8
Czech Republic	14.8	4.1	9.7	0.1	7.6	0.5
Belgium	15.6	5.3	8.2	1.6	8.5	-0.5
The Netherlands	17.7	3.5	13.7	2.3	13.0	4.2
Germany (change since 2010)	19.3	3.1	14.9	1.9	12.7	0.4
Denmark	22.0	-8.1	15.3	-7.1	10.9	-8.5
Greece	42.6	17.4	39.1	21.5	39.9	20.1

Source: Eurostat, 2016.

* United Kingdom: Data break 2012.

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Eurostat defines cities, or densely populated areas, as areas where at least 50% of the population live in urban centres. Less populated cities and suburbs, or intermediate density areas, are areas where at least 50% of the population lives in urban zones that are not classified as cities. Rural areas, or thinly populated areas, are areas where at least 50% of the population live in rural grid cells. For more detail, see: http://ec.europa.eu/eurostat/statistics-explained/index.php/Urban_Europe_%E2%80%94_statistics_on_cities_towns_and_suburbs_%E2%80%94_introduction#Background_information_outlining_key_methodological_concepts_for_EU_statistics_on_territorial_typologies.

4. HOUSING QUALITY AND QUALITY OF LIFE: UNFIT HOUSING IN EUROPE

The available data regarding housing quality relate to indicators such as overcrowding in housing, severe housing deprivation (which is a synthetic indicator), a form of fuel poverty, and damp housing. The gulf separating eastern and southern countries from western and northern countries with regard to housing quality is slowly narrowing, even though some countries, particularly those hit by austerity measures following the 2008 financial crisis, have seen housing conditions deteriorate between 2009 and 2014.

In the European Union as a whole, one person in six lives in overcrowded housing¹⁴. The issue of overcrowding is particularly pertinent in central and eastern European countries. In Romania, more than half of the population live in overcrowded housing. The European countries with the lowest rate of overcrowding in housing are Belgium and Cyprus.

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A person is considered to be living in overcrowded housing if they do not have at their disposal a number of rooms equal to: one room for the household, one room per couple in the household, one room for each single person aged 18 or more, one room per pair of single people of the same gender between 12 and 17 years of age, one room for each single person between 12 and 17 years of age not included in the previous category, and one room per pair of children under 12 years of age. http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Overcrowding_rate

TABLE 12

**RATE OF OVERCROWDING IN THE POPULATION
AS A WHOLE,
2014 (%).**

COUNTRY	2014	Change 2009-2014 (in points)
Belgium	2.0	-1.9
Cyprus	2.2	-0.4
The Netherlands	3.5	1.8
Ireland	3.9	0.2
Malta	4.0	0.2
Spain	5.3	0.1
Germany	6.6	-0.4
Luxembourg	6.7	0.3
Finland	7.0	1.1
France	7.1	-2.5
United Kingdom (change since 2012)	7.3	0.3
Denmark	8.2	0.4
Portugal	10.3	-3.8
Sweden	10.7	0.2
Estonia*	14.2	-27
Slovenia	14.8	-23.2
Austria	15.3	2
European Union (28 countries) (change since 2010)	16.9	-0.8
Czech Republic	19.9	-6.7
Italy	27.2	3.9
Greece	27.4	2.4
Lithuania	28.3	-19.8
Slovakia	38.6	-1.1
Latvia	39.8	-16.5
Hungary*	41.9	-4.9
Croatia (change since 2010)	42.1	-1.6
Bulgaria	43.3	-3.7
Poland	44.2	-4.9
Romania*	52.3	-1.1

Source: Eurostat, 2016.

*Estonia: Series break in 2014. *Romania: Provisional data 2014.

*Hungary: unreliable data.

The severe housing deprivation indicator covers problems of overcrowding, dignity, and discomfort (leaks, lack of sanitation, housing that is too dark, etc.)¹⁵. This Eurostat indicator is closest to one of the categories from FEANTSA's ETHOS Typology (which defines homelessness and housing exclusion), namely, the 'inadequate housing' category¹⁶. While 5.1% of Europeans are in a situation of severe housing deprivation, the trend observed has stabilised, even improved, for the total population, between 2009 and 2014. Eastern European countries are particularly affected by this issue.

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'Severe housing deprivation' concerns the population living in housing considered overcrowded and which also has one of the indicators of housing deprivation. Housing deprivation is an indicator of dignity calculated on the basis of houses with a leaking roof, no bath or shower, no toilet, or little natural light. http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Severe_housing_deprivation_rate

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<http://www.feantsa.org/en/toolkit/2005/04/01/ethos-typology-on-homelessness-and-housing-exclusion?bcParent=27>

TABLE 13

SEVERE HOUSING DEPRIVATION RATE

(TOTAL POPULATION, 2014, %)

COUNTRY	2014	Change 2009-2014 (in percentage points)
The Netherlands	0.6	0.1
Finland	0.7	0
Belgium	0.9	-0.4
Ireland	1.2	0.2
Malta	1.3	0
Cyprus	1.5	0.4
Luxembourg	1.6	-0.1
Sweden	1.6	0.4
Spain	1.7	-0.1
Germany	1.9	-0.2
Denmark	2.3	1
France	2.3	-0.7
United Kingdom (change since 2012)*	2.4	0.4
Czech Republic	3.5	-2.7
Austria	3.7	-0.4
Estonia*	3.9	-8.3
Slovakia	4.3	0.1
European Union (28 countries) (change since 2010)	5.1	-0.6
Portugal	5.5	0.8
Greece	6.0	-1.6
Slovenia	6.5	-11
Croatia (change since 2010)	7.8	-4.5
Poland	9.1	-6.1
Italy	9.5	2
Lithuania	10.1	-6.3
Bulgaria*	12.9	-5.9
Latvia	16.6	-5.7
Hungary	17.3	5.7
Romania*	21.5	-5.7

Source: Eurostat, 2016.

*Bulgaria and Estonia: Series break in 2014.

*Romania: Provisional data 2014.

* United Kingdom: Data break 2012.

Across all European countries, a poor household is two to twelve times more likely to live in severe housing deprivation than other households. Here, the differences between eastern and western Europe are less clear-cut: In Luxembourg, Germany, Sweden, and Spain, poor households are six to seven times more likely to face severe

housing deprivation, nine times more likely in Slovakia, and twelve times more likely in Belgium. The countries where poor households are most affected by severe housing deprivation are Romania, Hungary, Bulgaria, and Latvia. The Member State where poor households are least exposed to the problem is Finland.

TABLE 14

GAP BETWEEN POOR AND NON-POOR HOUSEHOLDS WITH REGARD TO SEVERE HOUSING DEPRIVATION
(2014, IN %).

COUNTRY	Severe housing deprivation rate for poor households	Severe housing deprivation rate for non-poor households	Gap between poor and non-poor households (ratio)
Croatia	13.1	6.6	2.0
Latvia	27.3	13.7	2.0
Lithuania	18.2	8.2	2.2
Estonia*	6.9	3.1	2.2
Cyprus	2.9	1.3	2.2
Ireland	2.3	1.0	2.3
Slovenia	12.5	5.4	2.3
Italy	17.6	7.6	2.3
Malta	2.6	1.0	2.6
Greece	11.6	4.4	2.6
Poland	19.9	6.9	2.9
United Kingdom	5.4	1.8	3.0
Hungary	42.1	12.9	3.3
Austria	9.3	2.8	3.3
Romania*	46.1	13.1	3.5
Portugal	13.1	3.7	3.5
European Union (28 countries)	12.9	3.5	3.7
Finland	1.9	0.5	3.8
Denmark	6.9	1.7	4.1
Bulgaria*	34.4	6.9	5.0
Czech Republic	12.9	2.5	5.2
The Netherlands	2.3	0.4	5.8
France	8.3	1.4	5.9
Luxembourg	5.4	0.9	6.0
Sweden	5.4	0.9	6.0
Germany	6.1	1.0	6.1
Spain	5.2	0.7	7.4
Slovakia	19.7	2.0	9.9
Belgium	3.8	0.3	12.7

Source: Eurostat, 2016.

*Bulgaria and Estonia: Series break in 2014. *Romania: Provisional data 2014.

Inability to keep home adequately warm is an indicator of fuel poverty, which highlights the inability to maintain adequate temperatures in housing due to financial difficulties. It is observed such fuel poverty is significant in Europe with almost one quarter of poor households affected across the continent. This problem particularly affects southern countries where one might have thought that heating is not a major issue. This indicator has worsened since 2009

for poor households in 21 of the 28 countries, particularly in Greece (where more than half of all poor households have difficulty maintaining adequate household temperatures), in Italy, Malta, Hungary, Slovakia, Spain, Cyprus, and Ireland. On the other hand, the situation has improved in Bulgaria (which is still the country where both poor and non-poor households are most affected by this form of fuel poverty), Poland, and Romania.

TABLE 15
FINANCIAL DIFFICULTY IN MAINTAINING ADEQUATE HOUSING TEMPERATURE
(2014, IN %).

Country	POOR		TOTAL	
	2014	Change 2009-2014	2014	Change 2009-2014
Luxembourg	2.0	0.9	0.6	0.3
Sweden	2.7	-0.8	0.8	-0.6
Finland	3.3	-0.2	1.5	0.2
Estonia*	3.7	-1	1.7	0
Denmark	5.8	3	2.9	1.4
Austria	7.7	-0.1	3.2	0.3
The Netherlands**	9.0	4.7	2.6	1.3
Germany	13.3	-2.9	4.9	-0.6
France	15.0	0	5.9	0.4
Slovenia	15.4	3.9	5.6	1
Czech Republic	15.6	2.9	6.1	0.9
Ireland	16.7	6.4	8.9	4.8
Belgium	18.3	3.3	5.4	0.3
United Kingdom (change since 2012)*	20.2	1	9.4	1.3
Poland	20.7	-12.5	9.0	-7.3
Slovakia	22.4	10.3	6.1	2.5
European Union (28 countries) (change since 2010)	23.5	2.4	10.2	0.8
Spain	23.5	8.3	11.1	3.9
Croatia (change since 2010)	24.3	5.4	9.7	1.4
Romania*	24.4	-5.4	12.3	-9.8
Hungary	29.4	12.6	11.6	2.7
Latvia	31.0	2.1	16.8	0.4
Lithuania	34.7	2.3	26.5	2.4
Malta	35.5	18	22.1	11
Italy	38.3	12	18.0	7.2
Cyprus	47.5	9.7	27.5	5.8
Portugal	47.5	3.2	28.3	-0.2
Greece	52.6	15.8	32.9	17.2
Bulgaria*	66.0	-14.2	40.5	-23.7

Source: Eurostat, 2016.

*Bulgaria and Estonia: Series break in 2014. *Romania and the Netherlands: Provisional data 2014. * United Kingdom: Data break 2012.

This indicator represents the proportion of the total population living in housing with leaking walls or roof, damp flooring or foundations, or mould on the window frames or floor. **In the European Union as a whole, one quarter of poor households live in damp housing. Only two European countries have less than 10% of poor households living in damp housing: Finland**

and Sweden. In Hungary (where half of all poor households live in damp housing), Portugal, Denmark, and Italy, the proportion of the total population affected by this type of unfit housing has increased even more than the proportion of poor households since 2009. In Slovakia and the United Kingdom, the increase has particularly affected poor households.

TABLE 16**DAMP HOUSING, 2014**

(TOTAL POPULATION, IN %).

Country	POOR		TOTAL	
	2014	Change 2009-2014	2014	Change 2009-2014
Finland	6.9	0.6	5.0	0.1
Sweden	9.6	0.6	7.3	0.7
Austria	13.1	-7.5	10.0	-5
Malta	14.1	1.3	11.0	1.2
Denmark	16.3	6.1	15.0	7.2
Poland	16.9	-14.3	9.2	-8.4
Greece	17.3	-10.1	13.7	-3.9
Czech Republic	18.3	-5.4	9.2	-5.4
Ireland	18.4	-2.9	14.5	1.3
Germany	19.4	-5.3	12.3	-1.7
Croatia (since 2010)	20.2	-10	11.7	-8.1
The Netherlands*	22.2	-2.6	15.8	1.6
Slovakia	23.0	10.1	7.0	0.4
Estonia*	23.2	-8.4	15.9	-4.3
United Kingdom	23.6	4.1	16.6	2
Luxembourg	23.9	0.9	15.0	-2.5
European Union (28 countries) (since 2010)	24.5	-1.3	15.7	-0.4
Romania*	24.6	-10.7	12.7	-9
France	24.7	1.9	13.4	0.8
Spain	25.4	-0.2	17.1	-1.2
Belgium	26.9	2.8	17.5	2.3
Bulgaria	28.5	-11	13.2	-10.7
Cyprus	32.1	-2.1	25.5	-4.1
Italy	32.8	4.2	25.0	4.1
Lithuania	33.7	0.2	18.9	-2.3
Latvia	39.2	1.4	27.5	1.6
Portugal	40.2	11.6	32.8	13.1
Slovenia	41.2	0.3	29.9	-0.7
Hungary*	52.5	22.5	26.9	12.4

Source: Eurostat, 2016.

*Estonia: Series break in 2014. *Romania and the Netherlands: Provisional data 2014. *Hungary: unreliable data.

5. SOCIAL FACTORS WORSENING HOUSING DIFFICULTIES

The indicators used heretofore, such as severe housing deprivation, housing cost overburden rate, and overcrowding, are used hereupon to ascertain whether certain categories of the population are more affected by housing exclusion than the rest of the population. Factors looked at are age, gender, household composition, and "citizenship.

THE 'AGE' EFFECT ON HOUSING CONDITIONS: YOUNG PEOPLE ARE

PARTICULARLY VULNERABLE TO HOUSING EXCLUSION IN EUROPE

In all European countries, young people are more vulnerable to severe housing deprivation¹⁷ than the rest of the population. The gap is particularly noteworthy in Ireland, Germany, Denmark, and the Netherlands. In Romania, more than one quarter of young people aged 20-24 years are living in severe housing deprivation.

TABLE 17

SEVERE HOUSING DEPRIVATION RATE AMONG YOUNG PEOPLE AGED 20-24 YEARS AND THE GAP BETWEEN YOUNG PEOPLE AND THE POPULATION AS A WHOLE
(TOTAL POPULATION, 2014, IN %)

COUNTRY	Young people 20-24 years	Total population	Gap between young people and the total population (ratio)
Croatia	8.9	7.8	1.14
Czech Republic	4.0	3.5	1.14
Estonia	4.5	3.9	1.15
Lithuania	11.7	10.1	1.16
Slovakia	5.2	4.3	1.21
Hungary	23.3	17.3	1.35
Spain	2.3	1.7	1.35
Romania	28.0	20.6	1.36
Poland	12.5	9.1	1.37
Latvia	23.0	16.6	1.39
Bulgaria	17.9	12.9	1.39
Austria	5.3	3.7	1.43
Luxembourg	2.4	1.6	1.50
Italy	15.0	9.5	1.58
European Union (28)	7.9	5.0	1.58

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See Table 16 for a definition of severe housing deprivation.

Source: Eurostat, 2016.

TABLE 17

SEVERE HOUSING DEPRIVATION RATE AMONG YOUNG PEOPLE AGED 20-24 YEARS AND THE GAP BETWEEN YOUNG PEOPLE AND THE POPULATION AS A WHOLE
(TOTAL POPULATION, 2014, IN %).

COUNTRY	Young people 20-24 years	Total population	Gap between young people and the total population (ratio)
United Kingdom	3.8	2.4	1.58
Slovenia	10.5	6.5	1.62
Belgium	1.5	0.9	1.67
France	4.1	2.3	1.78
Sweden	2.9	1.6	1.81
Portugal	10.2	5.5	1.85
Cyprus	2.9	1.5	1.93
Greece	11.9	6.0	1.98
Finland	1.4	0.7	2.00
Ireland	2.6	1.2	2.17
Malta	3.1	1.3	2.38
Germany	5.0	1.9	2.63
Denmark	6.7	2.3	2.91
The Netherlands	2.1	0.6	3.50

Source: Eurostat, 2016. *Bulgaria and Estonia: Series break in 2014. *Romania: Provisional data 2014. * Hungary : unreliable data.

In northern and western European countries, all young people, whether they are poor or not, are more vulnerable to housing cost overburden than the total population. But the gulf that exists between young people in poverty and the rest of the population is particularly worrying, across all European countries. **On average in Europe, poor young people are 4.17 times more likely to be overburdened by housing costs than the rest of the population. Housing cost overburden threatens the security and wellbeing of almost half of all poor young people.** The situation is particularly worrying for young people in Greece (where half of young people and almost all poor young people are overburdened by housing costs),

Germany (where 65.1% of poor young people are overburdened by housing costs), Denmark (where 78.3% of poor young people are overburdened by housing costs), the Netherlands (where the figure stands at 72.9%), and the United Kingdom (where the figure stands at 58%). Budget cuts to social welfare and housing allowances for young people have been implemented over the last ten years in the last three countries mentioned. This dangerous dynamic must be taken into account and halted as these budget cuts are already creating a generation of Europeans whose housing prospects are weak, and who are moreover being pushed to the fringes of society¹⁸.

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See the FEANTSA and Foundation Abbé Pierre's publications on young people and housing: <http://www.feantsa.org/en/resources/resources-database?search=&theme=Youth&type=&year=>

TABLE 18

HOUSING COST OVERBURDEN RATE AMONG YOUNG PEOPLE AGED 20-29 YEARS AND THE GAP BETWEEN YOUNG PEOPLE AND THE POPULATION AS A WHOLE
(TOTAL POPULATION, 2014, IN %)

Country	YOUNG PEOPLE 20-29 YEARS		TOTAL POPULATION		RATIO	
	Total	Poor	Total	Poor	Ratio between young people and the total population	Ratio between poor young people and the total population
Malta	1.3	10.2	1.6	5.8	0.81	6.38
Cyprus	4.3	16.0	4.0	14.4	1.08	4.00
Croatia	5.2	24.7	7.5	30.0	0.69	3.29
Slovenia	5.8	29.4	6.4	29.4	0.91	4.59
Slovakia	6.5	29.6	9.0	36.4	0.72	3.29
Latvia	7.1	35.5	9.6	32.5	0.74	3.70
Lithuania	8.1	30.7	7.1	27.4	1.14	4.32
Italy	8.4	30.0	8.5	31.9	0.99	3.53
Luxembourg	8.6	37.5	6.8	30.9	1.26	5.51
Poland	9.5	29.2	9.6	32.0	0.99	3.04
Portugal	10.0	32.9	9.2	33.7	1.09	3.58
Austria	10.1	48.3	6.6	36.7	1.53	7.32
Estonia*	10.2	43.9	8.3	30.8	1.23	5.29
Czech Republic	10.7	43.0	10.5	44.1	1.02	4.10
France	11.2	37.9	5.1	20.9	2.20	7.43
Finland	11.9	35.5	5.1	21.2	2.33	6.96
Belgium	12.4	55.0	10.4	42.6	1.19	5.29
Bulgaria	13.0	38.4	12.9	40.4	1.01	2.98
Ireland	13.9	45.1	5.5	23.9	2.53	8.20
Spain	14.0	40.7	10.9	39.6	1.28	3.73
Hungary	14.0	37.7	12.8	38.4	1.09	2.95
European Union (28)	15.1	47.9	11.5	40.1	1.31	4.17
Romania	15.5	40.7	16.2	40.1	0.96	2.51
Sweden	16.2	54.5	7.8	40.5	2.08	6.99
United Kingdom*	18.3	58.0	12.5	41.7	1.46	4.64
Germany	21.0	65.1	15.9	54.4	1.32	4.09
The Netherlands	25.9	72.9	15.4	51.1	1.68	4.73
Denmark	39.3	78.3	15.6	68.1	2.52	5.02
Greece	44.1	94.3	40.7	95.0	1.08	2.32

Source: Eurostat, 2016.

*Estonia and the United Kingdom: Series break in 2014.

*Romania: provisional data for 2014.

In all European countries, young people are more vulnerable to overcrowding than the rest of the population, particularly in Sweden, Denmark, and the Netherlands. While overcrowding among the total population in these three Member States is quite low compared to other European countries,

the proportion of young people aged 20-24 years living in overcrowded housing is particularly high. Young people remain particularly exposed to overcrowding in countries where overcrowding is high in general, i.e. central and eastern European countries.

TABLE 19

**RATE OF OVERCROWDING, AND THE GAP BETWEEN YOUNG PEOPLE AGED 20-24 YEARS
AND THE POPULATION AS A WHOLE**
(TOTAL POPULATION, 2014, IN %).

COUNTRY	Young people 20-24 years	Total population	Gap between young people and the total population (ratio)
Estonia*	18.7	14.2	1.32
Latvia	52.9	39.8	1.33
Luxembourg	9.0	6.7	1.34
Poland	61.4	44.2	1.39
Romania	69.8	49.4	1.41
Bulgaria	61.6	43.3	1.42
Hungary	60.3	41.9	1.44
Croatia	61.5	42.1	1.46
Slovakia	56.6	38.6	1.47
Lithuania	43.2	28.3	1.53
Austria	23.8	15.3	1.56
Czech Republic	32.0	19.9	1.61
United Kingdom	11.8	7.3	1.62
Slovenia	24.1	14.8	1.63
Italy	44.9	27.2	1.65
European Union (28)	27.6	16.7	1.65
Spain	9.6	5.3	1.81
Portugal	19.1	10.3	1.85
France	13.3	7.1	1.87
Greece	52.1	27.4	1.90
Malta	7.9	4.0	1.98
Germany	13.4	6.6	2.03
Belgium	4.2	2.0	2.10
Ireland	8.2	3.9	2.10
Cyprus	4.9	2.2	2.23
Finland	16.8	7.0	2.40
Sweden	33.3	10.7	3.11
Denmark	29.0	8.2	3.54
The Netherlands	15.3	3.5	4.37

Source: Eurostat, 2016.
* Estonia 2014: Series break

Throughout Europe, older people are less affected by severe housing deprivation than the total population. However people over 65 are particu-

larly vulnerable in eastern and central European countries (Latvia, Romania, Hungary, Bulgaria, Lithuania, and Croatia).

TABLE 20

**SEVERE HOUSING DEPRIVATION RATE AMONG OLDER PEOPLE (65 YEARS AND OVER),
AND THE GAP BETWEEN OLDER PEOPLE AND THE POPULATION AS A WHOLE**
(TOTAL POPULATION, 2014, IN %).

COUNTRY	65 years and over	Total population	Gap between older people and the total population (ratio)
The Netherlands	0.0	0.6	0.00
Denmark	0.1	2.3	0.04
Ireland	0.1	1.2	0.08
Sweden	0.2	1.6	0.13
Belgium	0.2	0.9	0.22
United Kingdom	0.3	2.4	0.13
Germany	0.3	1.9	0.16
Cyprus	0.3	1.5	0.20
Malta	0.3	1.3	0.23
Luxembourg	0.4	1.6	0.25
Spain	0.5	1.7	0.29
France	0.6	2.3	0.26
Finland	0.6	0.7	0.86
Austria	0.7	3.7	0.19
Czech Republic	1.2	3.5	0.34
Estonia	1.6	3.9	0.41
Slovakia	1.9	4.3	0.44
European Union (28)	2.0	5.0	0.40
Slovenia	2.2	6.5	0.34
Portugal	2.2	5.5	0.40
Italy	3.7	9.5	0.39
Greece	3.7	6.0	0.62
Lithuania	4.0	10.1	0.40
Croatia	4.7	7.8	0.60
Bulgaria	4.9	12.9	0.38
Poland	6.3	9.1	0.69
Hungary	7.5	17.3	0.43
Romania	9.8	20.6	0.48
Latvia	10.1	16.6	0.61

Source: Eurostat, 2016. *Bulgaria and Estonia: Series break in 2014. *Romania: Provisional data 2014. * Hungary : unreliable data.

Older people are more likely to be overburdened by housing costs than the total population in ten European countries. Even though they are less likely to live in unfit housing, people over 65 are

not spared from excessive housing expenditure. They are nonetheless more sheltered, in general, than young people from being systematically undermined by excessive housing expenditure.

TABLE 21

**HOUSING COST OVERBURDEN RATE AMONG OLDER PEOPLE (65 YEARS AND OVER),
AND THE GAP BETWEEN OLDER PEOPLE AND THE POPULATION AS A WHOLE
(TOTAL POPULATION, 2014, IN %).**

COUNTRY	65 years and over	Total population	Gap between older people and the total population (ratio)
Malta	1.5	1.6	0.94
Cyprus	2.8	4.0	0.70
Luxembourg	3.1	6.8	0.46
Spain	3.5	10.9	0.32
France	3.7	5.1	0.73
Portugal	4.4	9.2	0.48
Ireland	4.6	5.5	0.84
Finland	5.0	5.1	0.98
Italy	5.3	8.5	0.62
Austria	5.4	6.6	0.82
Estonia	5.6	8.3	0.67
Slovenia	6.4	6.4	1.00
United Kingdom	7.5	12.5	0.60
Slovakia	8.0	9.0	0.89
Croatia	9.0	7.5	1.20
Hungary	9.2	12.8	0.72
Lithuania	9.2	7.1	1.30
Poland	9.4	9.6	0.98
European Union (28)	10.6	11.5	0.92
Sweden	11.7	7.8	1.50
Latvia	11.8	9.6	1.23
Belgium	11.9	10.4	1.14
The Netherlands	13.6	15.4	0.88
Czech Republic	13.9	10.5	1.32
Bulgaria	16.4	12.9	1.27
Romania	16.7	16.2	1.03
Denmark	18.1	15.6	1.16
Germany	22.0	15.9	1.38
Greece	33.2	40.7	0.82

Source: Eurostat, 2016. * United Kingdom & Estonia: Series break in 2014. *Romania: provisional data for 2014.

HOUSING DIFFICULTIES ARE HARD TO DIFFERENTIATE ON THE BASIS OF GENDER AT EUROPEAN LEVEL

It is difficult to deal with the gender as an aggravating factor without being essentialist. However, gender inequalities certainly exist in several areas (the average gross hourly wage for women is lower than for men by 16.7% on average in Europe in 2014), and it is interesting to attempt to understand if these inequalities are also reflected in housing conditions.

When we align gender data with household-type data, women living alone tend to be more overburdened by housing costs than men living alone, and this is true in 16 European countries, particularly in Greece, Germany, Belgium, Bulgaria, Czech Republic, Romania, Ireland, Lithuania, Poland, and Sweden. **In the European Union as a whole, more than one quarter of women living alone are overburdened by housing costs (27%, as opposed to 24.9% of men living alone).**

TABLE 22
HOUSING COST OVERBURDEN RATE BY HOUSEHOLD TYPE/GENDER
(TOTAL POPULATION, IN %).

Country	WOMAN LIVING ALONE		MAN LIVING ALONE	
	2014	Change 2009-2014 (in percentage points)	2014	Change 2009-2014 (in percentage points)
Malta	3.4	-5.3	5.0	-4.9
Portugal	13.1	6.7	20.3	10.1
Cyprus	13.7	8.2	12.9	5.3
Finland	14.2	3.1	13.8	2.5
Luxembourg	14.6	4	16.8	6.2
Ireland	15.3	10.3	12.0	2.5
France	16.2	0.6	15.1	2.8
Estonia*	16.6	8.1	22.4	8.9
Italy	17.1	-1.5	16.4	-0.4
Slovenia	18.4	0.3	21.1	6.4
Spain	18.5	2.1	24.8	4.3
Austria	18.6	-0.7	17.8	-0.3
Slovakia	20.4	-10.9	27.8	-2.6
Lithuania	20.5	4.9	19.4	-1.9
Croatia (change since 2010)	20.7	-26.2	22.4	-16.5
United Kingdom (change since 2012)**	22.5	-11.5	27.8	-7.6

Source: Eurostat, 2016.

* United Kingdom & Estonia: Series break in 2014.

** Romania: provisional data for 2014.

TABLE 22**HOUSING COST OVERBURDEN RATE BY HOUSEHOLD TYPE/GENDER**

(TOTAL POPULATION, IN %)

Country	WOMAN LIVING ALONE		MAN LIVING ALONE	
	2014	Change 2009-2014 (in percentage points)	2014	Change 2009-2014 (in percentage points)
Hungary	23.3	1.6	25.1	0.9
Latvia	24.9	-5.9	25.9	-2.3
Poland	26.8	0.3	22.6	0.9
European Union (28) (change since 2010)	27.0	1.2	24.9	0.7
Sweden	27.9	-4.2	24.0	-4.5
Belgium	30.7	5.1	26.7	1.4
Bulgaria	34.7	1.2	23.4	2.2
Czech Republic	35.4	0.3	25.5	2.1
Romania	36.4	-1.7	31.3	-4.6
The Netherlands	38.3	8.1	40.4	11.9
Germany (change since 2010)	39.5	8.9	28.5	3.4
Denmark	40.6	-4.5	38.6	-2.2
Greece	71.1	16.8	65.5	5.8

Source: Eurostat, 2016.

* United Kingdom & Estonia: Series break in 2014. *Romania: provisional data for 2014.

**DIFFERENT HOUSEHOLD TYPES
ARE NOT AFFECTED BY THE SAME
HOUSING EXCLUSION ISSUES**

In all European countries, people living alone are more overburdened by housing costs than couples. In France, Sweden, and Lithuania, people living alone are five to six times more affected than couples by excessive housing costs in their budget.

TABLE 23**HOUSING COST OVERBURDEN RATE BY HOUSEHOLD TYPE, AND GAP BETWEEN PEOPLE LIVING ALONE AND COUPLES**

(TOTAL POPULATION, 2014, IN %).

COUNTRY	People living alone with no children	Couple	Gap between people living alone and couples (ratio)
Portugal	15.6	7.9	1.97
Greece	68.9	32.6	2.11
Hungary	24.0	11.2	2.14
Poland	25.4	11.4	2.23
Malta	4.1	1.8	2.28
Romania	34.5	15.0	2.30
Croatia	21.3	9.1	2.34
Bulgaria	30.1	12.3	2.45
Germany	34.5	13.4	2.57
Spain	21.5	8.3	2.59
Italy	16.8	6.4	2.63
European Union (28)	26.1	9.1	2.87
United Kingdom	24.9	8.5	2.93
Slovakia	22.9	7.7	2.97
Slovenia	19.6	6.0	3.27
Estonia*	18.7	5.7	3.28
Ireland	13.7	4.1	3.34
Latvia	25.2	7.5	3.36
Cyprus	13.4	3.9	3.44
The Netherlands	39.3	11.4	3.45
Austria	18.2	5.2	3.50
Czech Republic	31.4	8.8	3.57
Luxembourg	15.6	4.1	3.80
Denmark	39.6	9.9	4.00
Finland	14.0	3.3	4.24
Belgium	28.7	6.3	4.56
Lithuania	20.1	3.8	5.29
France	15.7	2.8	5.61
Sweden	26.1	3.8	6.87

Source: Eurostat, 2016.

*Estonia: Data break 2014 * United Kingdom & Estonia: Series break in 2014. *Romania: provisional data for 2014.

EUROPEAN INDEX OF HOUSING EXCLUSION

Countries where households with children are more overburdened by housing costs than households without children are Portugal, Spain, Greece, Slovakia, Italy, Malta, and the United Kingdom. In Greece, 43.3% of families with

dependent children are overburdened by housing costs. In Spain, Bulgaria, Hungary, Romania, and the United Kingdom, this figure is between 12% and 15%.

TABLE 24

HOUSING COST OVERBURDEN RATE BY HOUSEHOLD TYPE, AND GAP BETWEEN HOUSEHOLDS WITHOUT DEPENDENT CHILDREN AND HOUSEHOLDS WITH DEPENDENT CHILDREN
(TOTAL POPULATION, 2014, IN %).

COUNTRY	Households with dependent children	Households without dependent children	Gap between households without children and households with children (ratio)
Portugal	10.6	7.7	0.73
Spain	12.1	9.8	0.81
Greece	43.3	38.3	0.88
Slovakia	9.5	8.5	0.89
Italy	8.8	8.2	0.93
Malta	1.6	1.5	0.94
United Kingdom	12.7	12.3	0.97
Luxembourg	6.7	6.9	1.03
Bulgaria	12.5	13.2	1.06
Hungary*	12.3	13.3	1.08
Romania	15.1	17.5	1.16
European Union (28)	9.9	13.1	1.32
Estonia*	7.0	9.6	1.37
Poland	8.1	11.3	1.40
Latvia	7.8	11.2	1.44
Cyprus	3.3	4.9	1.48
Lithuania	5.7	8.5	1.49
Belgium	8.3	12.7	1.53
Czech Republic	8.3	12.7	1.53
Croatia	6.0	9.4	1.57
Slovenia	5.1	8.0	1.57
Ireland	4.2	7.6	1.81
The Netherlands	10.8	20.0	1.85
Germany	10.3	20.1	1.95
Austria	4.4	8.6	1.95
France	3.4	7.1	2.09
Finland	2.7	7.1	2.63
Denmark	7.5	22.9	3.05
Sweden	3.1	12.0	3.87

Source: Eurostat, 2016.

*Estonia: Data break 2014. *Hungary: Unreliable data. * United Kingdom: Series break in 2014. *Romania: provisional data for 2014.

The only European countries where couples are more affected by severe housing deprivation²⁰ than people living alone are Bulgaria, Romania, and Italy. We must bear in mind the fact that the severe housing deprivation indicator includes overcrowding as a criterion along with other cri-

teria related to unfit housing; this excludes men and women living alone in unfit housing that is not overcrowded from the statistics. In Belgium, people living alone are 15 times more likely to face severe housing deprivation than couples.

TABLE 25

**SEVERE HOUSING DEPRIVATION RATE BY HOUSEHOLD TYPE AND GAP
BETWEEN PEOPLE LIVING ALONE AND COUPLES**
(TOTAL POPULATION, 2014, IN%).

	Person living alone	Couple	Gap between people living alone and couples (ratio)
Bulgaria*	2.7	4.0	0.68
Romania	4.2	5.3	0.79
Italy	3.4	3.8	0.89
Latvia	7.4	7.4	1.00
Portugal	1.2	1.1	1.09
Hungary	8.2	7.5	1.09
Lithuania	3.6	3.2	1.13
Slovakia	1.7	1.4	1.21
Greece	2.9	2.3	1.26
Croatia	5.4	3.8	1.42
Slovenia	3.2	2.2	1.45
Spain	0.3	0.2	1.50
Czech Republic	1.4	0.9	1.56
Estonia*	1.7	1.0	1.70
Poland	6.8	4.0	1.70
European Union (28)	2.7	1.4	1.93
Malta	0.4	0.2	2.00
Denmark	1.9	0.7	2.71
Austria	2.8	0.9	3.11
The Netherlands	1.0	0.3	3.33
Sweden	2.3	0.6	3.83
Cyprus	0.8	0.2	4.00
Germany	2.3	0.5	4.60
United Kingdom	2.7	0.5	5.40
Finland	1.9	0.3	6.33
Ireland	0.8	0.1	8.00
France	2.5	0.3	8.33
Luxembourg	2.0	0.2	10.00
Belgium	1.5	0.1	15.00

Source: Eurostat, 2016.

*Bulgaria and Estonia: Data break 2014. *Romania: Provisional data 2014. * Hungary : unreliable data.

EUROPEAN INDEX OF HOUSING EXCLUSION

Overcrowding and unfit housing are more likely to affect households with children and this is true for all European countries except Finland. In Spain and Ireland in particular, households with dependent children are four to five times more likely to face severe housing deprivation

than households without children, which sheds further light on the alarming Irish data pointing to the increase in homeless families²¹. In Hungary and Romania, more than one quarter of households with children are living in severe housing deprivation.

TABLE 26

SEVERE HOUSING DEPRIVATION RATE BY HOUSEHOLD TYPE, AND GAP BETWEEN HOUSEHOLDS WITH DEPENDENT CHILDREN AND HOUSEHOLDS WITHOUT DEPENDENT CHILDREN
(TOTAL POPULATION, 2014, IN %).

Country	Households with dependent children	Households without dependent children	Gap between households with children and households without children (ratio)
Finland	0.4	0.9	0.44
The Netherlands	0.7	0.5	1.40
Sweden	1.9	1.3	1.46
Croatia	9.2	6.2	1.48
Poland	10.5	6.5	1.62
Greece	7.6	4.5	1.69
Belgium	1.1	0.6	1.83
Germany	2.7	1.4	1.93
Denmark	3.2	1.5	2.13
Latvia	22.9	10.4	2.20
Slovakia	5.8	2.4	2.42
Italy	13.7	5.5	2.49
Slovenia	8.9	3.5	2.54
Hungary	25.0	9.4	2.66
European Union (28)	7.3	2.7	2.70
Austria	5.7	2.0	2.85
Lithuania	14.9	5.0	2.98
France	3.3	1.1	3.00
Romania	29.3	9.4	3.12
Bulgaria*	19.3	6.1	3.16
Malta	1.9	0.6	3.17
Luxembourg	2.3	0.7	3.29
Portugal	8.5	2.4	3.54
Estonia*	6.2	1.6	3.88
United Kingdom	3.9	1.0	3.90
Czech Republic	5.6	1.4	4.00
Cyprus	2.2	0.5	4.40
Ireland	1.8	0.4	4.50
Spain	2.8	0.5	5.60

Source: Eurostat, 2016. *Bulgaria and Estonia: Data break 2014. *Romania: Provisional data 2014. *Hungary : unreliable data.

Damp housing means having leaking walls or roof, damp flooring or foundations, mould on the window frames or floor. In the vast majority of

European countries, people living alone are more likely to live in damp housing than couples.

TABLE 27

**PEOPLE LIVING IN DAMP HOUSING BY HOUSEHOLD TYPE, AND GAP BETWEEN
PEOPLE LIVING ALONE AND COUPLES**
(TOTAL POPULATION, 2014, IN %).

Country	Person living alone	Couple	Gap between people living alone and couples (ratio)
Cyprus	22.1	25.4	0.87
Luxembourg	11.6	11.9	0.97
Italy	23.5	23.9	0.98
Greece	14.2	14.4	0.99
Bulgaria	12.0	11.7	1.03
Latvia	27.1	26.1	1.04
Czech Republic	8.1	7.7	1.05
Portugal	34.4	32.6	1.06
Denmark	13.3	12.5	1.06
Estonia*	17.9	16.6	1.08
Austria	9.1	8.3	1.10
Slovenia	31.6	28.6	1.10
Spain	16.8	14.8	1.14
Germany	12.1	10.5	1.15
European Union (28)	15.3	13.2	1.16
Lithuania	20.0	17.0	1.18
United Kingdom	15.6	12.7	1.23
The Netherlands**	16.7	13.4	1.25
France	12.6	9.8	1.29
Poland	10.4	7.9	1.32
Belgium	18.5	14.0	1.32
Croatia	18.2	13.7	1.33
Hungary	31.8	23.5	1.35
Sweden	6.6	4.8	1.38
Ireland	17.0	11.5	1.48
Malta	19.3	13.0	1.48
Finland	5.7	3.8	1.50
Slovakia	9.5	5.7	1.67
Romania	18.9	11.0	1.72

Source: Eurostat, 2016.

*Estonia: Data break 2014. **The Netherlands: Provisional data 2014. *Romania: Provisional data 2014. *Hungary: unreliable data.

NON-EU CITIZENS ARE MORE VULNERABLE TO HOUSING EXCLUSION THAN EU CITIZENS

In all European countries, people from third countries (i.e. from outside the 28 Member States) are more likely to be overburdened by housing costs than EU citizens living within their own country. This is particularly true in Slovenia,

Belgium, and Cyprus where non-EU citizens are five times more affected, Spain (six times more affected), Ireland (eight times more affected) and Malta (twelve times more affected). **Two-thirds of non-EU citizens are overburdened by housing costs in Greece, almost half in Spain and Belgium, more than one third in Ireland and Portugal, and more than one quarter in the United Kingdom, Denmark, the Netherlands, Italy, and Slovenia.**

TABLE 28

**HOUSING COST OVERBURDEN RATE BY CITIZENSHIP, AND GAP
BETWEEN NON-EU CITIZENS AND EU REPORTING COUNTRIES CITIZENS
(POPULATION OVER 18 YEARS, 2014, IN %)**

Country	Non-EU citizens	Reporting country citizens	Gap between non-EU citizens and reporting country citizens (ratio)
Bulgaria	12.8	12.2	1.05
Germany	22.3	16.7	1.34
Lithuania	10.4	7.0	1.49
Estonia	11.9	7.6	1.57
The Netherlands	25.8	16.3	1.58
Latvia	14.0	8.8	1.59
Denmark	28.8	17.1	1.68
Greece	68.9	37.6	1.83
Czech Republic	19.7	10.5	1.88
France	12.1	5.2	2.33
Croatia	17.9	7.6	2.36
Sweden	21.4	8.1	2.64
United Kingdom	29.5	10.9	2.71
Finland	15.8	5.4	2.93
Austria	14.8	5.0	2.96
Italy	27.2	6.7	4.06
Portugal	34.5	8.2	4.21
Luxembourg	14.9	3.4	4.38
Slovenia	28.7	5.7	5.04
Belgium	45.8	8.7	5.26
Cyprus	12.2	2.3	5.30
Spain	48.7	7.5	6.49
Ireland	38.6	4.4	8.77
Malta	14.0	1.1	12.73

Source: Eurostat, 2016.

No data for Hungary, Poland, Romania and Slovakia * Estonia & United Kingdom: Series break in 2014. *Romania: provisional data for 2014.

Non-EU citizens (from outside the EU 28) are on average twice as likely to live in overcrowded housing than national citizens and this is true across the European Union (with the exception of

the Netherlands and Latvia). In Belgium, non-EU citizens are 17 times more likely to live in overcrowded conditions than Belgian citizens.

TABLE 29
**OVERCROWDING BY CITIZENSHIP, AND GAP BETWEEN NON-EU CITIZENS
AND EU REPORTING COUNTRIES CITIZENS**

(POPULATION AGED OVER 18 YEARS, 2014, IN %).

Country	Reporting country citizens	Non-EU citizens	Gap between non-EU citizens and reporting country citizens (ratio)
The Netherlands	3.3	1.2	0.36
Latvia	36.8	35.2	0.96
Bulgaria	39.3	46.3	1.18
Croatia	39.0	51.4	1.32
Estonia	11.1	15.8	1.42
Lithuania	25.1	35.9	1.43
Poland	40.7	58.9	1.45
Czech Republic	17.4	37.2	2.14
European Union (28)	14.5	31.4	2.17
Greece	24.6	53.4	2.17
Italy	22.6	56.1	2.48
Finland	6.8	20.7	3.04
Spain	4.1	14.8	3.61
Cyprus	1.6	5.8	3.63
Slovenia	12.7	46.6	3.67
United Kingdom	4.6	18.4	4.00
Germany	5.6	23.1	4.13
Sweden	9.4	39.1	4.16
Austria	10.1	43.1	4.27
Ireland	3.1	13.3	4.29
Malta	3.5	16.1	4.60
France	5.5	26.5	4.82
Portugal	8.5	42.3	4.98
Denmark	6.5	35.1	5.40
Luxembourg	2.5	18.5	7.40
Belgium	1.0	17.3	17.30

Source: Eurostat, 2016.

No data for Hungary, Romania and Slovakia. * Estonia 2014: Series break.

II. CLOSE-UPS OF HOUSING EXCLUSION IN 14 EU COUNTRIES

The profiles of the following 14 European countries are based on data from the 2016 European Index of Housing Exclusion -data from year 2014- and external data, collected with the help of FEANTSA members. This enables housing exclusion to be approached in a more localised and contextualised manner. The 2016 composite Index is an overall European ranking that has been released by FEANTSA and Fondation Abbé Pierre in September 2016. It is calculated with five housing exclusion indicators: housing cost overburden, arrears on mortgages/rent payments, overcrowding, severe housing deprivation and inability to keep home adequately warm. In this 2nd edition of the report, the Index is completed by in-depth data¹.

The 14 countries presented are:

- | | |
|-----------|------------------|
| # Germany | # Ireland |
| # Belgium | # Italy |
| # Denmark | # Netherlands |
| # Spain | # Poland |
| # Finland | # Portugal |
| # France | # Romania |
| # Greece | # United Kingdom |

The remaining 14 European Union countries will be addressed in the next Overview of Housing Exclusion in Europe.

¹ See FEANTSA and the Fondation Abbé Pierre, 'European Index of Housing Exclusion': <http://www.feantsa.org/en/report/2016/09/17/an-overview-of-housing-exclusion-in-europe>.

GERMANY

2016 Index: 9th

Housing Exclusion indicators in 2014 (%)

Housing costs

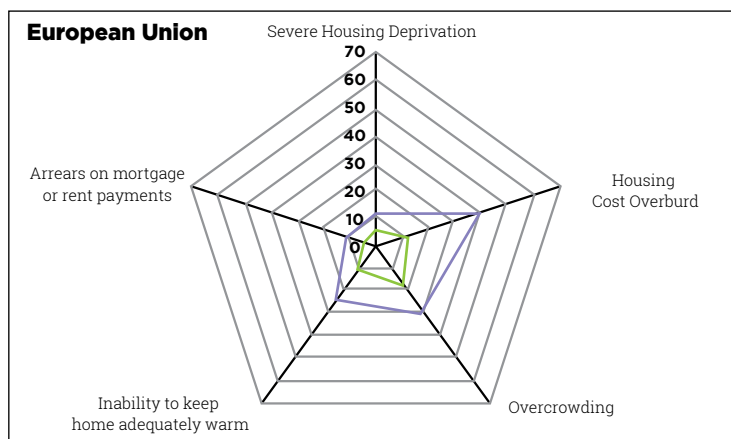
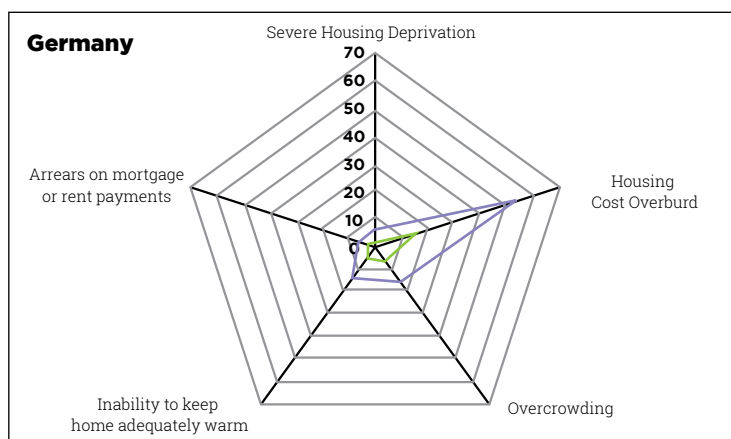
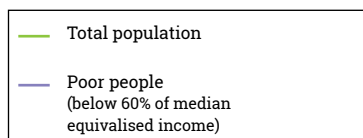
- Housing cost overburden rate² :
 - Among the total population: 15.9%, the 2nd highest rate in Europe.
 - Among poor households: 54.4%
 - Share of poor households exposed to market forces³: 68.1%, one of the highest rates in Europe.

Unfit Housing

- Young people aged 20-29 are 2.63 times more likely to live in severe housing deprivation than the general population.
- 39.5% of lone women were overburdened by housing costs in 2014 (11% more than lone men) with an increase of 8.5% between 2009 and 2014.

Context

- Price-to-income ratio in 2015 = 91.5. The housing cost overburden rate reached its lowest level in 15 years in 2008, but has been increasing continually since.
- According to RentsWatch⁴, Berlin is the 50th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €10.4/m².
- A rental control scheme was introduced in 2013. For now, this appears to have had little effect.



² People spending more than 40% of their disposable income on housing.

³ Either renting in the private sector or owners with an ongoing mortgage.

⁴ <http://www.rentswatch.com/>

BELGIUM

2016 Index: 5th

Housing costs

- Housing cost overburden rate:
 - While 10.4% of the population is overburdened by housing costs, the rate among poor households is alarming: 42.6%.
 - A large number of poor households are in arrears on their rent or mortgage repayments (12.5%).

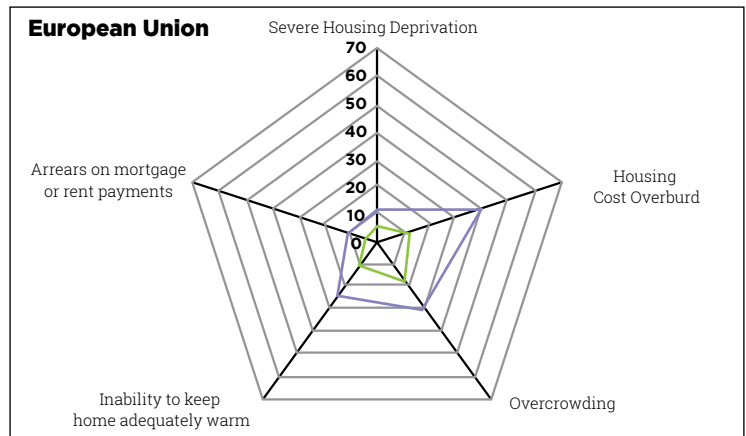
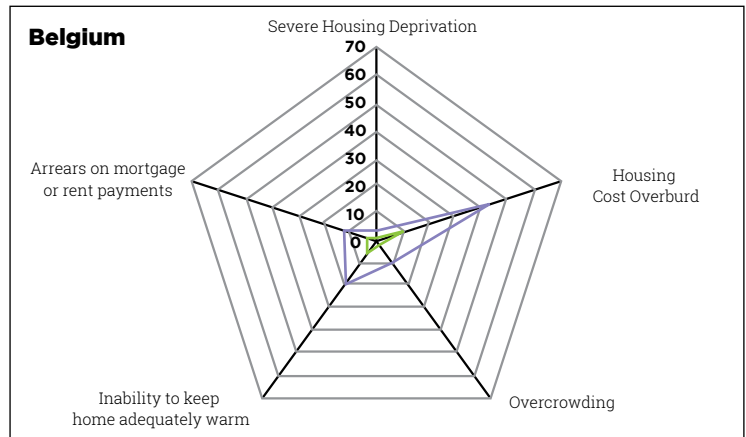
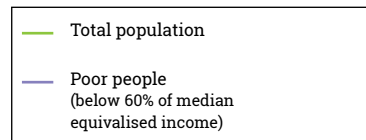
Unfit Housing

- Inability to maintain adequate temperatures in housing has worsened since 2009, for poor households in particular (+ 3.3%).
- Despite Belgium ranking well with regard to overcrowding (1st) and severe housing deprivation (3rd), the inequality that exists within the Belgian population is alarming:
 - Poor households are 12 times more likely to face severe housing deprivation (3.8%) than non-poor households (0.3%).
 - Non-EU citizens are 5 times more likely to be overburdened by housing costs (45.8%) than Belgian citizens (8.7%), and 17 times more likely to live in overcrowded conditions (17.3%) than Belgian citizens (1%).

Context

- A price-to-income ratio that has been climbing continually since the 2008 financial crisis, in 2014 = 138.1.
- According to RentsWatch, Brussels is the 36th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €11.9/m².

Housing Exclusion indicators in 2014 (%)



DENMARK

2016 Index: 13th

Housing costs

- Housing cost overburden rate:
 - Among the total population: 15.6%, among the highest in Europe.
 - Among poor households: 68.1%⁵.
- Share of poor households exposed to market forces: 80.3%.

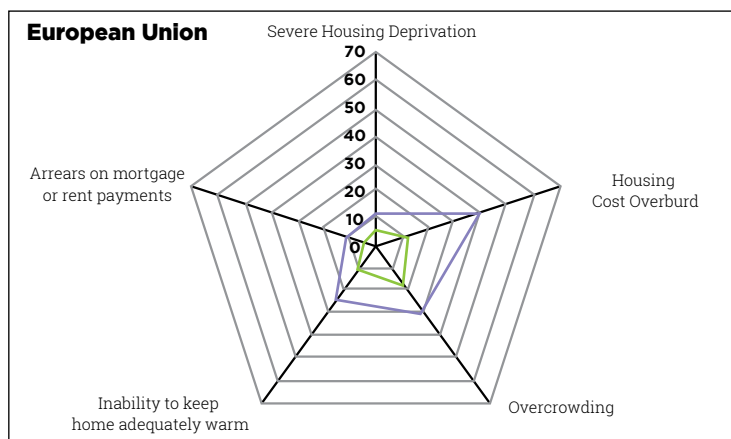
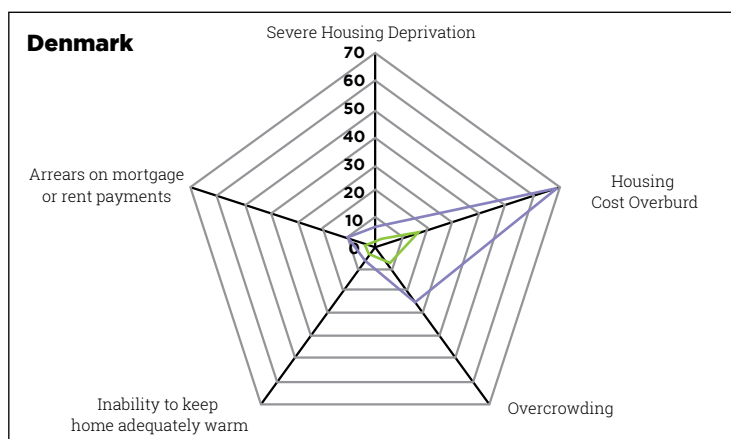
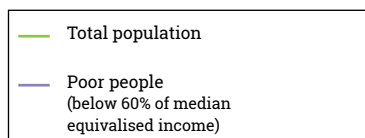
Unfit Housing

- Young people are particularly vulnerable to housing exclusion in Denmark:
 - Young people (20-29 years) are 3 times more likely to face severe housing deprivation and 3.5 times more likely to face overcrowding than the total population⁶.
 - 78.3% of young people in poverty are overburdened by housing costs, i.e. 5 times more than the rest of the population.

Context

- Very long period of negative interest rates in Denmark; purchase prices for apartments and houses have increased significantly since the start of 2012.
- According to RentsWatch, Copenhagen is the 8th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €19.6/m².

Housing Exclusion indicators in 2014 (%)



⁵ Care services for homeless people in Denmark have stated that this figure will undoubtedly rise more in the years to come, due to reforms in the social welfare system: a ceiling on payments is to be established, which will include all supplements to the basic allowance. Service providers are concerned about the potential income reductions that this will mean for people already in a vulnerable position - particularly unemployed, single-parent families.

⁶ One should be aware that this is 3 times a very low number in general facing severe housing deprivation.

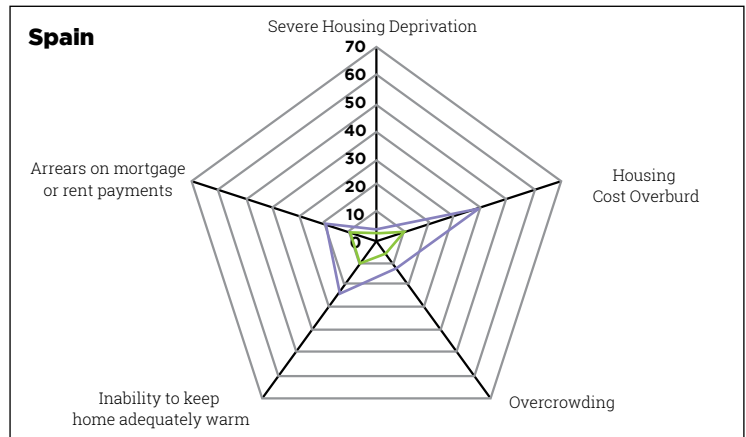
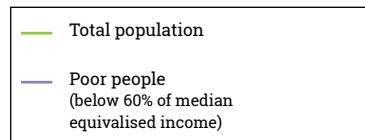
SPAIN

2016 Index: 17th

Housing costs

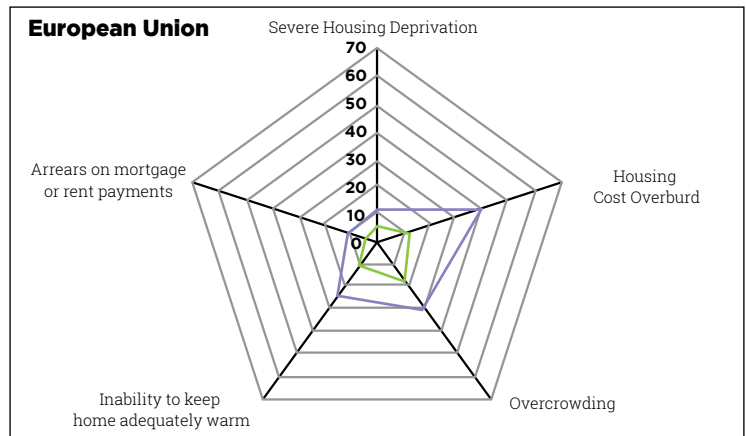
- Housing cost overburden rate:
 - Among the total population: 10.9%.
 - Among poor households: 39.6%.
 - Non-Spanish citizens are 6 times more likely to be overburdened by housing costs (48.7%) than Spanish citizens (7.5%).
- Spain is one of the European countries where poor households are more exposed to market fluctuations (49.4%) than non-poor households.
- Rent and mortgage arrears are high for the general population (7.2%) and particularly for poor households (18.9%).

Housing Exclusion indicators in 2014 (%)



Unfit Housing

- Inability to maintain adequate temperatures in housing has increased considerably for all households, but particularly for poor households (+8.3%) between 2009 and 2014.
- Poor households are 7 times more likely to face severe housing deprivation than non-poor households.



Context

- Price-to-income ratio reached a peak (165) during the 2008 financial crisis, then fell significantly to a ratio of 108 in 2015.
- In 2014, Spain was the European country with the 2nd highest rate of poverty among the population (22.2%) after Romania.
- Austerity measures imposed by the Troika (*Memorandum of Understanding*).
- During the 2011 Eurostat census, Spain had more than 7 million unoccupied conventional dwellings (secondary residences and vacant housing), i.e. 28.3% of the total number of conventional dwellings.
- According to RentsWatch, Barcelona is the 32nd most expensive city in Europe and Madrid is 42nd. Average cost for new rental contracts in the last 6 months in Barcelona: €12.7/m², and in Madrid: €11.4/m².

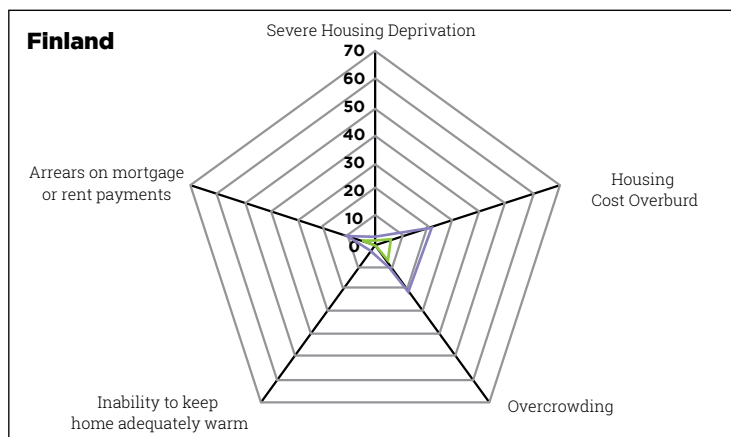
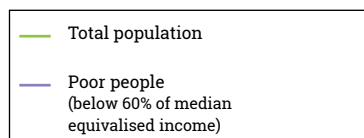
FINLAND

2016 Index: 3rd

Housing costs

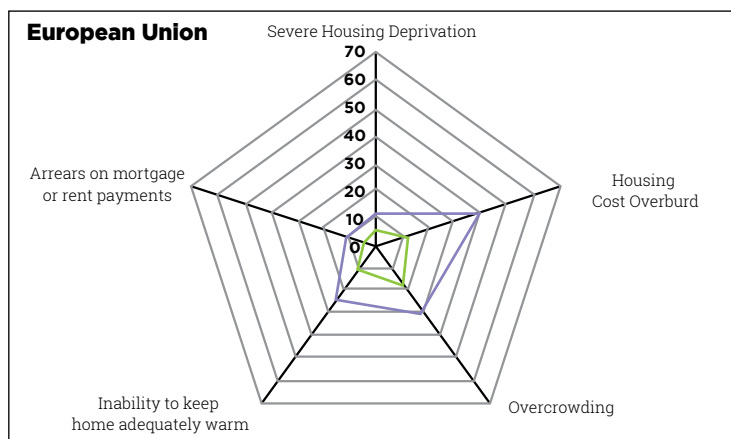
- Low housing cost overburden rate compared to the rest of Europe:
 - Among the total population: 5.1%.
 - Among poor households: 21.2% (+4.1% since 2009).
- Share of poor households exposed to market fluctuations: 38%.
- Relatively high amount of rent and mortgage arrears: 4.7% for the total population, 11.4% for poor households.
- Poor young people (20-29 years) are 7 times more likely to be overburdened by housing costs (35.5%) than the rest of the population (5.1%).

Housing Exclusion indicators in 2014 (%)



Unfit Housing

- Performing well (2nd) in terms of unfit housing and severe housing deprivation, although poor households in Finland are 4 times more likely to face such conditions (1.9%) than non-poor households (0.5%).
- Young people (20-24 years) are 2.4 times more likely to live in overcrowded conditions (16.8%) than the rest of the population (7%).
- Finland is the only country in Europe where households without children are more likely to face severe housing deprivation than households with dependent children.



Context

- Finland is one of the few European countries where the cost of housing has not increased at a faster rate than incomes over the last fifteen years. Ratio in 2015 = 97.7..
- The Finnish government has spent the last twenty years implementing action programmes to prioritise the provision of affordable and appropriate housing in the fight against social exclusion⁷.

⁷ PAAVO I and II programmes, see FEANTSA's country profile for Finland 2016: <http://www.feantsa.org/en/country-profile/2016/10/18/country-profile-finland?bcParent=27>

FRANCE

2016 Index: 10th

Housing costs

- Low housing cost overburden rate compared to the rest of Europe:
Among the total population: 5.1%.
Among poor households: 20.9% (+6% since 2009).
- Poor young people (20-29 years) (37.9%) are 7 times more likely to be overburdened by housing costs than the rest of the population.
- France is one of the European countries where poor households are more exposed to market fluctuations (52.2%) than non-poor households (50.5%).
- Relatively high number of households in rent and mortgage arrears: 5.8% for the total population, 16.9% for poor households.

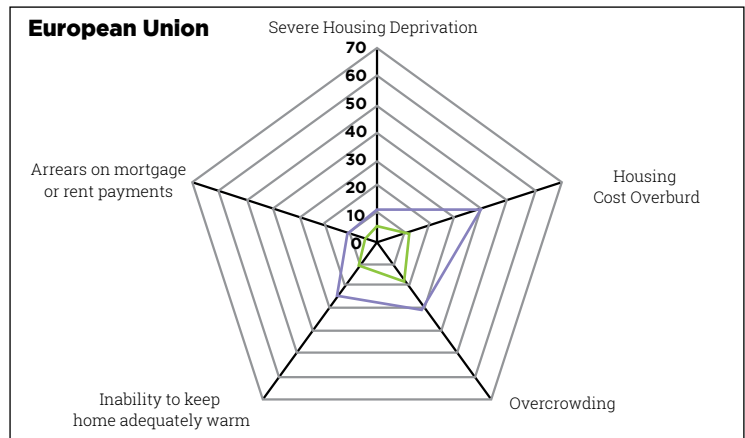
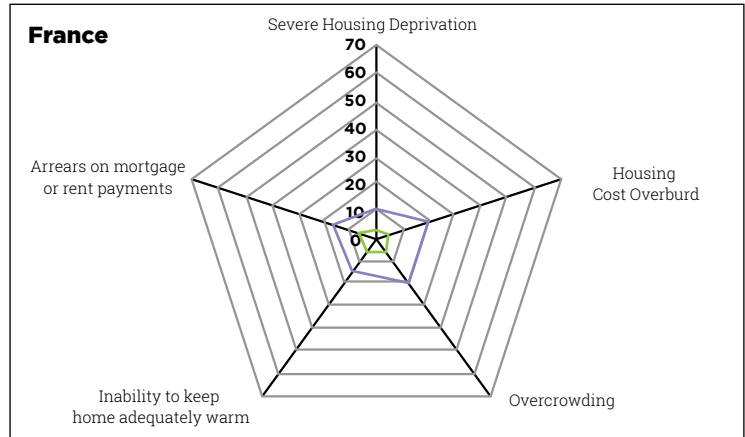
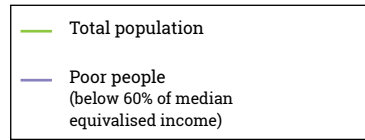
Unfit Housing

- France is average in terms of overcrowding, fuel poverty and severe housing deprivation.
- Poor households are 6 times more likely (8.3%) to face severe housing deprivation than non-poor households (1.4%). 24.7% of poor households are living in damp conditions.
- Non-French citizens are 5 times more likely (26.5%) to live in overcrowded conditions than French citizens (5.5%).

Context

- A price-to-income ratio that has remained high since the 2008 financial crisis, in 2015 = 121.6.
- According to RentsWatch, Paris is the 5th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €25.1/m².
- The National Institute for Statistics and Economic Research (INSEE) released in February 2017 a global analysis on housing conditions in France, based on different surveys conducted between 1973 and 2013⁸

Housing Exclusion indicators in 2014 (%)



⁸ See INSEE Références, Les conditions de logement en France, Edition 2017 : <https://www.insee.fr/fr/statistiques/2586377>

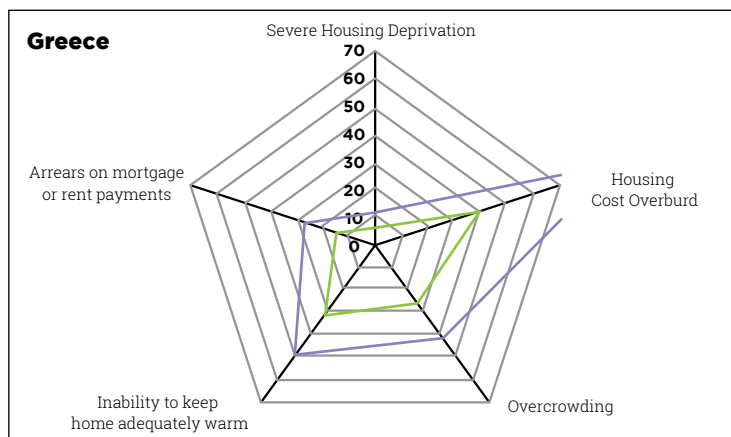
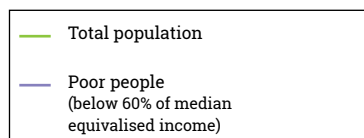
GREECE

2016 Index: 28th

Housing Exclusion indicators in 2014 (%)

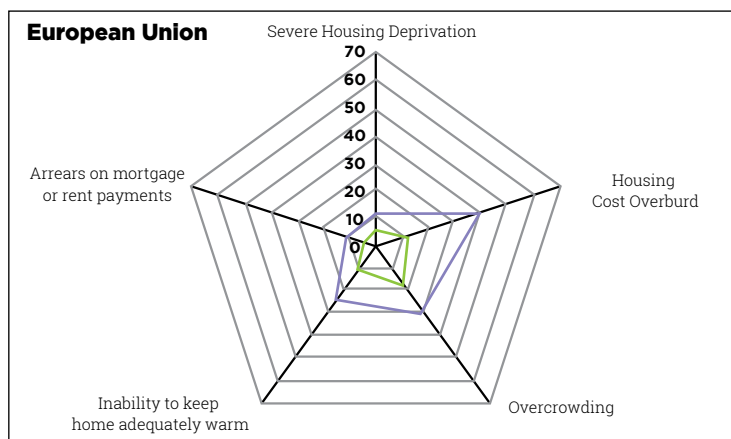
Housing costs

- Worrying housing cost overburden rate, the highest in Europe:
Among the total population: 42.5%.
Among poor households: 76% (+20.7% since 2009). In Greece, almost all poor households spend more than 40% of their income on housing
- Poor young people (20-29 years) are 7 times more likely (37.9%) to be overburdened by housing costs than the rest of the population.
- Very high number of households in rent and mortgage arrears: 14.6% for the total population, 27.1% for poor households. .



Unfit Housing

- People living in overcrowded conditions: 27.4% of the total population.
- Inability to maintain adequate temperatures in housing has significantly worsened since 2009, for all of the population (+17.2%).
- 11.9% of young people (20-24 years) are living in severe housing deprivation, compared to 6% of the total population. 52.1% of young people (20-24 years) are living in overcrowded conditions, i.e. double the rest of the population.



Context

- Price-to-income ratio has not seen major fluctuations over the last fifteen years. In 2015 = 93.
- May 2010: Austerity measures imposed by the Troika (first *Memorandum of Understanding*). Greece has experienced unprecedented pauperisation due to these measures which were introduced after the 2008 financial crisis.
- During the 2011 Eurostat census, Greece had more than 2.2 million unoccupied conventional dwellings (secondary residences and vacant housing), i.e. 35.3% of the total number of conventional dwellings.

IRELAND
2016 Index: 2nd

Housing costs

- Housing cost overburden rate:
 - Among the total population: 5.5%, among the lowest in Europe⁹. Among poor households: 23.9%. Inequality between poor and non-poor households has increased significantly between 2009 and 2014.
 - Poor young people (20-29 years) are 8 times more likely (45.1%) to be overburdened by housing costs than the rest of the population. Young people in general in Ireland are 2.5 times more likely to be overburdened by housing costs than the rest of the population.
 - Non-EU citizens are 8 times more likely (38.6%) to be overburdened by housing costs than Irish citizens (4.4%).
- Share of poor households exposed to market fluctuations: 38% with an increase of 22.2% in 1 year (15.8% in 2015).
- Low amount of rent and mortgage arrears¹⁰.

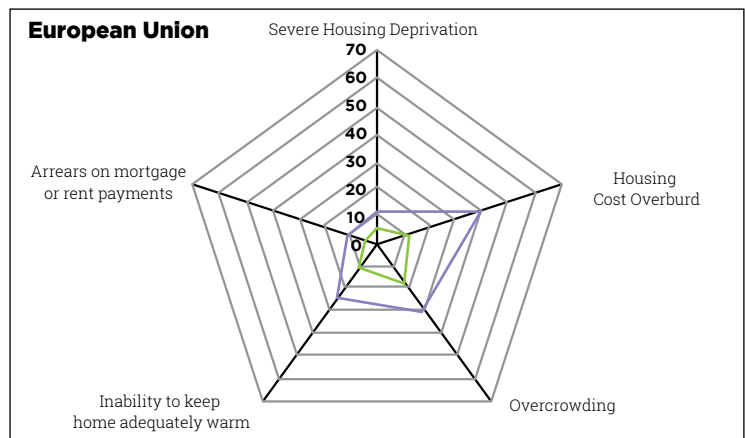
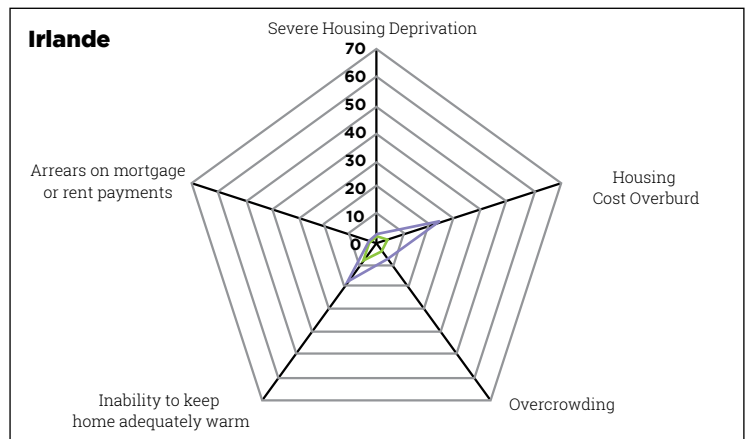
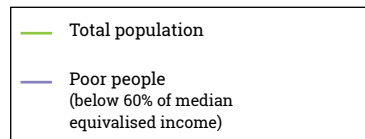
Unfit Housing

- Between 2007 and 2014, households' inability to maintain adequate temperatures increased by 5.4%.
- Young people aged 20-29 are twice as likely (2.6%) to face severe housing deprivation than the general population (1.2%) and the same is true for overcrowding.
- Non-EU citizens are 4 times more likely (13.3%) to live in overcrowded conditions than Irish citizens (3.1%).

Context

- Price-to-income ratio reached a peak during the 2008 financial crisis, then fell dramatically until 2012 before returning almost to the long-term trend in 2015 (97.5).
- December 2010 - December 2013: Austerity measures imposed by the Troika (*Memorandum of Understanding*).
- In July of 2016, the government launched an action plan for housing and homelessness (Rebuilding Ireland - An Action Plan for Housing and Homelessness) proposing a cross-cutting and pragmatic approach with quantifiable objectives regarding the provision of rental, social and private housing¹¹.

Housing Exclusion indicators in 2014 (%)



⁹ Irish associations note possible underestimation; a revision of housing allowance that was established in Ireland was not really taken into account by the Eurostat data. It is unlikely that the practice of "topping up" is counted.

¹⁰ A mortgage restructuring policy was implemented in Ireland. ¹¹ See http://rebuildingireland.ie/Rebuilding%20Ireland_Action%20Plan.pdf

ITALY

2016 Index: 23th

Housing costs

- Share of the population overburdened by housing costs is fairly average compared to the rest of Europe.
- 4.9% of the population are in rent or mortgage arrears (10.3% of poor households).

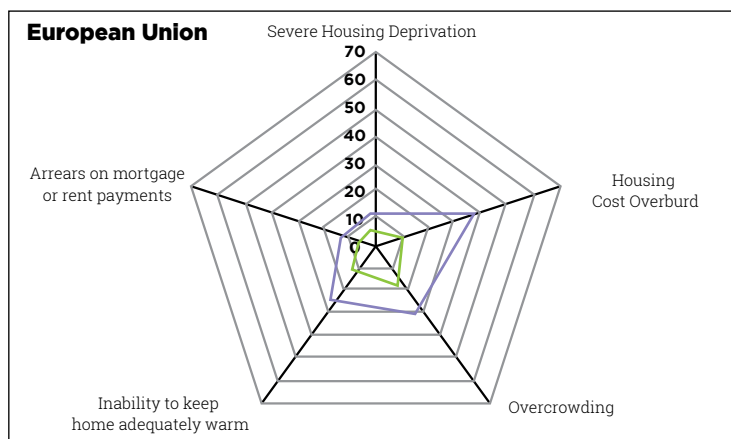
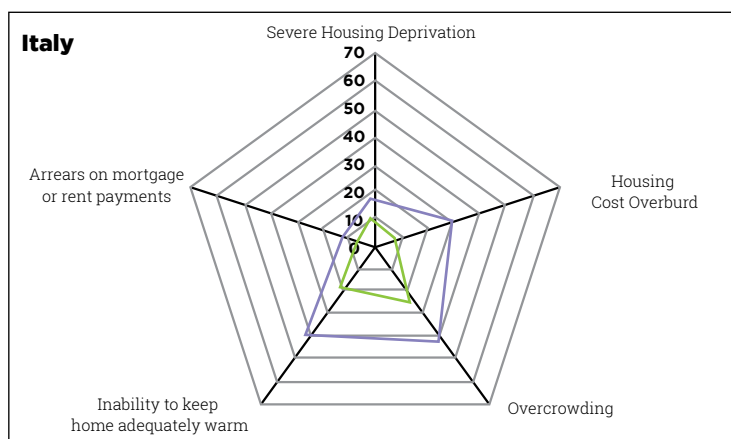
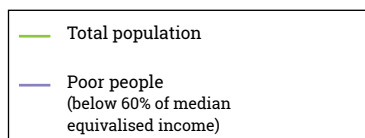
Unfit Housing

- 9.5% of the Italian population is living in severe housing deprivation, one of the highest rates in Europe.
- A large proportion of the population (18%) is unable to maintain adequate temperatures in the home (+7.2% between 2009 and 2014), and this is particularly true of poor households (38.3%, +12% between 2009 and 2014).
- High rate of overcrowding: 27.2% of the total population. Non-EU citizens are 2.5 times more likely (56.1%) to live in overcrowded conditions than Italian citizens (22.6%).
- 25% of the population and 32.8% of poor households are living in damp condition.

Contexte

- The cost of housing increased faster than incomes between 2004 and 2009, when it started falling to almost reach the long-term trend in 2015, (101.7).
- Italy was not officially subject to a Troika programme and does not have a *Memorandum of Understanding*, but the country is nonetheless under strong pressure to put in place austerity measures¹².
- According to RentsWatch, Rome is the 19th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €14/m². Milan is ranked 16th (€14.8).
- During the 2011 Eurostat census, Italy had more than 7 million unoccupied conventional dwellings (secondary residences and vacant housing), i.e. 22.7% of the total number of conventional dwellings.

Housing Exclusion indicators in 2014 (%)



¹² For example, the European Commission, in its 2016 Country-specific Recommendations called on Italy to expedite the reduction of non-performing loans, which could potentially lead to an increase in housing exclusion.

NETHERLANDS

2016 Index: 7th

Housing costs

- Housing cost overburden rate:
 - For the total population: 15.4%, among the highest in Europe. Similarly high for poor households: 51.1% (+7.8% between 2009 and 2014¹³).
 - Poor households exposed to market fluctuations: 89.3%, the second-highest rate in Europe.

Unfit Housing

- The figures on overcrowding and severe housing deprivation are very positive compared to the rest of Europe. However, poor households are 5 times more likely (2.3%) to face severe housing deprivation than non-poor households (0.4%).
- Young people are particularly vulnerable in the Netherlands: 20-24 year olds are 3.5 times more likely (2.1%) to face severe housing deprivation than the rest of the population (0.6%) and 4 times more likely to live in overcrowded conditions (15.3% compared to 3.5% of the total population). Poor young people (20-29 years) are 4 times more likely (72.9%) to be overburdened by housing costs than the rest of the population (15.4%).

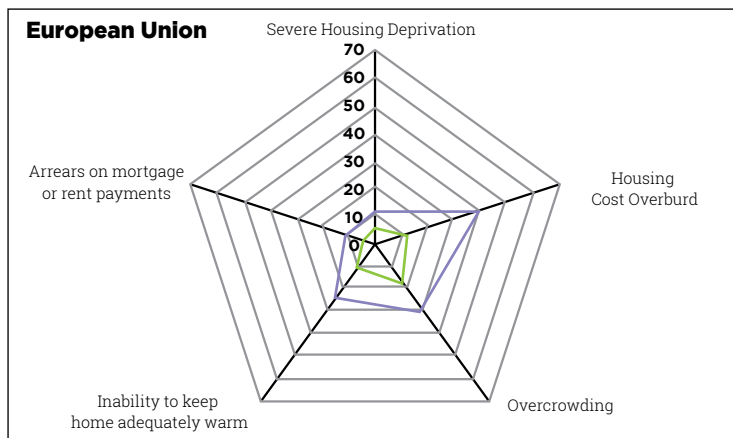
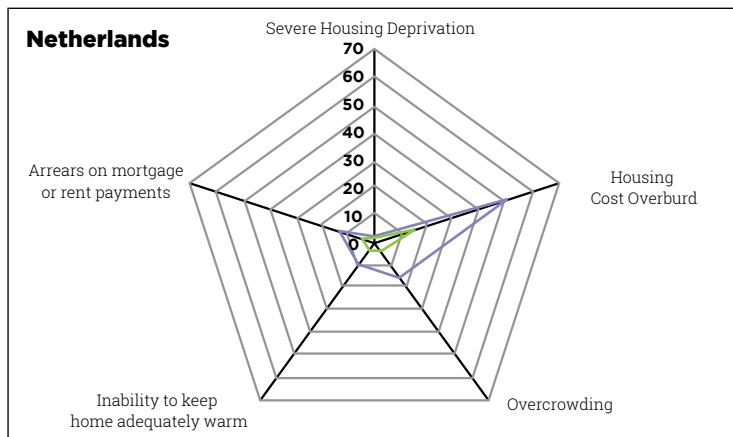
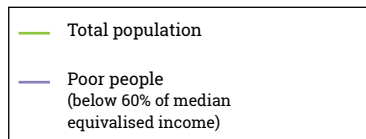
Context

- Housing costs increased at a much faster rate than incomes over the last fifteen years. The price-to-income ratio reached a peak during the 2008 financial crisis then fell over the following years before stabilising in the last three years; 2014 = 115.4.

- The rate of over-indebtedness is a significant obstacle to accessing the housing market in the Netherlands.
- Waiting lists for rented social housing can be as long as 12 years.

- According to RentsWatch, Amsterdam is the 7th most expensive city in Europe. Average cost for new rental contracts in the last 6 months: €21.1/m².

Housing Exclusion indicators in 2014 (%)



13

The increase of that percentage since 2009 is, in the calculations of the Netherlands Environmental Assessment Agency, larger than the 7.8% mentioned (more like 22%), see <http://www.clo.nl/nl2174>.

POLAND

2016 Index: 19th

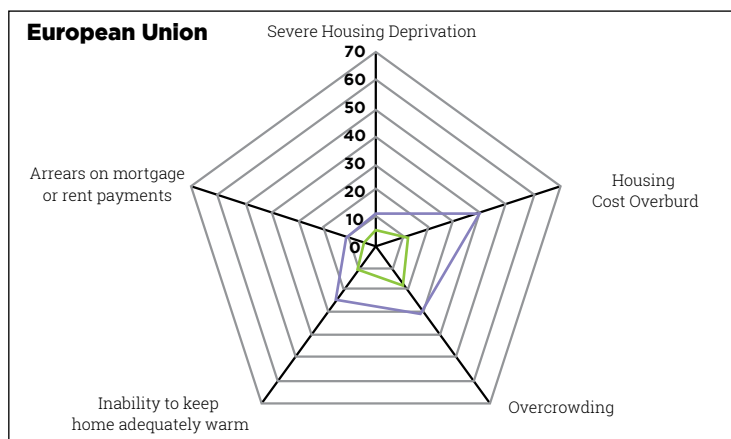
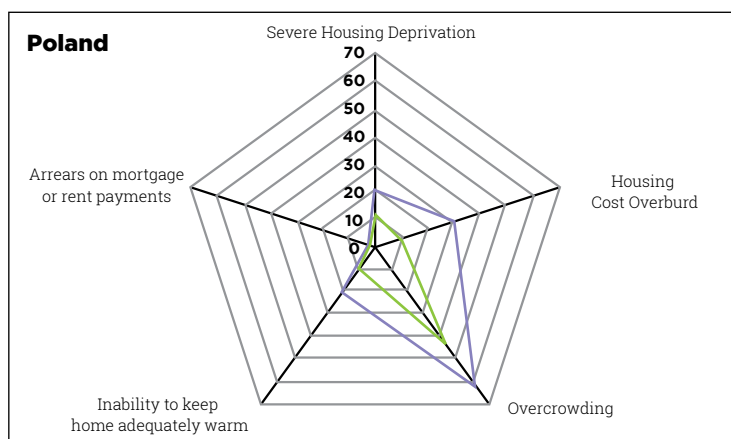
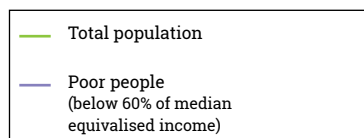
Housing Exclusion indicators in 2014 (%)

Housing costs

- Housing cost overburden rate: The share of the population overburdened by housing costs is fairly average compared to the rest of Europe. 32% of poor households are in housing cost overburden..
- Not many people are in rent and mortgage arrears.

Unfit Housing

- Poland is the European country with the 2nd highest rate of overcrowding among the population: 44.2%.
- High rate of severe housing deprivation (9.1%), which affects 3 times more poor households (19.9%) than non-poor households (6.9%).
- Significant improvements for all sections of the population, with regard to:
 - The rate of households facing severe deprivation (-6.1%),
 - The rate of households unable to maintain adequate household temperatures (-7.3%),
 - The number of people living in damp housing (-8.4%) between 2009 and 2014.



Context

- A country of homeowners (83.5% of the population are homeowners, with or without a mortgage, and 72.7% are homeowners without an outstanding mortgage).
- A National Housing Programme was adopted by the government in November 2016, with the objective of providing affordable rental housing. The legislative work is ongoing¹⁴.

¹⁴ The voluntary sector remains vigilant of how this programme will be applied as it presents both opportunities and dangers. They have noted legislative changes regarding evictions which could serve to facilitate evictions of the most vulnerable groups. See Feantsa's country profile for Poland 2016.

PORTUGAL

2016 Index: 22th

Housing costs

- Housing cost overburden rate: the share of the population overburdened by housing costs is fairly average compared to the rest of Europe: 9.2%. Among poor households: 33.7% (+12.2% between 2009 and 2014). Inequality between poor and non-poor households regarding housing cost overburden has increased significantly since 2009. Non-EU citizens are 4 times more likely (34.5%) to be overburdened by housing costs than Portuguese citizens (8.2%).
- 50.2% of the population and 38.4% of poor households are exposed to market fluctuations.
- High number of households (5.8%) and poor households (12.8%) in rent or mortgage arrears.

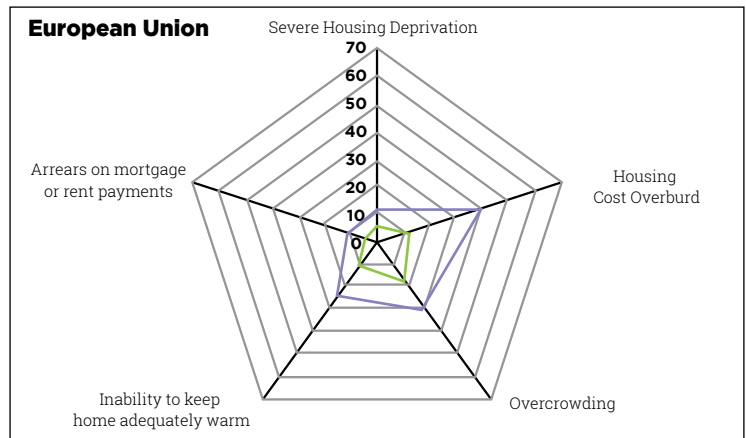
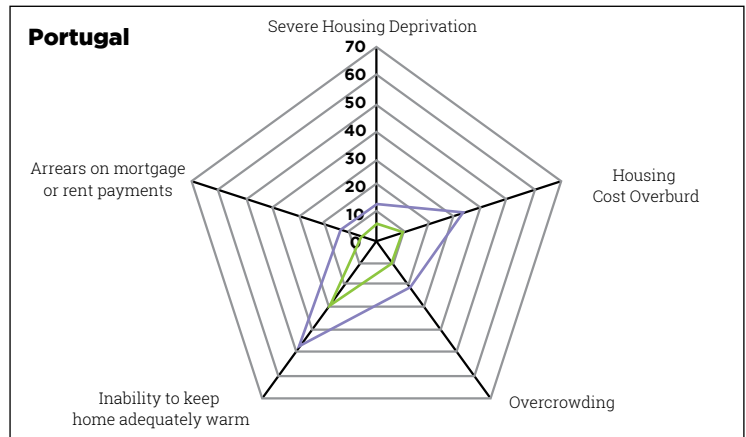
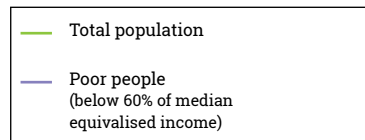
Unfit Housing

- Rate of overcrowding across the population as a whole is relatively high: 10.3% Non-EU citizens are 5 times more likely (42.3%) to be affected than Portuguese citizens (8.5%).
- 13.1% of poor households are in a situation of severe housing deprivation, 3.5 times more than for the population as a whole (3.7%). Households with dependent children (8.5%) are 3.5 times more affected than households without children (2.4%).
- Inability to maintain adequate household temperatures has worsened since 2009 for poor households (47.5%), and is high for the population as a whole (28.3%).
- The number of households in damp conditions has also significantly increased since 2009, by 13.1% for the population as a whole (32.8%) and by 11.6% for poor households (40.2%).

Context

- Portugal is one of the rare European countries where the cost of housing has not increased at a faster rate than incomes over the last fifteen years. The price-to-income ratio has been in decline since 1999 and stabilised at 84.4 in 2015.
- High rate of poverty: 19.5%.
- May 2011: Austerity measures imposed by the Troika (*Memorandum of Understanding*).
- During the 2011 Eurostat census, Portugal had more than 1.8 million unoccupied conventional dwellings (secondary residences and vacant housing), i.e. 31.9% of the total number of conventional dwellings.

Housing Exclusion indicators in 2014 (%)



ROMANIA

2016 Index: 24th

Housing costs

- Housing cost overburden rate among the highest in Europe:
Among the total population: 14.9%.
Among poor households: 39.1%.
- Lowest number of households in rent and mortgage arrears in Europe: 0.7% for the total population, 1.8% for poor households.

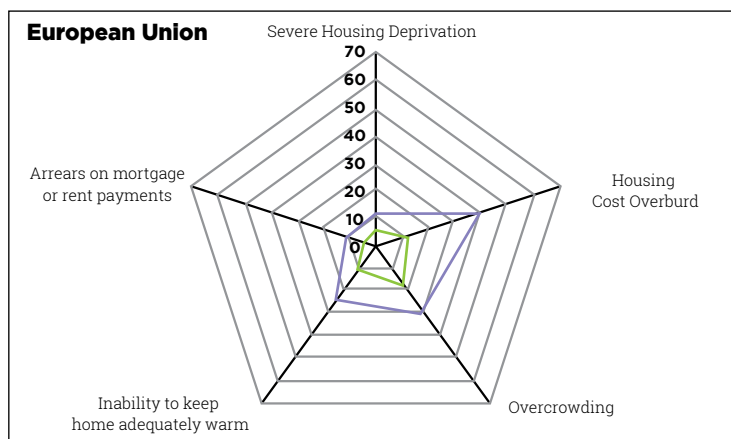
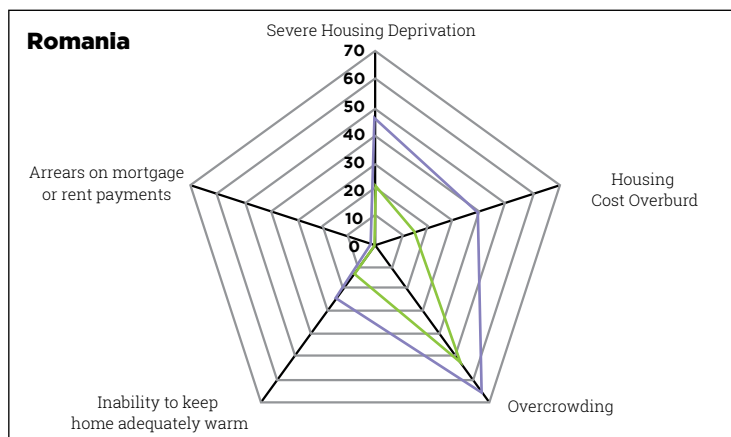
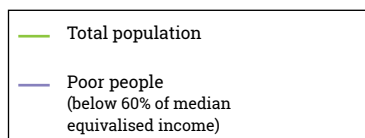
Unfit Housing

- Highest rate of overcrowding in Europe: 52.3%.
- Highest rate of severe housing deprivation in Europe: 21.5% (on a downward trend since 2009).
Households with dependent children (29.3%) are 3 times more affected than households without children (9.4%).
- 12.3% of households and 24.4% of poor households experience financial difficulty in maintaining adequate household temperatures (on a downward trend since 2009).

Context

- Highest rate of poverty in Europe: 25.4%.
- A country of homeowners (96.2% of the population are homeowners, of which 95.5% are homeowners without an outstanding mortgage).
- In 2014, about 28,000 public housing units were officially registered as social housing, while the number of applications received by local authorities exceeded 67,000.

Housing Exclusion indicators in 2014 (%)



UNITED KINGDOM

2016 Index: 20th

Housing Exclusion indicators in 2014 (%)

Housing costs

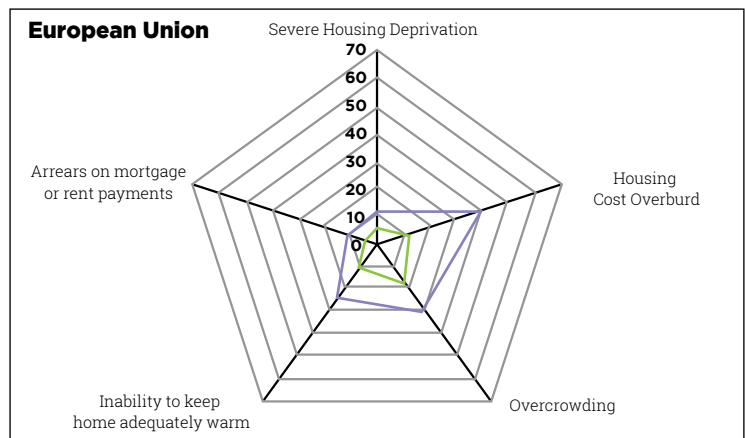
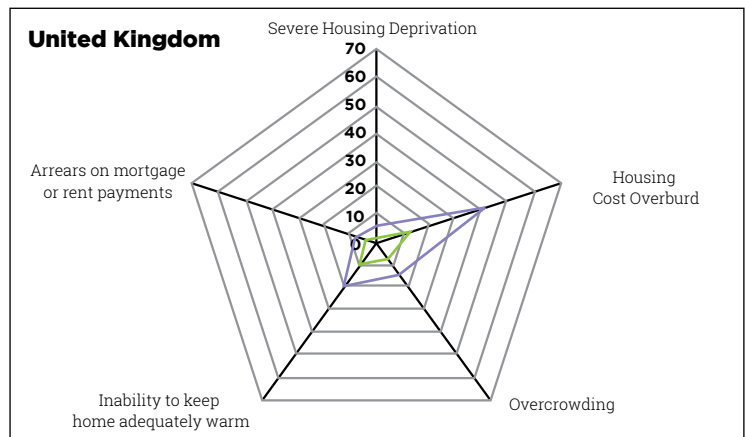
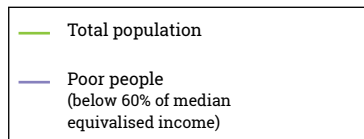
- High housing cost overburden rate:
For the total population: 12.1%.
Among poor households: 41.7% (+15.7% between 2012 and 2014).
 - 18.3% of young people (20-29 years) and 58% of poor young people are overburdened by housing costs; poor young people are 4 times more likely to be overburdened by housing costs than the rest of the population.
 - Non-EU citizens are 2.7 times more likely (29.5%) to be overburdened by housing costs than British citizens (10.9%).
- Non-poor households exposed to market fluctuations: 57.4% (poor households: 41.3%, on the increase).

Unfit Housing

- Rate of overcrowding is average (7.3%).
Non-EU citizens are 4 times more likely (18.4%) to live in overcrowded conditions than British citizens (4.6%).
- Severe deprivation is low. Poor households are 3 times more likely (5.4%) to face severe housing deprivation than non-poor households (1.8%).
Households with dependent children (3.9%) are 4 times more affected than households without children (1%).
- 9.4% of the population and 20.2% of poor households experience financial difficulty in maintaining adequate household temperatures.
- 16.6% of the population and 23.6% of poor households are living in damp conditions (on the increase since 2009).

Context

- Significant differences between England¹⁵, Scotland¹⁶, Wales and Northern Ireland.
- Price-to-income ratio reached a peak during the 2008 financial crisis, then fell over the following years before starting to increase again since 2013; 2015 = 124.

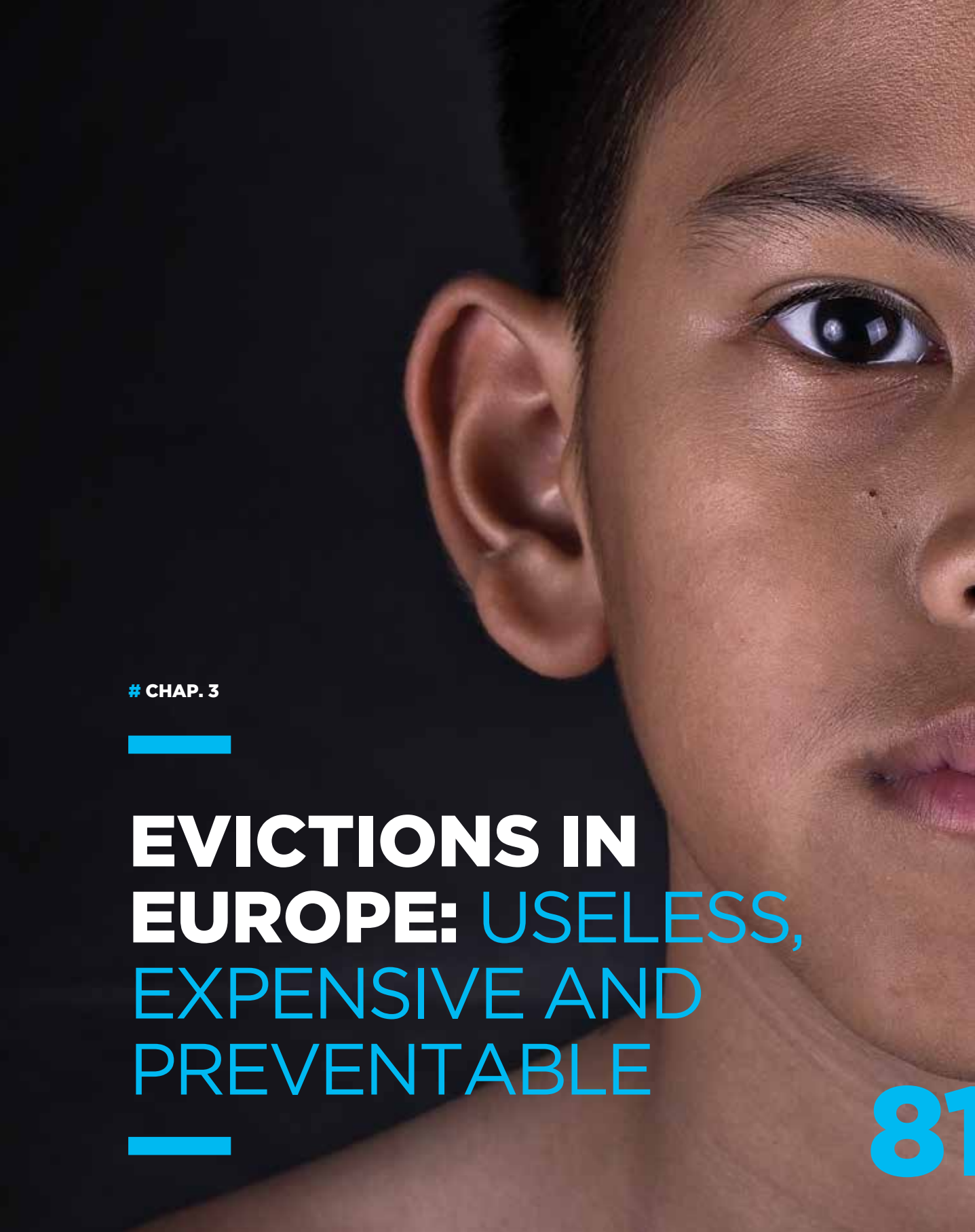


¹⁵ For England, see the February 2017 White Paper on Housing, *Fixing our broken housing market*, which gives a worrying assessment of the housing market: <https://www.gov.uk/government/collections/housing-white-paper>

¹⁶ For example, Scotland has a lower poverty rate than England, and Scottish people spend a smaller proportion of their income on housing. Rent on social housing is on average 25% cheaper, and house prices are 20% lower in Scotland. http://www.gla.ac.uk/news/archiveofnews/2014/april/headline_327106_en.html



80



CHAP. 3

EVICTIONS IN EUROPE: USELESS, EXPENSIVE AND PREVENTABLE

81

Eviction

Eviction is one of the worst forms of violence that can afflict someone. It is not one of life's ups and downs; it is a mark of infamy inflicted by society through institutions such as the police force and the legal system. Eviction is not only a punishment, it is a collective abandonment of other people; prioritising one individual's right to own property over another individual's most basic needs. Whether a property owner cannot meet mortgage repayments because of soaring interest rates, or a tenant cannot manage to pay rent while awaiting work-injury benefits, or a family deprived of the right to work is forced to seek shelter in a run-down barn; all are at risk of being forced from their homes, not just in a physical sense, but also psychologically in that the outside world invades the private sphere.

Eviction is a humiliating and traumatising experience, which risks pushing the victim down a slippery slope towards destitution and poor self-esteem. It constitutes a violent rupture of one's home life that directly feeds into the problem of homelessness.

In spite of having been long evoked in all its horror by writers who had lived it and by champions of the poor, it is nonetheless still explained by lawyers and defended by property owners as a necessary evil. **Eviction has been a long-standing fact of life in European countries for many centuries. These states are torn between a system which justifies and organises the practice and one which strives to find alternatives that respect the dignity of those concerned.**

Moreover, all European countries have to manage this conflict between the two, which does not necessarily surface in the same way across states. Understanding the historical differences and various initiatives enables us to contextualise each national situation and also might help us devise solutions to minimise suffering. A number of countries, regions or cities have managed to limit and even prevent evictions without necessarily «ridding» householders of their responsibilities. Others have ensured that evictions do not lead to overly dramatic consequences for the families concerned.

The data and comments that follow are dependent on the quality of the information sourced. It is advisable to exercise caution when considering the data available; taking into account not only the quality, which varies from country to country (and the sample survey by the EU SILC which does not cover homelessness, resulting in a number of significant biases), but also the difference between legal procedures which alter the relevance of the comparisons.

For all that, a number of points emerge from the comparison between the 28 countries.

This chapter is a summary of a comprehensive pan-european study mandated by the European Commission and conducted by FEANTSA, the Human European Consultancy & the School of Law National University of Ireland Galway. The final report, *Promoting protection of the right to housing - Homelessness prevention in the context of evictions*, edited by Kenna P., Benjaminsen L., Busch-Geertsema V. and Nasarre-Aznar S. (2016), is available online :
<http://ec.europa.eu/social/main.jsp?catId=738&langId=fr&pubId=7892&type=2&furtherPubs=yes>

Conclusion

1. A DIVERSE AND LITTLE-KNOWN REALITY

The pan-European study by Kenna et al. (2015) and funded by the European Commission saw one researcher from each country work alongside a steering committee made up of lawyers and sociologists with a view to obtaining a greater understanding of the reality of evictions and their consequences on homelessness. This chapter relies heavily on the points raised by this study. The first point addresses the disparity and often poor quality of available data.

Only partial regional data was available for Belgium and Germany while there was only

local data to hand for Bulgaria. Austria compiles data concerning disputes leading to legal proceedings as well as the proceedings themselves, but not actual evictions. Cyprus and Greece only registers evictions that occur on the private rental market. Romania and Slovakia collect very little data in this area. A number of countries distinguish rental eviction data from property foreclosures or squat evictions, while others do not distinguish between them.

Data shown here reflects existing information and is not a tool for cross-country comparison.

TABLE 1
EVICTIIONS¹ IN PROPORTION TO THE POPULATION, 2012

	RESIDENTS IN THOUSANDS	CHANGE OF RESIDENCE (% POPULATION)	EVICTIION (% OF THOSE WHO CHANGED RESIDENCE)	EVICTIIONS (% POPULATION)	NUMBER OF PEOPLE EVICTED
Lithuania (LT)	3,003,600	5.6	0	0.00	—
Romania (RO)	20,096,000	1.6	0	0.00	—
Bulgaria (BG)	7,327,200	3.2	0.2	0.01	733
Croatia (HR)	4,276,000	4.1	0.5	0.02	855
Hungary (HU)	9,931,900	7.0	0.3	0.02	1 986
Slovakia (SK)	5,404,300	7.7	0.3	0.02	1 081
Czech Republic (CZ)	10,505,400	7.6	0.4	0.03	3 152
Denmark (DK)	5,580,500	31.3	0.1	0.03	1 674
Slovenia (SI)	2,055,500	9.8	0.4	0.04	822
Austria (AT)	8,408,100	20.2	0.3	0.06	5 045
Netherlands (NL)	16,730,00	21.9	0.3	0.07	11 711
Malta (MT)	417,500	7.4	1.0	0.07	292
Sweden (SE)	9,482,900	37.6	0.2	0.08	7 586
Greece (EL)	11,123,000	9.8	0.9	0.09	10 011
Ireland (IE)	4,582,700	14.8	0.6	0.09	4 124

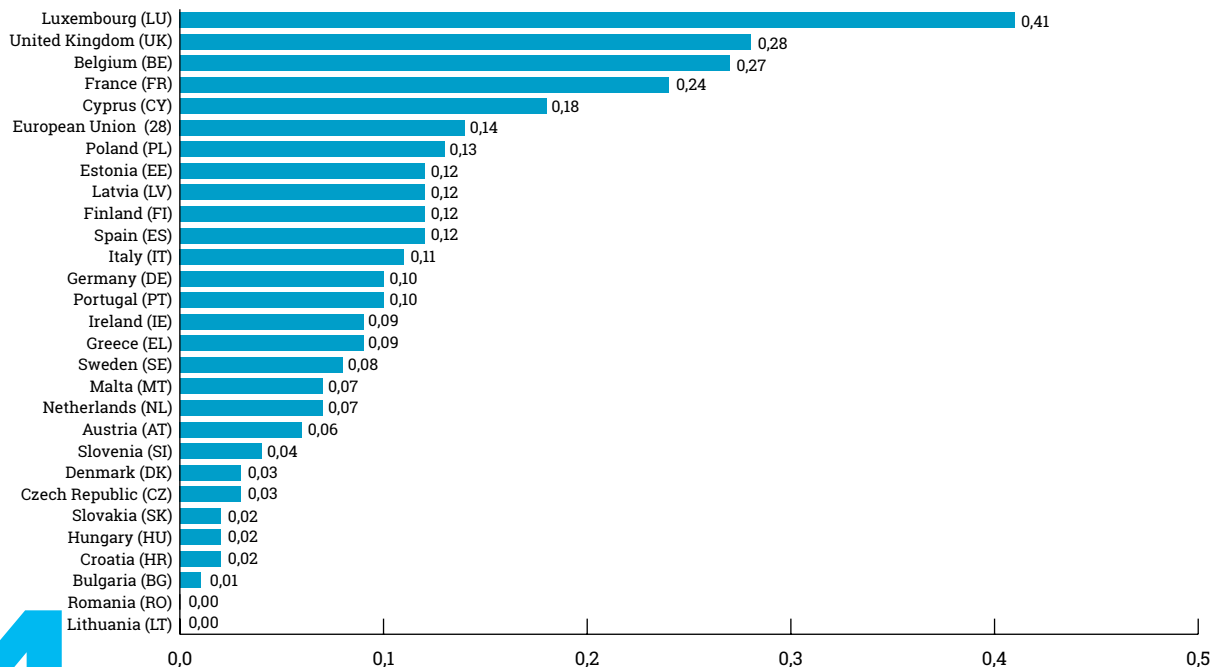
1
These data are primarily concerned with all types of evictions including property foreclosures and rental evictions from premises occupied without authorisation, while acknowledging the unreliability of the information.

EVICIONS IN EUROPE: USELESS, EXPENSIVE AND PREVENTABLE

Portugal (PT)	10,542,400	10.2	1.0	0.10	10 542
Germany (DE)	80,327,900	20.8	0.5	0.10	80 328
Italy (IT)	59,394,200	8.5	1.3	0.11	65 334
Spain (ES)	46,818,200	13.0	0.9	0.12	56 182
Finland (FI)	5,401,300	29.9	0.4	0.12	6 482
Latvia (LV)	2,044,800	10.1	1.2	0.12	2 454
Estonia (EE)	1,325,200	15.6	0.8	0.12	1 590
Poland (PL)	38,538,400	10	1.3	0.13	50 100
European Union (28)	504,582,500	17.7	0.8	0.14	706 415
Cyprus (CY)	862,000	25.1	0.7	0.18	1 552
France (FR)	65,287,900	27.1	0.9	0.24	156 691
Belgium (BE)	11,094,900	22.4	1.2	0.27	29 956
United Kingdom (UK)	63,495,300	30.8	0.9	0.28	177 787
Luxembourg (LU)	524,900	27.2	1.5	0.41	2 152

Source: Eurostat, EU SILC module 2012 on housing conditions

EVICION (% OF TOTAL POPULATION)



The most relevant point is **the huge variability in the number of evictions in each country** in proportion to the population. Even if the three least and five most affected countries are omitted (limiting the influence of the data quality and comparison problems) the number of evictions in proportion to the total population between the countries with the lowest and highest eviction rates varies by a factor of ten. Households are ten times less likely to be evicted in the Czech Republic or Denmark than in Cyprus or France.

Second point: **the prevalence of evictions is not contingent on tenure status**. A number of countries with a high proportion of property ownership (Romania, Bulgaria, Slovakia, etc.) as well as countries with high tenancy rates (Austria and the Netherlands) have low instances of eviction. At the other end of the scale, the same dichotomy exists: France with its high tenancy rates is one of the countries with the highest eviction levels, as are countries like Cyprus and Poland with high rates of owner-occupied properties. Moreover, in the majority of countries, **the study by Kenna et al. indicates a significantly higher proportion of evictions among tenants than property owners**². By way of example, the number of forced or voluntary departures arising from difficulties repaying loans experienced by property owners in Spain amounted to 38,961 in 2013 with court decisions to evict tenants affecting 38,148 households in 2013 (55,523 in 2012) even though only 21.1% of the population rent property. Even if there are statistical biases, these rates are still significant and call for reflection on the criteria to be met for each tenure status.

In the most vulnerable countries, **the impact of the financial crisis did not necessarily translate into a massive increase in evictions**, as a result of political initiatives. Greece is an example of this with the Katseli law permitting property owners threatened with foreclosure to apply for a debt

moratorium, a rescheduling of repayments, or interest to be cancelled. Some 60,000 households were placed under the protection of this law between 2011 and 2013. The overall number of individuals actually affected who had to move due to rising prices remains difficult to ascertain, but according to Greek observers it is undoubtedly significant³, despite the fact that in 2013, a new law suspended all property foreclosures for housing valued at under EUR 200,000. At the same time, tenant evictions increased from 11,000 to 14,500 per year (+32%).

In Spain, property foreclosures were high, amounting to 50,000 per year between 2008 and 2012⁴, and peaking at 75,000 last year. However, not all were enforced. The drop in prices cost the property sector EUR 125 billion in toxic assets, still classed as such in 2014, including 80 which were transferred to the SAREB, Spain's so-called Bad Bank, which repurchased bad debt from other banks in order to restore market confidence. Against this backdrop, banks showed a tendency not to enforce property foreclosures as long as assets remained overvalued (nothing sold, nothing lost). A 2014 review of banks conducted by the European Central Bank led to an order being issued for a review of the estimates of property assets at market value. As a result, banks may no longer have any interest in holding onto such assets and a second intensive wave of evictions could ensue.

In Ireland, another country heavily impacted by the financial crisis, the number of property foreclosures increased but the figure was very low and remains modest. Legal proceedings against tenants increased but rates of actual evictions remain low. Eviction is a sensitive topic in the country, both politically and in the media, with the practice an unwelcome reminder of Ireland's past as a British colony⁵. On an individual basis, a significant number of homeowners were able to renegotiate their loan based on a decline in

2

It is possible that more is known about tenant evictions as information is better consolidated. It is also possible that the lengthy procedure leads to the occupant leaving an owner-occupied property before the actual property foreclosure, thereby reducing the rate of ownership, but there is nothing to suggest that this is key to explaining the high level of tenants among those evicted.

3

National Eviction Profile, Greece

4

No distinction was made between property owners and tenants. In the first instance, property owners were particularly affected due to a variable rate crisis and a drop in prices (having to pay more for a property that is worth less and has become unsellable thereby depriving occupants of alternatives). This was followed by tenants being impacted by lower salaries and mass unemployment, eventually culminating in property owners and tenants being on a par in eviction terms in 2013.

5

Farmers dispossessed of their land to benefit landlords bearing one-sided contracts was one of the hallmarks of the British Empire. Opposition to evictions is therefore considered a badge of Irish patriotism.

6<http://www.bawo.at/>

the value of their assets (-40% in the first four years of the crisis) and income (for example, civil servants' salaries dropped by 26%).

Moreover, evictions are not necessarily linked to residential mobility: no correlation between mobility levels and evictions can be observed. This suggests that we should treat with caution any notion that increased stability limits evictions and wild assertions that blame statutory protections for hindering mobility and consolidating difficult circumstances leading to the practice.

SEVERAL TRENDS BETWEEN 2010 AND 2013

Five countries saw a small surge in the number of evictions (less than 10%): Austria, Belgium, Estonia, Finland and France.

Countries with robust welfare programmes and strong rental markets, especially in the category of social housing, appeared to be less affected than others by the global economic turmoil.

Finland and Austria are two countries where the issue of evictions has almost been resolved thanks to measures on prevention, rehousing and alternatives to evictions, for example, community mediation for tenants in difficulty or the repurchase of houses from destitute property owners by social landlords. In Austria, the BAWO (*Bundesarbeitsgemeinschaft Wohnungslosenhilfe*)⁶ is often cited as an example of an organisation that ought to be considered by states seeking alternatives to evictions.

Six countries saw a substantial reduction in the number of evictions (>10%): the Czech Republic, Denmark, Croatia, Lithuania, Portugal and Sweden.

TABLE 2

TRENDS IN EVICTION PROCEDURES - CHANGES LESS THAN 10% BETWEEN 2010 AND 2013

	2013	CHANGE BETWEEN 2010 AND 2013 IN %	INDICATOR
Austria	4,955	-9.3	Evicted households (all tenures)
Austria	13,320	-3.4	Households in the rental sector (private and social housing) served with a notice of eviction
Austria	36,032	-1.5	Households in the rental sector (private and social housing) served with an order to vacate
Belgium	12,958	3.1	Eviction procedures in Flanders, rented accommodation (private and social housing)
Estonia	26	-7.1	Public housing evictions
Finland	6,585	-0.8	Notice of eviction delivered by a bailiff (all tenures)
Finland	8,148	-1.9	Court summonses (all tenures)
Finland	3,407	1.8	Evictions enforced by a bailiff (all tenures)
France	55,957*	4.7	Obligation to vacate premises (social housing and private rental) data for 2010-2011
France (FR)	41,466*	-3.4	Application for support from the public authorities (2010-2011)
France (FR)	12,759*	9.3	Intervention by the public authorities (2010-2011)

*Source: Kenna et al. (2015)

In Croatia, the rapid decline in the number of eviction procedures is spectacular: -34.5% in the private sector (property owners with a mortgage and tenants) and -16.8% in the public housing sector with actual evictions being very rare (13 out of 319 proceedings initiated in 2013 led to an actual eviction). It is difficult to consider this development without taking into account Croatia's entry into the European Union and the economic boom that ensued in the post-war years.

Data from the Czech Republic did not allow for much differentiation to be made. The researcher who contributed information on this country to the 2015 study on evictions and homelessness

coordinated by Padraic Kenna asserted (based on opinions given by legal professionals) that the number of unlawful evictions is higher than those enforced pursuant to legal proceedings. It is important to specify that in a number of central European countries, a landlord is obliged to declare any rented premises to the authorities for tax purposes. There are a high number of fraudulent declarations, creating a «housing black market» in which legal disputes are settled outside of the courts.

Nevertheless, this situation was the same in 2010 and should not therefore be considered as a factor in the drop in the number of evictions.

TABLE 3
TRENDS IN EVICTION PROCEDURES
DECLINE OF MORE THAN 10% BETWEEN 2010 AND 2013

	2013	DECLINE BETWEEN 2010 AND 2013 IN %	INDICATOR
Croatia	319	-34,5	Proceedings initiated in Zagreb (property owners and tenants)
Croatia	178	-16,8	Public housing eviction orders issued in Zagreb
Croatia	6	-88,9	Public housing evictions enforced in Zagreb
Croatia	5 029	-21,1	Legal proceedings (all tenures)
Czech Republic	1 019	-41,4	Summary enforcement of judgement (all tenures including commercial leases)
Denmark	3 507	-20,0	Rental sector (private and social) evictions enforced
Denmark	17 479	-16,0	Legal decisions in the rental sector (private and social)
Denmark	3 279	-12,0	Property foreclosures
Lithuania	597	-13,2	Legal decisions (all tenures including commercial leases)
Portugal	1 176	-30,3	Evictions enforced (all tenures)*
Sweden	7 549	-12,5	Foreclosures by bailiffs (all tenures including commercial leases)
Sweden	2 293	-15,9	Evictions enforced (all tenures including commercial leases)
Sweden	1 050	-10,1	Property foreclosures enforced

* In Portugal, the new National Register of Local Accommodation

EVICCTIONS IN EUROPE: USELESS, EXPENSIVE AND PREVENTABLE

Five countries experienced an increase in the number of evictions of more than 10%: Bulgaria, Cyprus, Ireland, Latvia and the Netherlands.

Ireland, the country where Europe's most spectacular property bubble took place, had previously seen very few evictions. The increase reflects the initial low level of evictions and the country's very heavy exposure to the crisis.

The situation in Bulgaria and Cyprus illustrates the poor economic status of these countries that were not in a position to put in place provisions to dampen the effects of the crisis.

The Netherlands and Latvia are countries that took a very liberal turn during this period.

Routinely cited as a 'star pupil' in terms of austerity policies, Latvia in fact has a high level of youth emigration, Europe's fastest rising suicide rate and the most rapidly growing number of evicted households over the past four years.

It is noteworthy that **two out of the five countries where the number of evictions has most sharply increased were subject to a Memorandum of Understanding**, in other words placed under the influence of the 'Troika'. At the very least this would urge a better forecasting of the social impact of the policies implemented or requested by the European institutions of Member States in difficulty.

TABLE 4

TRENDS IN EVICTION PROCEDURES INCREASE OF MORE THAN 10% BETWEEN 2010 AND 2013

	2013	INCREASE BETWEEN 2010 AND 2013 IN %	INDICATOR
Bulgaria	1,324	46.5	Termination of lease and property foreclosures (inc. businesses)
Cyprus	358	23.4	Legal decisions, rental sector.
Ireland	1,840	17.6	Legal proceedings initiated by local authorities.
Ireland	5,291	137.3	Rental evictions recorded by the Private Residential Tenancy Board
Ireland	766	111.0	Property foreclosures by mortgage lending institutions
Latvia	988	23.0	Legal decisions, rental sector (private and social)
Latvia	5,666	39.2	Properties actually sold pursuant to a court order
Latvia	787	49.9	Evictions enforced, rental market (private and social)
Latvia	279	102.2	Evictions enforced following property foreclosure
Netherlands	23,100	17.6	Eviction decisions relating to social housing
Netherlands	6,980	18.3	Evictions enforced relating to social housing
Netherlands	4,521	239.7	Forced sales of dwellings with mortgage guarantee

* Including business premises and secondary residences
Source : NEPs for eviction project

Finally, eight countries revealed varying trends: Germany, Greece, Hungary, Italy, Portugal, Slovenia, Spain and the United Kingdom.

The contradictory trends are difficult to read, given that there are certain segments where the number of evictions declines while it increases in other segments. In Germany, foreclosures of commercial premises are not distinguished from residential premises and national figures show a spectacular 30% drop in property foreclosures over four years. This is clearly indicative of the improved economic situation and the stabilisation of the East German Länder with the number of rental evictions identified by regional observation organisations showing a slight increase at the same time.

In Greece, property foreclosures were minimised by the «Katseli» Law and the recent moratorium on evictions from owner-occupied principal residences. As regards the increase in tenant eviction procedures, the rate stood at 25% between 2010 and 2012 before dropping by 17% in 2013. The number of legal decisions has increased by 31.8% over the entire four-year period.

As far as Italy is concerned, the indicators converge to show a rise in the number of households experiencing eviction; whereas the number of application procedures increased by 11.8%, the number of households actually evicted 'only' rose by 5.1%

In Spain, data from the country's National Bank shows a slight decrease in the number of households forced to leave their home after pressure from their mortgage institution (after the floodgates had opened during the previous period). At the same time, tenant evictions rose sharply, but it is possible that more sustained institutional focus has contributed to a better monitoring of the phenomenon.

In the United Kingdom, regional indicators reveal modest changes, but over a shorter period (2010-2012). In England and Wales (E&W), rental disputes have increased in the social housing sector and decreased somewhat in the private housing sector. This is likely to be linked to the increase in short-term rental contracts (ASTs) with reduced protection leading to 44% more evictions over the same period. Property foreclosure applications dropped by 20.6% over the four-year period, a slight respite after a steady increase since the early 2000s. This trend did not impact upon Northern Ireland where the number of property foreclosures has continued to rise slightly, while tenant evictions have exploded: +75.7% in four years. In Scotland, eviction procedures of all kinds dropped by 17% against the backdrop of the legal system and stakeholders, both of which are now far better organised to prevent evictions and find alternative solutions.

TABLE 5
TRENDS IN EVICTION PROCEDURES
CONTRADICTORY TRENDS BETWEEN 2010 AND 2013

	2013	CHANGE BETWEEN 2010 AND 2013 IN %	INDICATOR
Germany	34,491	-30.0	Forced sales (including commercial premises)
Germany	35,355	1.3 (2010-2012)	Municipal prevention files (all tenures) (in North Rhine-Westphalia)
Greece	16,500	3.1	Legal proceedings, rental sector
Greece	14,500	31.8	Legal eviction decisions
Hungary	2,548	7.2	Ongoing property foreclosure proceedings

EVICTIIONS IN EUROPE: USELESS, EXPENSIVE AND PREVENTABLE

Hungary	49,533	49.4	Forced property sales (including commercial premises)
Hungary	517	159.8 (2011-13)	Evictions from sold properties
Italy	73,385	11.8	Households that received an eviction notice (privately rented)
Italy (IT)	31,399	5.1	Households actually evicted (privately rented)
Poland	30,411	-7.5	Legal decision (all tenures)
Poland	8,557	22.0	Notice served by a bailiff to leave premises (all tenures)
Slovenia	283	-19.6	Legal decisions (all tenures)
Slovenia	10,608	14.4	Property foreclosure proceedings**
Slovenia	38,961	-2.3	Voluntary or forced departure after application by a mortgage lending institution
Spain	38,141	65.5	Legal decision regarding rented properties (private, public, garage, etc.)*
United Kingdom	23,079*	-0.3	Eviction applications for privately rented accommodation by ordinary proceedings (2010-2012)
United Kingdom	65,054*	7.2	Eviction orders for privately rented accommodation (2010-2012)
United Kingdom	96,742*	7.2	«Repossession» applications for privately rented accommodation (2010-2012)
United Kingdom	3,694	9.0	Property foreclosures (Northern Ireland 2013 provisional data)
United Kingdom	12,358*	-17.1	Court summonses in Scotland (all tenures, 2010)
United Kingdom	59,876*	-20.6	Property foreclosure proceedings (E&W, 2010-2012)
United Kingdom	31,178*	44.4	Eviction applications by expedited proceedings in relation to short-term tenancies (private rental sector 2010-2012)
United Kingdom	1,070	75.7	Eviction orders in the private rental and social housing sectors (Northern Ireland, 2010-2012)

* 2012 data

** Data derived from various sources of questionable quality until 2011

Source : NEPs for eviction project

TRIGGERS, CATALYSTS AND INHIBITORS OF EVICTION PROCEDURES

For property owners with a mortgage, the main trigger is undoubtedly payment incidents which can lead to legal proceedings being initiated after arrears of:

- one month (Bulgaria, Germany, Estonia, Greece, Finland, France, Ireland, Lithuania, Slovakia, United Kingdom, Portugal)

- three months (Belgium, Cyprus, Czech Republic, Denmark, Spain, Latvia, Luxembourg)
- six months (Hungary, Italy)
- one year (Romania)

For tenants, a history of arrears is the main reason for the majority of evictions. Legal proceedings may occur after arrears of more than:

- one week (Sweden)
- two weeks (Denmark, Greece, Malta)
- one month, (Spain, Cyprus, United Kingdom (in the private rental sector))

- two months (Germany, Finland, France, Portugal, United Kingdom (in relation to social housing), Italy (from 20 days to three months depending on the circumstances)),
- three months (Austria, Czech Republic, Estonia, France (if housing subsidies covered by third-party payers), Latvia, Slovakia, Hungary, Netherlands, Poland)
- one year or arrears of €1,500 (Romania)
- left up to the principle of contractual freedom (Bulgaria, Hungary)

The issue of property occupations without right or title is of varying importance depending on the country, which may in part explain the differences observed in relation to such evictions. In a significant number of countries (Germany, Austria, Cyprus, Ireland, Poland, Portugal, Slovenia, Slovakia, and Greece), evictions of occupants with neither rights nor title are rare. Since 2008, such evictions have increased considerably in Spain (+168%). In Italy, 4.6% of public housing is apparently occupied by squatters⁷ (squatters in Italy benefit from a right, *usucapio*, after several years and subject to conditions⁸).

In most countries, property owners may take legal action immediately. The police may also intervene in the absence of legal decisions in the event of a gross misdemeanour or other instances of criminal behaviour (Czech Republic, Denmark, Spain, Finland, Ireland, United Kingdom, Germany, Luxembourg, Austria and Romania).

As a consequence, **almost all European countries possess laws facilitating the eviction of perpetrators of domestic violence while allowing the victim to stay on in the property.** Proceedings are generally initiated when the victim notifies the police of violent behaviour (Austria, Belgium, Czech Republic, Estonia, Ireland, Italy, Hungary, Latvia, Malta, Slovenia and the United Kingdom).

The absence of a legal framework that precisely sets out the rental status, legal advice and conditions for legal representation may all contribute to instances of unlawful evictions, especially in countries that do not explicitly provide for sanctions in relation to this type of behaviour. In a number of countries bailiffs are likely to contribute to evictions being more quickly enforced when they play an active role in payment incidents where property loans are repaid through 'voluntary' or 'forced' sales, leaving cash-strapped property owners (with a mortgage) without sufficient time or resources to organise alternative accommodation (Austria, Bulgaria, Czech Republic, Denmark, Estonia, Spain, Finland, Luxembourg, Latvia and Sweden). The seller may be forced to vacate the premises within a specified time limit or even straight away.

In some cases, public notaries may be the instigators of evictions (Spain, Croatia, Hungary, Romania, and Slovakia) by issuing payment demands pursuant to extra-judicial proceedings that can lead to an eviction if they are not met. On occasion, mortgage contracts may provide for the possibility of a lender selling a property in the event of payment incidents.

There are also a number of social shock absorbers that assist in delaying or suspending instances of eviction. These are exemplified by «soft law» or extra-judicial measures (such as mediation, for example), protective proceedings and various provisions implemented in each country to prevent or identify alternatives to evictions. It is possible to group various inhibitors into categories as follows: mediations and negotiations; debt restructuring; fundamental rights defined by constitutions and related social rights; judicial litigation and conditions for accessing legal representation; support services; and special protections extended to certain groups (the mentally ill, etc.). In most countries, the **impact of social movements was significant in terms of**

7

Nomisma (2010), p.41 referring to 2008 data.

8

See the regional law on the self-recovery of public property in the Latium region. This involved the conversion of squats into housing cooperatives subject to renovation works.

EVICIONS IN EUROPE: USELESS, EXPENSIVE AND PREVENTABLE

9

In Barcelona, homeowners experiencing difficulties now have access to a wide range of public measures in relation to the procurement of financial assistance, preventive action and mediation for the purpose of renegotiation of property loans, etc.

10

In Hungary, as in other central European countries, a significant number of loans were taken out in Swiss francs, taking advantage of the exchange rate. The "unhooking" of the Swiss franc from the Euro has considerably raised monthly repayments. As a result of public pressure, the Hungarian government insisted that banks take responsibility for their actions and assume their share of the responsibility in the conversion of loans taken out in Swiss francs into Hungarian forints.

advocacy and the development of public policies, such as in Spain with the mortgage victims' association (PAH⁹) and in Hungary with two key associations Zivi zid and Udruga Franak¹⁰.

PROFILE OF HOUSEHOLDS SUBJECT TO EVICTION

The 2015 study conducted by Professor Kenna and his team sought to identify households affected by eviction, specifically by investigating the characteristics of discrimination and vulnerability that can lead to these household types being overrepresented in eviction cases. These characteristics include household composition, gender, country of birth, employment status, value of the property subject to an eviction order and household income.

In 13 out of the 28 EU Member States (Austria, Cyprus, Croatia, Estonia, Ireland, Italy, Latvia, Lithuania, Malta, Poland, Romania, the United Kingdom and Slovenia), no data exists regarding the characteristics of households affected by eviction.

In seven countries, the information available is vague and/or drawn from local sampling of questionable origin (Belgium, Bulgaria, Greece, Hungary, Luxembourg, Portugal and Slovenia). Accordingly, reliable and structured information exists for just seven countries (Denmark, Finland, France, Spain, the Netherlands, Sweden and a large part of Germany). **The absence of any interest in understanding who may be affected bears witness to the fact that eviction continues to be viewed as a matter of personal responsibility: the collective dimension is insufficiently studied, representing a denial of the systematic causes of evictions specifically and perhaps even housing issues more generally.**

HOUSEHOLD COMPOSITION PLAYS AN IMPORTANT ROLE, BUT IT DIFFERS FROM COUNTRY TO COUNTRY

The disparity of national situations suggests the importance of targeted public policies for groups affected by evictions. For example, the proportion of single people among evicted households varies from 71% in Finland, to 57% in Germany, to 54% in Denmark, to 50% in France, the Netherlands and Sweden.

Lone parents, in other words primarily single mothers, most commonly form the second most likely group to be faced with eviction. The figures stand at 27% in Sweden, 25% in France (on the basis of a regional study), 22% of households receiving a second bailiff's deed in the Netherlands and 19% of legal eviction proceedings in Denmark.

Evictions of couples with children vary from 19% in the Netherlands, to 17% in Germany, and falling to 4% in Finland where they are five times less frequent. Such a disparity can only be explained by targeted public policies aimed at safeguarding (e.g. the amount allocated to children in welfare payments and the prioritisation of access to low-cost housing).

In Denmark, the proportion of households with children drops significantly between the pre-litigation stage and the actual eviction, pointing towards the strong impact that targeted preventive measures have on the type of households affected by eviction.

Childless couples often constitute an under-represented group, varying from 15% of evicted households in Finland to 6% in the Netherlands and Denmark. The low proportion of childless couples among evicted households would suggest that despite family-friendly policies and practices that safeguard and prioritise children, being part of a couple offers better protection against eviction than the presence of children.

**GENDER: MEN AT A HIGHER RISK
OF BEING EVICTED**

Despite earning more than women across all European countries, men are far more vulnerable to eviction in countries where data was available: 67% in Finland, 66% in Sweden, 57% in Germany and 54% in the Netherlands.

In Denmark, 79% of people living alone who face eviction are men while 84% of lone parents impacted are women. In both cases, these groups are overrepresented when it comes to evictions in proportion to their demographic weight. Does this mean that men are more likely to face eviction but women become more vulnerable due to the presence of children? This is a premature extrapolation that requires substantiation, but the question still remains. In Spain, single mothers are viewed as a vulnerable group without any particular attention being paid to men who become homeless due to a relationship breakdown; the family home is more often than not awarded to women during legal proceedings in accordance with court decisions.

**AGE: HIGHER RISK
BETWEEN 25 AND 45 YEARS**

Intuitively, it would seem likely that the entry into adulthood and advent of old age (with the resulting loss of resources across a number of countries) are junctures that imply greater vulnerability. Yet interpretation of the data does not confirm this. People of between 25 and 65 years of age are heavily represented among households affected by eviction: 91% in the Netherlands, 87% in Sweden, 74% in Germany (25-60), 73% in Denmark and 67% in Finland. In France, 65% of adults concerned are aged between 25 and 45.

Young people are not particularly affected in Sweden (9%), France (5%) or the Netherlands

(4%), but represent 19% in Finland, 20% in Germany and 25% in Denmark. This data would have to be correlated with young people living in self-contained housing to get a more accurate picture, but the disparity is startling: a young Danish person is six times more likely to be evicted than his or her Dutch counterpart.

Although exceptional circumstances may be observed, older people are only marginally present among evicted households. The average age of victims of property foreclosures in Spain, for example, is 51.

**OVERREPRESENTATION
OF «MIGRANTS»**

Comparisons are difficult to make given that there is no homogenised observation criteria. However, the link between migrants and eviction are clear. The proportion of foreign-born people among those evicted stood at 23%. In Germany, 22% of those seeking preventive measures had a migration background. In Denmark, 23% of those evicted had non-Danish parents and 19% had non-European parents.

In Finland, 11% of people evicted are -born overseas. This figure remains a disproportionate overrepresentation in so far as the rate of non-nationals residing in the country is only 3.6%. In the Netherlands, 42% of those evicted from social housing were born in another country including 22% outside of the European Union. Data sourced from Spain shows that a higher number of migrants face legal proceedings due to difficulties repaying loans than Spanish nationals. The Roma are identified in the study by Kenna et al. as particularly vulnerable to evictions (in the category of legal tenancies) in Slovakia, Bulgaria and Hungary.

WORK AND INCOME: WHEN THE SAFETY NET UNRAVELS

The majority of available indicators reveal the key role played by unemployment and dependence on transfer incomes among those threatened by eviction. In Germany, only 10.8% of households seeking preventive measures cited work as a primary source of income. A quarter of households threatened by eviction in the Netherlands and a third of those in Denmark

reported an income from regular employment or from a liberal profession.

These figures suggest that transfer incomes are not sufficient to cover the living costs leading to an unravelling of the 'social safety net'.

In Sweden, the rate is higher: half of households affected by eviction have an income from employment. In this instance, it is in fact the cost of housing that appears to be incompatible with income levels (Sweden has an average price-to-income ratio that is among Europe's highest).

TABLE 6
FACTORS LEADING TO A RISK OF EVICTION
ANALYSIS OF RISK FACTORS FOR EVICTION (KENNA ET AL., 2015)

CAUSE	FACTOR	REMARKS
Structural	Poverty	Severe poverty
	Unemployment	High level of unemployment, financial collapse
	Lack of housing	High cost, lack of affordable housing
Systemic/ institutional	Legal systems	Eviction procedures and property foreclosures devoid of prevention mechanisms.
	Social protection system	Low protection against unemployment and loss of income, low transfer income.
	Availability of support services	Lack of social assistance, preventive measures and street work among groups with the greatest need, for example. Households with psychosocial vulnerability.
	Housing allocation system	No priority given to affordable housing for groups on low incomes and those with greatest need.
	Integration and coordination between services (including housing)	Absence of a holistic approach to housing and related services.
Interpersonal	Family composition	Vulnerability of people living alone
	Conjugal status	Domestic violence
	Relationship breakdown	Death, divorce, separation
	Lack of social network	No support from family and friends, or a social network
Personal	Economic, employment	Low disposable income, unemployment, poor workers, limited savings.
	Ethnic and minority status	Cultural barriers, discrimination

Only Denmark has conducted studies based on a factorial analysis which permits risk factors for eviction to be identified quantitatively. Elsewhere, partial studies enable hypotheses to be put forward.

According to contributions made by researchers who participated in the study the Professor Kenna et al., unemployment and financial instability are the main risk factors for eviction. The economic crisis has reinforced that trend, particularly in the worst affected nations such as the Mediterranean countries and in Central and Eastern Europe (CEE).

In CEE, poverty tends to be identified as one of the primary factors leading to eviction including low incomes derived from work or pensions and a lack of savings to cope with life's upheavals.

In northern and western European countries, while unemployment and instability are highlighted as contributory factors, mental health problems and risky behaviours associated with psychotropic addictions appear to

be even more significant. There is apparently an interweaving of various factors that lead to eviction: unemployment, relationship breakdown, high rents, lack of an affordable fall-back solution, psychosocial difficulties, addiction, isolation, etc. Although no one individual is likely to suffer from all of these problems, even a combination of a few of them is likely to form a dangerous cocktail.

In most European countries, structural difficulties linked to escalating prices appear to have contributed to curtailing the fall-back solutions for households in difficulty and are identified as a recognised risk factor. Evidence of this is the proportion of poor households for whom total housing costs represent more than 40% of disposable income.

The contrast between groups of countries is startling when central and eastern European countries are compared with northern and western European countries.

TABLE 7

**PERCENTAGE OF ALL HOUSEHOLDS AND POOR HOUSEHOLDS
IN RENT ARREARS OR EXPERIENCING LOAN PAYMENT INCIDENTS¹¹**

COUNTRY	2010		2013	
	ALL	POOR	ALL	POOR
Austria	3,9	12,4	4,0	11,1
Belgium	3,4	9,6	3,0	7,6
Bulgaria	1,7	2,1	2,0	1,9
Croatia	1,7	1,3	0,9	0,9
Cyprus	5,6	7,3	8,8	13
Czech Republic	3,5	16,6	3,2	14,1
Denmark	2,7	6,6	3,4	11,5
Estonia	2,7	5,1	2,8	3,9
Finland	4,7	14,2	5,1	11,7
France	6,1	18,8	5,5	16,9
Germany	2,0	5,3	2,1	5,1
Greece	10,2	15,2	14,9	25,1
Hungary	5,6	10,2	6,8	16,8
Ireland	8,1	18,5	12,0	20,2
Italy	4,2	10	4,9	11,5

11

EUROSTAT, EU-SILC.
http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=silc_mdes07&lang=en

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Høst et al. (2012): 138.

13

*) 0.01p<0.05

**) 0.001<p<0.01

***) p<0.001.

14

<http://www.housing.org.uk/media/press-releases/two-thirds-of-households-hit-by-bedroom-tax-are-in-debt-as-anniversary-approach/>

15

Phelps et al (2003).

Latvia	5,8	13,9	4,3	8,3
Lithuania	1,3	1,9	0,9	1,7
Luxembourg	1,4	4,4	2,9	7,6
Malta	1,1	4,2	2,3	5
Netherlands	3,1	8,4	3,5	7,8
Poland	1,0	2,1	1,5	2,6
Portugal	4,8	9,8	5,7	13,7
Romania	0,6	0,3	0,8	1,2
Slovakia	6,8	14,6	4,1	13,4
Slovenia	2,4	6,2	3,7	9,4
Spain	6,4	13,7	6,4	14,9
Sweden	2,3	6,8	2,3	8,6
United Kingdom	4,8	8,6	4,2	10,6

Source : Eurostat, EU-SILC

RISK FACTORS FOR TENANT EVICTIONS IN DENMARK¹²

The control group used to estimate the likelihood of being evicted is referenced in brackets in the title of each point considered; the probability is estimated in proportion to the population as a whole: less than one indicates a lower chance; the standard error is the potential margin of error; the level of significance reflects the strength of the trend relative to the amount of available data.

The primary risk factors for eviction are therefore as follows: relationship breakdowns (very

high, 2.5 times more likely to face eviction than the population as a whole); lack of individual allowance; being a single man or a lone mother; release from institution (prison, hospital, youth detention facility) or reliance on an irregular income.

A dependency on individual allowances appears to be a determining factor as is shown, for example, in England where following a study conducted in 2014, two-thirds of tenants affected by the 'Bedroom Tax' (a significant deduction of benefits for under occupancy of a social housing dwelling) were in arrears¹⁴, with a clear overrepresentation of single mothers and unemployed people¹⁵.

VARIABLE (CONTROL GROUP)	PROBABILITY	STANDARD ERROR	LEVEL OF SIGNIFICANCE ¹³
Individual allowance (no allowance)			
Individual allowance	0.63	0.02	***
Household composition (single man)			
Single woman	0.45	0.01	***
Couple	0.57	0.03	***

Children in the family			
Children per adult	0.94	0.05	
Child per single woman	1.21	0.07	***
Child per adult in a couple	0.74	0.06	***
Change in the household (no change)			
Relationship breakdown	2.50	0.08	***
Released from institution	2.06	0.29	***
Moved out of the parental home in the previous year	0.69	0.04	***
Ethnicity (Danish)			
Western	0.86	0.09	
Non-western	1.06	0.12	
Primary resources (employees and self-employed)			
Unemployment allowance	1.17	0.06	***
Financial assistance	1.66	0.09	***
Pension	0.46	0.05	***
Training	0.69	0.03	***
Other	1.52	0.11	***
Type of rental accommodation (public housing)			
Private housing	0.31	0.02	***
Local authority	0.99	0.39	
City (Copenhagen)			
Suburbs of Copenhagen	1.07	0.09	
Four other major cities	0.99	0.15	
Other	0.93	0.08	

REASONS FOR MORTGAGE ARREARS IN THE UNITED KINGDOM¹⁶

A change to a person's circumstances (professional, conjugal, debt repayment, etc.) seems to be a more important factor when it comes to difficulties in repaying loans than income level. Some 27% of evictions are caused by more than one factor. A quarter of people who cite a relationship breakdown also attribute the loss of their job as the reason for the debt. In many situations, an eviction appears to be the culmination of a 'chain reaction' of a variety of difficulties. The reasons for arrears influence circumstances

leading to an eviction with the loss of a job and health problems being the most overrepresented risk factors for arrears observed among proceedings that ultimately lead to evictions¹⁷. The 2008 recession exacerbated these risks giving rise to higher levels of debt, increased interest rates and greater difficulties in renegotiating loans¹⁸. In terms of rented social housing, the Phelps study reveals that more women, single parents and unemployed people are likely to be victims of eviction¹⁹. Difficulties in relationships with administrative bodies responsible for granting individual allowances or unemployment benefits may also lead to households becoming heavily indebted and unable to remedy such situations by themselves²⁰.

16

Gall (2009).

17

Home ownership expert – interview.

18

Wallace and Ford (2010).

19

Phelps et al (2003).

20

Hunter et al (2005).

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21

Shelter (2013) Briefing: What's wrong with the bedroom tax? http://england.shelter.org.uk/_data/assets/pdf_file/0020/650630/Bedroom_tax_-_Shelter_briefing_March_2013.pdf

22

<http://www.housing.org.uk/media/press-releases/two-thirds-of-households-hit-by-bedroom-tax-are-in-debt-as-anniversary-appro/>

23

Maureen Crane & Anthony Warnes, Evictions and Prolonged Homelessness. 2010, Francis and Taylor Online

24

Summarised by Kenna et al. 2015

25

See, for example, evidence from the Ombudsman (Defender of Rights) in Bulgaria. In Hungary and Slovakia, evidence and appeals brought before international courts indicate a toughening up of practices.

A key factor leading to eviction appears to be the 'Bedroom Tax', a reduction in individual allowances for under-occupied social housing. Households are not able to pay rent for the housing they occupy nor can they manage to find alternative housing due to an absence of smaller-sized dwellings at affordable prices, so they consequently find themselves facing debt. A study conducted by England's National Housing Federation concluded that two-thirds of social housing tenants affected by the bedroom tax have experienced arrears.

However, as evidenced by the national expert from the study by Kenna et al., the majority of those evicted did not find themselves facing homelessness afterwards. Although measures to stop evictions are inadequate, existing social «shock absorbers» and redistribution provisions in the United Kingdom have prevented a mass phenomenon where poverty leads to arrears, followed by eviction and living rough, as is the case in the United States, for example.

REASONS FOR LOAN PAYMENT INCIDENTS	CITED BY
Loss of employment/income	43 %
Increase in monthly costs	16 %
Other unexpected expenses	16 %
Health problems	15 %
Other debts to be prioritised	14 %
Relationship breakdown	8 %
Other expenditure affecting income	7 %
Forgot to pay	5 %

In central and eastern European countries where the political regime change during the 1990s was characterised by a strong trend towards property ownership, nowadays tenants are for the most part urban and mobile young people. Data are loosely consolidated, but it appears from qualitative studies and research²⁴ that the reasons for tenant eviction are largely indebtedness combined with poor preventive and restorative social protection measures. In this regard, evictions from informal settlements are quite significant, targeting the Roma community in particular²⁵. Individuals experiencing psychological problems also appear to be particularly affected by evictions, as well as by the sticking-plaster solutions available to them. This was especially evident in Hungary where using housing as collateral for other debts

(consumer lending, various subscriptions) is a well-recognised factor in evictions.

A requirement to declare rental accommodation often exists in such countries and is concomitant with a tax liability on rental income. A number of landlords prefer not to declare a rental property with the result that when evictions arise, they only have recourse to informal methods of putting pressure on tenants. A large proportion of the evictions that take place undoubtedly fall into this category.

Although scant data are available for southern European countries, according to national studies conducted for the purpose of the project led by Kenna et al. (2015), it would appear that unemploy-

ment and relationship breakdowns constitute key risk factors for eviction. Unemployment is the cause of 70.4% of payment incidents in Spain²⁶. Concerning Portugal, very little data on risk factors exists except for interviews conducted as part of the study by Kenna et al. These demonstrate the close correlation between unemployment and eviction. In Italy too, where the number of tenant evictions doubled between 2007 and 2013, qualitative interviews indicate that economic hardship

was the primary causal factor in most evictions. In Greece, however, income levels, even in the case of employed households, constituted the main risk factor. The disparity between average salaries and the cost of living, the concentration of half of the population in the capital city and the very high proportion of people at risk of eviction or living in vulnerable situations all contribute to a high risk of eviction even when household occupants are employed.

2. EVICTION: A PATHWAY TO HOMELESSNESS?

Robust data are available for a limited number of countries where the circumstances of households following an eviction has been studied, specifically in Denmark, the Netherlands and Finland. It was evident that **while a large majority of evicted households managed to find an alternative, a quarter remained homeless following an eviction**. It should be stressed that when the social services of these countries are taken into account, for the most part evictions concern households affected by a multitude of difficulties (addictions, etc.), which may in part explain why such a high proportion of households remain unable to find a solution. Unfortunately, no equivalent data exists for other countries to enable this supposition to be verified or disproved.

In Denmark, one year after an eviction, 79% of households were in permanent housing, 3% had been accommodated in an institution and 18% were not on the housing register meaning that these individuals did not have home insurance, or were staying with friends or relatives, or were homeless. After three years, the proportion not listed on the register stood at 15%.

It would appear that eviction is strongly correlated with social isolation. Some 20% of households evicted in Denmark cited a breakdown in family relationships, 37% said that they had lost contact with close friends, 29% mentioned the lack of a social network while 6% of those with children were no longer in touch with them. Moreover, some 66% considered that they had lost a personal safety net through this experience.

Although very few instances of eviction lead to living rough, studies conducted in Denmark show that for 21% of homeless people, eviction was a determining factor in this situation, particularly for older people (26% of those aged between 50-59 years against 17% of those aged between 18-24 years).

More generally, a study of residents living in shelters showed that 68% had been evicted at one time.²⁷

In Finland, the figures are somewhat similar. A quarter of evicted households faced imminent homelessness, among these, 78% were men and 22% were women (there is a slight overrepresentation

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According to the PAH: the platform for those affected by foreclosure.

27

Benjaminsen et al. (2015), p. 60.

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28

Erkkilä's & Stenius-Ayoade (2009).

29

Helsingin kaupunki, Kriisimajoitustyöryhmä (2013), pp. 7-9.

30

Socialstyrelsen (2012), p. 79.

31

Monitor Stedelijk Kompas (2013), p. 56.

32

Akkermans & Räckers (2013), p. 55.

33

ADIL (2012).

34

PIE, DCLG.

35

Pleace et al. (2008).

36

Kodutud (2012), pp. 9-10.

37

Köre (2003), p. 17.

38

Dekleva and Razpotnik (2007).

tation of men who make up 'only' 72% of those evicted). These are households that have experienced a multitude of difficulties: addictions, mental health issues, poverty, isolation, behavioural disorders, etc.²⁸

A study of crisis accommodation showed that 40% of users came from temporary accommodation with relatives or friends, and 28 % because of divorce or separation from cohabitation, pointing to the overlooked significance of "informal evictions".²⁹

Comparable figures were observed in Sweden with evictions the cause for a quarter of the households living rough and a quarter of the households residing in shelters.³⁰

In the Netherlands, 13% of newly homeless people in the four main cities reported having been evicted in the previous three months with strong regional differences (from 2% to 16%) which could suggest the importance of local prevention strategies and alternatives to eviction.³¹ The majority had managed to find temporary solutions before ending up living rough. In Amsterdam, households evicted from social or private rental accommodation were monitored³². Two-thirds of these households were made up of people living alone. After one year, 13% had availed of homeless services or mail-forwarding facilities. After two-and-a-half years, this figure rose to 20%, reflecting the precarious nature of the solutions found following an eviction. To date, 50% of evicted tenants could not find a permanent home (it is noted that social landlords required a letter from the previous landlord confirming regular rent payments, etc.). A number of social landlords offered "second chance" housing entailing a number of restraints in terms of social assistance and personal budget management, which were clearly neither appropriate nor adequate across the full spectrum of cases.

In France, a very limited study³³ of one hundred evicted households showed that one year on, 5% had become homeless. One quarter found accom-

modation with family or friends. Some 15% were rehoused in shelters and another 8% in 'subsidised' self-contained housing units (e.g. property agencies with a social purpose like AVIS), etc.

The British situation is undoubtedly unusual. The short-term rental contracts mentioned above (Assured Shorthold Tenancy or AST, from 6 to 12 months) with fixed expiry dates seems to be a key causal factor for homelessness. In 2010, 6,150 households declared that an AST agreement ending was the cause of their homelessness, compared to 13,230 in 2013, representing a significant increase. Once again, **staying with family and friends appeared to be final step before living rough**. A third of those identified as homeless declared their last place of residence as private accommodation, while a mere 5% cited arrears and evictions as the reasons for their circumstances.³⁴ In contrast to the Nordic countries, research conducted in the United Kingdom indicates that few evicted households had sought specific social assistance, demonstrating that social welfare provisions were not necessarily the primary contributory factor here³⁵.

In central and southern European countries, qualitative studies and data are somewhat more ad hoc. In Estonia, a study conducted in Tallinn³⁶ revealed that 63% of people residing in emergency accommodation and 46% of people living rough were once property owners or tenants who had lost their home.³⁷

This study identified the types of chain reactions that occur following the loss of a job, including excessive consumption of alcohol, relationship breakdowns, neighbourhood disturbances and arrears leading to evictions. However, **it is also more simply the gap between household incomes and the cost of housing that leads to individuals becoming vulnerable to life's hardships**.

In the Slovenian capital of Ljubljana³⁸, 54% of homeless households cited eviction as the cause of their circumstances.

In southern European countries, the relationship between eviction and homelessness is more difficult to ascertain. Unemployment and family breakdowns are mentioned more often than eviction as factors contributing to homelessness. It should be stressed that in countries with weak welfare states, families play an essential role in protecting individuals. This is the reason why family breakdowns emerged as an important factor and one that has undoubtedly taken on an even more urgent dimension since the financial crisis and the ensuing surge in unemployment which placed a strain on close relationships and grassroots solidarity. This is particularly true in Spain where a

2012 survey conducted by the country's National Statistics Institute (INE)³⁹ showed that 12% of homeless people cited eviction as the reason for their circumstances (8% in 2005) in addition to the 6% who reported the termination of a lease agreement.

In Greece, a study conducted before the crisis in 2008⁴⁰ confirmed that 7% of homeless people considered property foreclosures to be the main reason for their circumstances. It is difficult to draw any definite conclusions, particularly since the number of property foreclosures has escalated since that time (it is noted however that their enforcement has been blocked).

3. THE LEGAL CONTEXT: EVICTIONS IN THE CONTEXT OF THE RIGHT TO HOUSING

Evictions represent a point of tension between a landlord's right to ensure that a lease is properly executed or a bailiff's entitlement to enforce the repayment of a loan and an individual's right to housing.

The legal framework that is the source of this tension is characterised by a number of common features and notable variations, which may explain in part the differences in the prevalence of evictions and their consequences across the various countries, inviting reflection as to the potential for positive change.

and all European Union Member States have endorsed the United Nations International Pact on Social and Cultural Economic Rights (ICESCR).

Article 11 of the ICESCR requires State parties to acknowledge each person's right to an adequate standard of living in terms of food, clothing, housing and a continuous improvement in living conditions. General Recommendation no. 4 lays down the notion of adequate housing, interpreted as a secure tenure status, access to services and infrastructure, accessibility, affordability, liveability, a preferred location and adjustment to cultural specificities. **General Recommendation no. 7 specifically addresses eviction, stating that it should not lead to individuals becoming homeless or entail a violation of their rights⁴¹.** An eviction must comply with the legal framework and be enforced in a measured way. Legal remedies (and legal aid if necessary) and solutions must be made available to evicted households. Information and time frames should guarantee the full enjoyment of access to a fair trial and

39

INE (2012), [online], available in Spanish at <http://www.ine.es/prensa/np761.pdf> Last accessed 2 November 2015.

40

Klimaka (2008).

41

UN Doc. E/1998/22 Annex IV paras. 15–16. *The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* (A/RES/63/117) has now been ratified by many EU Member States allowing complaints to be made to the UNCESCR.

INSTRUMENTS OF INTERNATIONAL AND EUROPEAN LAW

International law defines the right to housing as a cornerstone of the right to live in dignity. A total of 18 European countries have ratified the Council of Europe's revised European Social Charter (ESC)

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UN-Habitat (2009), pp. 5-6.

43

The CRC was interpreted by the European Committee of Social Rights (ECSR) in *Defence for Children International (DCI) v Belgium* Complaint No. 69/2011 as requiring that all children, regardless of their immigrant or citizenship status, must have accommodation.

44

European Committee on Social Rights, *Feantsa v. France*, 2007.

45

Complaint 39/2006, Decision on the merits of 4 February 2008, §§ 85-86. See also ECSR Conclusions, France (2003) Article 31(2).

46

Defence for Children International (DCI) v. the Netherlands, Complaint No. 47/2008, Decision on the merits of 20 October 2009, § 63.

47

Order of the Tallinn Circuit Court in civil case no. 2-13-38211 of 13.01.2014.

48

The Supreme Court of Lithuania order of 17.10.2006 in the civil case no. 3K-3-524/2006.

49

Winterstein v France.

50

AMB v Spain.

51

Raji and Others v Spain.

52

'In order to combat social exclusion and poverty, the Union recognises and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices'.

social rights for households threatened by eviction. The enforcement of evictions at night or during harsh weather conditions is prohibited. Legal representatives must be present during an eviction.⁴²

The Conventions on the Rights of Persons with Disabilities (2006) and the Convention on the Rights of the Child (1989) strengthen protections of targeted groups.⁴³

The revised European Social Charter and the European Convention for the Protection of Human Rights and related case law explicitly addresses (Art. 16 and 31 of the ECHR) protections in relation to eviction. The protection of individuals threatened by eviction must be guaranteed by law⁴⁴, including consultation with relevant parties in order to find an alternative. Even in instances where an eviction is justified, the authorities are obliged to take all necessary measures to relocate or to assist evicted people financially.⁴⁵ Evictions from accommodation centres must be avoided if they push the individuals concerned towards extreme circumstances that are contrary to respect for human dignity.⁴⁶

The European Court of Human Rights (ECHR) has developed complex case law balancing the rights of the two parties and specifying the role public authorities are expected to play. The right to respect for private and family life, the right to a fair trial and the right to protection from inhuman and degrading treatment are not always compatible with eviction procedures. The ECHR provisions influence domestic court judgements.

An Estonian court considered that an eviction containing a procedural error violated Article 8 of the ECHR and Article 33 of the Constitution, regarding the inviolability of the home⁴⁷. In Lithuania, courts have absorbed the provisions into the regulatory framework relating to evictions⁴⁸. In France, Article 8 was invoked in decisions on evictions from illegal settlements⁴⁹.

In Spain, recent evictions have been suspended on the basis of Article 8; one example is the case of a mother and her two children whose eviction was postponed until an alternative could be found⁵⁰. The ECHR decided upon a temporary measure⁵¹ ordering the eviction of a family (with an eight-year-old child) who had built a dwelling without planning permission on wasteland to be postponed until the authorities could prove that they would be provided with alternative housing and adequate social services.

European Union law has a direct binding effect on Member States. The European Charter of Fundamental Rights (ECFR) now has treaty status and provides for the right to social assistance and housing aid in Article 34(3)⁵². **The European Union's '2020 Strategy' acknowledges homelessness as one of the worst forms of poverty and deprivation.** In terms of eviction, Member States must respect fundamental liberties and other EU targets including provisions on migration, freedom of movement, non-discrimination, etc.⁵³

The directive on unfair terms⁵⁴ has had a significant impact particularly following the important decision taken by the Court of Justice of the European Union (CJEU), *Aziz v. Caixa d'Estalvis de Catalunya*⁵⁵. The judgement ruled that Spanish law on property loans does not comply with the European legal framework in so far as the legal remedies available to a borrower following a payment incident that lead to an eviction are too limited.

In *Kušionová*, the CJEU Directive goes further by observing that "the right to accommodation is a fundamental right guaranteed under Article 7 of the Charter that the referring court must take into consideration when implementing Directive 93/13⁵⁶". This decision establishes a meaningful link between regulations concerning property rights, entitlements to credit and the protections enshrined in the Charter of Fundamental Rights through the prism of the Directive on unfair terms.

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See Article 19 TFEU, Directive 2000/43/EC Article 3 (1) and Directive 2004/113 promoting measures which prohibit discrimination.

54

Directive 1993/93/13/EEC.

55

Case C-415/11.

56

Case C-34/13 *Monika Kušionová v SMART Capital, a.s.* Mrs Monika Kušionová took out a loan of EUR 10,000 from Smart Capital, secured on her home in Slovakia. The charge allowed for enforcement without any review by a court. This term derived from the Civil Code §151 and she made a reference to the CJEU to examine the compatibility of this national law with EU law, particularly the Unfair Contract Terms Directive 93/13/EC.

57

These are AT, BE, FI, EL, ES, HU, NL, PO, PL, SI, SE.

58

Polish Constitutional Court Decision of 4 April 2001, K 11/00.

59

Article 19 of the Spanish Constitution.

60

Article 27 of the Spanish Constitution.

61

Article 45 of the Spanish Constitution.

62

Bengtsson, Fitzpatrick and Watts (2014) pp. 447-463.

63

King (2012).

64

For more on this aspect of housing rights within social policies in northern European post-war welfare states, based on Marshall's concept of social citizenship, see Bengtsson (2001) pp. 255-275 and Bengtsson, Fitzpatrick & Watts (2014) pp. 447-463.

LAWS OF MEMBER STATES

Evictions are regulated by the constitutions and laws of all European countries. By way of example, almost all constitutions recognise the inviolability of the home. Although no constitution provides for the obligation of a State to provide accommodation; housing is mentioned in 11 of the 28 countries⁵⁷.

The constitutional right to housing is explicitly provided for in Finland, Poland, Hungary, Portugal, Greece, Slovenia, the Netherlands, Spain and certain east German Länder. It is often juxtaposed with the right to property, thereby limiting evictions for public interest reasons, and compensation is occasionally provided for by the constitution (for example, Latvia, Spain, Germany, Romania, etc.).

Even if it does not officially translate into a "duty to provide accommodation", the right to housing may be invoked before the courts to establish whether an eviction is in fact legitimate, particularly when no other alternative has been put forward. For example, Article 30 of the Polish constitution provides that public authorities must respect and protect the inalienable dignity of the person. On this basis, the Constitutional Court decided in 2001 that "evictions to nowhere" violate this Article and are consequently unconstitutional⁵⁸. When considered in conjunction with Article 8 of the ECHR, it is clear that the needs of each individual and family must be taken into consideration to ensure access to a suitable alternative.

In Slovakia, the Civil Code which governs tenancy relations requires the landlord to find an alternative if the evicted household is responsible for a child or dependent person (alternative possibilities may include a shelter in the event of arrears). In Spain, a court postponed the eviction of a tenant with three minor children on the basis of the UN Convention on the Rights of the Child, the

right to housing enshrined by Article 47 of the Spanish Constitution as well as the freedom of establishment⁵⁹, the right to education⁶⁰ and the right to healthcare⁶¹ also contained therein.

However, an explicit reference to the right to housing in a constitution or legislation is not necessarily an indicator of the best possible protection being made available in the event of an eviction.

The right to housing enshrined in a number of constitutions may be more programmatic and urges States and public institutions to put in place social housing policies permitting access to accommodation for all. This is the case in Greece, Hungary, Portugal, Slovenia, Spain, Sweden and the Netherlands. The organisation of resources often leads to better access to housing for all than the mere assertion of subjective rights⁶². However, the two combined would appear to be the most efficient solution⁶³. Independent of coming up with a direct solution, the combined application of programmatic rights to housing and individual rights may guide correlated regulation on matters such as taxing, urban planning, restrictions on the right to property and the drawing up of lease contracts, etc.⁶⁴

**NATIONAL LAWS
AND COURT DECISIONS**

With or without international and constitutional provisions, national legislation emphasises and organises the right to housing, especially in countries such as the Czech Republic, Cyprus, Estonia, France, Denmark, Malta, the Netherlands and the United Kingdom.

In France, the Enforceable Right to Housing Act (DALO) permits individuals to invoke the State's obligation to provide accommodation through a hearing before a mediation committee and if necessary an administrative court⁶⁵.

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Olds (2010), pp.170-99.

66

In England and Wales, The Housing (Homeless Persons) Act 1977, Housing Act 1996, and the Homelessness Act 2002 and in Wales the Homeless Persons (Priority Need) (Wales) Order, 2001 and the Homelessness (Suitability of Accommodation) (Wales) Order 2006. In Scotland, the Housing (Scotland) Act 2001 and The Homelessness Etc. (Scotland) Act, 2003 and in Northern Ireland the Northern Ireland Housing Order, 1988 and the Housing (NI) Order, 2003.

67

Mullen (2010), However, there is an 'intentionality test'.

In the United Kingdom, there has been an obligation for local authorities to provide accommodation to homeless people since 1977⁶⁵. There is a general obligation on authorities to provide advice and assistance to prevent homelessness. Scotland has strengthened these provisions by allowing vulnerable households to find a legal solution and when local authorities believe that they bear no responsibility for a particular case, then the burden of proof rests with them. It is not unusual for the courts to rule that housing must be provided in such instances.⁶⁷

UNLAWFUL EVICTIONS

By law, criminal sanctions against unlawful evictions are frequently ordered, but rarely enforced. Yet countries with a significant black market when it comes to rental properties are impacted by a high proportion of unlawful evictions (Bulgaria, Hungary, Slovakia and Romania) as are countries where unlawful facilities are commonplace such as France's squats and shanty towns populated by Romanian Roma. Illegal evictions were highlighted in Hungary, Slovakia and Romania, although the phenomenon is probably much more widespread.

4.

PREVENTION OF AND ALTERNATIVES TO EVICTIONS

68

A calculation by the City of Cologne in 1986 showed that the annual costs per person of providing temporary accommodation (approx. €4,000 at that time) were seven times higher than the costs per person of prevention services provided (appr. €550). However, it needs to be mentioned, that the total budget spent on prevention was about 30 % higher than the budget for temporary accommodation (Deutscher Städtetag, 1987, pp.73.). However, this need to be treated with some caution, as the data is quite old (from the 1980s) and based on accumulated budget data.

69

Stadt Bielefeld (2011), p. 5

70

Fachstelle für Wohnungssicherung or Specialist Office for Housing Assurance.

PREVENTION: A BARGAIN FOR LOCAL AUTHORITIES

Preliminary calculations for Austria and Germany would suggest that for every EUR 1 spent on eviction prevention services (including advice and settling arrears), EUR 7 could be saved in housing and social inclusion services.⁶⁸

In Germany, the city of Bielefeld improved its prevention services during the years 2004 and 2008 leading to a reduction in dedicated housing provision. The city council claims to have saved EUR 1.6 million out of its budget, compared to 2004⁶⁹.

The FAWOS specialist office⁷⁰ in Vienna (Austria) is another example. In 2012, it spent EUR 1.63 million and was in contact with 2,931 households (6,741 people), representing an annual cost of EUR 241.82 per person. When compared to rehousing costs and support services estimated to amount to

EUR 600 per person per month, the cost is 30 times lower. Given that households vary considerably, it is perfectly conceivable that rehousing requires more work and support provisions than maintaining individuals in the same accommodation. However, with the cost of supporting people in their homes being 30 times lower than rehousing them, the authorities might consider setting priorities in this regard a worthwhile effort.

In the Netherlands, a recent calculation showed that by investing EUR 1 in eviction prevention measures aimed at "high risk" households, savings of EUR 2.20 in expenditure on providing services for homeless people could be made⁷¹.

These rationalisations do not include legal expenses or the cost of enforcing proceedings, likely to be high given the number of stakeholders and institutions concerned.⁷²

The available evidence shows the importance of preventing evictions not least because this

respects human dignity while also making economic sense; although there is admittedly a lack of systematic research when it comes to assessing the effectiveness and cost-benefit ratio of alternatives to evictions.

SYSTEMIC TOOLS: INCOME TRANSFERS

The Netherlands and the Czech Republic have the lowest proportions of the population at risk of poverty following social transfers. Greece,

Romania and Bulgaria on the other hand have the highest. Social transfers reduce the proportion of the population at risk of poverty by 50% or more in the Czech Republic, France, Finland, Ireland, the Netherlands, Sweden and the United Kingdom⁷⁴. This reading of the data is counterbalanced by a recent study which showed that the capacity to reduce the proportion of the population at risk of poverty by income transfers has declined everywhere in recent times⁷⁵.

This phenomenon is combined with a significant increase in rents over the past 15 years in large European municipalities.

TABLE 10: POOR HOUSEHOLDS BEFORE AND AFTER SOCIAL TRANSFERS⁷³

MEMBER STATE	RISK OF POVERTY BEFORE SOCIAL TRANSFERS, 2013	RISK OF POVERTY FOLLOWING SOCIAL TRANSFERS, 2013
Austria	25.9	14.4
Belgium	26.3	15.1
Bulgaria	26.7	21.0
Croatia	29.7	19.5
Cyprus	24.3	15.3
Czech Republic	16.6	8.6
Denmark	28.1	12.3
Estonia	25.4	18.6
Finland	26.4	11.8
France	24.2	13.7
Germany	24.4	16.1
Greece	28.0	23.1
Hungary	26.3	14.3
Ireland	38.5	14.1
Italy	24.6	19.1
Latvia	26.0	19.4
Lithuania	30.3	20.6
Luxembourg	29.4	15.9
Malta	23.3	15.7
Netherlands	20.8	10.4
Poland	23.0	17.3
Portugal	25.5	18.7
Romania	27.8	22.4
Slovakia	20.1	12.8
Slovenia	25.3	14.5
Spain	30.0	20.4
Sweden	27.1	14.8
United Kingdom	30.1	15.9

71

Van Leerdam, J. (2013). However, a methodological weakness of this study was that actual data or even estimations based on actual data were missing for important aspects and 'expert opinion' had instead been taken as basis for calculations.

72

Andritzky, (2014).

73

Source: EUROSTAT, EU-SILC.

74

The greatest impact was in Ireland where the rate was reduced from 38.5% to 14.1% in 2013.

75

Nelson, (2013).

76

There is not sufficient space to set out the elements of developed housing systems here. For analysis of the elements of modern housing systems see Angel (2000).

77

Balchin (1996).

78

OCDE (2014).

MEASURES LINKED TO THE “HOUSING SYSTEM”

Various push factors associated with housing, such as housing law, social equity and social cohesion, can contribute to the prevention of evictions.

The availability of a sufficient affordable housing stock

The availability of an affordable housing stock means evictions can be prevented and it provides the capacity to rehouse individuals in crisis situations. Depending on the country, low-cost housing is built by directly by the state (social housing is rare and for the lowest income quartile in most European states) or it is facilitated through individual allocations or interest subsidies on loans for building low-cost housing.⁷⁶

More often than not, a national housing policy coordinates various initiatives regarding production, renovation, allocations, social welfare and taxation.⁷⁷

However, the issue of a sufficient stock of available housing and public intervention procedures appears to be becoming even more apparent. In Malta, 3,249 applications for social housing were made in 2013 for a number of vacant houses thirteen times higher. In Spain, the high level of vacant housing which stands at a figure of 3.5 million has triggered several public initiatives to put them back on the market, by, in particular, taxing empty dwellings, a measure which has already proved effective in France. However, the location of such housing, often situated in newly-developed ghost towns, remains problematic.

The balance of tenure statuses

The variations in tenure statuses can have an impact on the availability and cost of housing⁷⁸.

According to the OECD, the balance between homeowners, private tenants and social housing tenants contributes to thwarting property bubbles and ensuring optimum mobility, two conditions favourable to preventing evictions and rehousing. Nonetheless, the trend across European Union Member States is towards the privatisation of social housing and encouraging private property ownership through a variety of tax measures and more recently the safeguarding of interest rates. By way of example, half of homeowners with a mortgage in Poland took out a loan in Swiss francs, deemed to be safer as it was tied to the euro at the time. However, the two currencies later became unhooked and within a year monthly payments had increased by 40-50%, the prelude to a massive increase in property foreclosures. The number of households and the social categories concerned depends greatly on the balance of tenure statuses.

In Spain, the proportion of tenants has declined from 51.5% in 1950 to 12% today. The high rate of households with debt served to exacerbate the property bubble and its subsequent collapse, running the economy into the ground. Across the whole of Europe, 43% of households are property owners with a mortgage (70% are homeowners, 18.5% are private tenants while 10.9% are social housing tenants).

Social/affordable housing

The existence of a stock of affordable housing is manifestly a key contributory factor when it comes to preventing evictions. However, several barriers exist that prevent it from being a wholly effective solution. Access conditions and prioritisation procedures mean the most deprived households may in fact be refused social housing. Moreover, households experiencing difficulties seeking an emergency solution through the social housing sector are faced with long waiting lists, exacerbated by rising private rental market prices observed right across Europe since

the start of the 2000s. Despite being based on non-comparable data, the Housing Europe review reflecting the status of housing in 2015 showed that in 2012: 186,000 people were on the social housing waiting list in Belgium, 1.7 million in France, 90,000 in Ireland, 650,000 in Italy, 1,916,000 in the United Kingdom and 500,000 in Poland. Availability of social housing has reached saturation point. **The more expensive housing is, the more social housing becomes necessary and the more it is in demand, the less it becomes accessible.** Confronted with such a situation, the mass sale of social housing should be a cause for reflection. The financial crisis revealed that many households were at breaking point, demonstrating that the need for social housing is not born out of a demand for comfort, but out of necessity. The tension over social housing threatens to result in a greater number of evictions.

Furthermore, social housing is often unsuited to the needs of the people it is intended to accommodate. In France, the *Union Sociale pour l'Habitat* (national union of social housing organisations) reported that between 2012 and 2013, the number of households in arrears had increased by 170,000 to reach 882,000, representing 22% of all tenants.⁷⁹ In addition, there tended to be an increase in long-term difficulties with some 285,000 tenants in arrears of over three months, representing 7.1% of households living in social housing.

MARKET INTERVENTION

In order to boost construction and facilitate greater access to property, States have put in place safeguarding measures for loans, legal mediation schemes (all except two States have an enforceable pre-litigation stage in the event of payment incidents) as well as the less-common discounted interest on borrowings that exist in Belgium, Cyprus, Denmark, Spain, Finland, France, Italy, Luxembourg, Latvia and the United Kingdom. In

the Netherlands, 90% of those who purchased a property at a price lower than EUR 290,000 had recourse to a national guarantee fund. There is a conflict between the facilitation of property loans and the desire to avoid speculative bubbles that result in the collapse of asset prices resulting in so many being left victims, particularly in relation to property foreclosures.

“Responsible mortgage lending”

Irresponsible loans and mortgage borrowings pave the way to indebtedness. The question of best practice is worth considering as a means of preventing property foreclosures. In 2013, the Netherlands had the highest level of debt in proportion to household gross disposable income (217.5%), followed by Denmark (189.5%), Sweden (151.6%), the United Kingdom (119.2%) and Ireland (110.2%), while the least indebted in this regard were Austria, Hungary, Latvia, Poland and Slovenia.

While a number of countries have regulatory provisions preventing high-risk loans (Austria, Belgium, France, etc.), following the 2008 financial crisis a significant number of countries (Belgium, Germany, Denmark, Ireland, Malta, Sweden and the United Kingdom) put in place requirements to check the applicants' credit-worthiness and background with mortgage limits based on the value of property purchased, etc.⁸⁰

These measures had a quietening effect on feverish lending practices. In France and Belgium, creditors will only lend now when monthly repayments are less than one third of the net household income. These two countries experience fewer defaults in relation to mortgage loans and property foreclosures are rare.

In Lithuania, a law on responsible lending restricted loans to 85% of the value of the property and the price-to-income ratio to 40%. In the Netherlands, capping is progressive: at 104% of the value of the property, the maximum level of indebtedness fell

79

Source: *Union Sociale pour l'Habitat* (USH) (national union of social housing organisations), 2015.

80

BBVA (2013), p. 19.

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81

Financial Stability Board (FSB) (2011), p. 21.

82

European Banking Authority (2013), pp. 12 and 13.

83

See Case C-415/11, 14.3.2013 (*Mohamed Aziz v Caixa d'Estalvis de Catalunya, Tarragona i Manresa [Catalunyacaixa]*), Joined cases C 482/13 (*Unicaja Banco SA v Manuel Hidalgo Rueda and Others*), C 484/13 (*Caixabank SA v Manuel Maria Rueda Ledesma and Rosario Mesa Mesa*), C 485/13 (*Jose Labella Crespo and Others*) and C 487/13 (*Alberto Galán Luna and Domingo Galán Luna*), 21.1.2015.

84

Based on Directive 2008/48/EC of 23 April 2008 on credit agreements for consumers.

85

See Monk, S. & Whitehead, S. (2010) *Making Housing More Affordable - The Role of Intermediate Tenures* (London, Blackwell).

86

Whitehead, C. & Monk, S. 'Affordable home ownership after the crisis: England as a demonstration project', *International Journal of Housing Markets and Analysis*, Vol. 4, No. 4, 2011, pp. 326-340.

to 100% in 2018. In 2015, Ireland set the limit for the loan-to-value ratio for property at 80% of the value of the home. At European Union level, Article 18 of the Directive on property loans provides for an assessment of the borrower's creditworthiness and ability to repay⁸¹, as approved by the European Banking Authority.⁸²

There is a critical tension between incentivising greater property ownership through more generous loans and the need to protect vulnerable borrowers. Although conventional models of conservative property lending leads to low rates of homeowners, as is the case in Germany, a shortage of available houses and lower prices tends to push households towards property ownership. Low-income sectors of the population are therefore inclined to seek credit under less favourable and riskier financial conditions (in particular subprime-type mortgages).

Protection of property loan consumers

As a last resort, consumer protection measures aim to ensure that borrowers do not pay excessive costs. The transparency of information and the prohibition of unfair terms are instrumental in achieving this objective. It was on this basis that loans taken out in foreign currencies in central European countries were able to be renegotiated and unfair terms concerning property loans in Spain could be overturned.⁸³

In Germany, households are automatically provided with certain information before a property loan is agreed.⁸⁴ Moreover, Latvia stipulates the right for consumers to have their contract examined by the national Consumer Rights Protection Centre to identify unfair terms. In Malta, lending practices are tightly governed, meaning that lenders may be held responsible for defaults, which have allegedly occurred with regard to loans deemed to be too risky. Spanish legislation was updated in 2013 to better protect households that borrow for

the purpose of having sufficient funds to secure accommodation. Slovakia amended several laws to lay down criteria for 'usury', beyond which contracts are deemed null and void. In 2014, a review of the credit market conducted in the United Kingdom led to the introduction of several provisions aimed at limiting the volatility of the lending market, in particular lenders having a greater liability under new loan conditions which could potentially see them being held liable for defaults on payments.

In the Netherlands, 'civil law notaries' are legally bound to ensure that borrowers are fully aware of the risks that households are exposing their homes to when taking out a loan. Furthermore, Latvia and Bulgaria place an emphasis on raising awareness among consumers. States seem to have at least partially and selectively learned some lessons from the subprime crisis and the risky positions that were taken by property owners with a mortgage.

DEVELOPMENT OF INTERMEDIATE TENURES

The rise in prices for first-time buyers has led several European States to encourage the development of 'intermediate tenures' that bridge the gap between owning and renting a home⁸⁵. The aim of these projects is usually to share the right to property, debts and risk while also availing of public facilities (loan guarantees, prioritisation of access to property, etc.) due to the non-speculative and collective character of the project. The United Kingdom has pioneered Community Land Trusts: a shared-ownership scheme aimed at promoting measures for dividing up property into land or buildings for private ownership or occupancy, or into communal and private areas, with a view to prohibiting or at least limiting speculative bubbles.⁸⁶ These intermediate tenures remain nonetheless marginal on the housing

87

See Haffner, M.E.A., Hoekstra, J., Oxley, M., Van der Heijden, H. (2009) Bridging the gap between social and market rented housing in six European countries, (Amsterdam: IOS Press); Haffner, M.E.A. & Boumeester, H.J.F.M. (2010) 'The affordability of Housing in the Netherlands: An Increasing Income Gap Between Renting and Owning?,' *Housing Studies* 25 (6) 799-820.

88

Cuerpo, Kalantaryan & Pontuch (2014) p. 16.

89

See National Economic & Social Council (Ireland) (2014) p. 62.

90

Cuerpo, Kalantaryan and Pontuch, P. (2014) p. 17.

91

Rugg & Rhodes (2008).

92

See Fitzsimons, J. (2014); S. Nasarre-Aznar, (2014).

93

In London in Qtr 2, 2014 the ending of an AST accounted for 38% of London local authority homelessness acceptances. See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/358184/201406_Statutory_Homelessness.pdf (accessed 3 June 2015).

market. Even in the United Kingdom, where they first emerged, they only relate to 150,000 housing units, out of a total stock of 27.7 million dwellings including 3.9 million social housing units.

Ireland has copied the British example of shared ownership, with payments being a mix of rent and purchasing. In Catalonia and Malta, legal initiatives have been taken in this regard. In Malta, a statute was proposed whereby a dwelling can be half purchased, half rented. In Germany, cooperative property development is becoming more widespread. In the Netherlands⁸⁷ and in France, social landlords offer access to secured property on the market under derogation conditions. In the Czech Republic, cooperative housing represents 11% of the total housing stock. In Finland, shared ownership was only introduced at the end of the 1990s but already accounts for 2% of primary residences.

THE PROMOTION OF THE PRIVATE RENTAL SECTOR

The controlled development of a sufficient private rental stock alleviates pressure on housing costs and softens the impact of market dynamics.⁸⁸

Between 1980 and 2000, policies led to a decline in private rental statuses especially in Finland, Denmark, Spain and the Netherlands, while they remained at the same level in Germany, Ireland, France and Sweden. Nonetheless, following the difficulties that ensued after the 2008 financial crisis, **most of the countries that had a plethora of measures aimed at increasing home ownership levels observed an excessive concentration of tenure types e.g. too many homeowners. This generated macroeconomic instability and huge property bubbles due to the absence of diversified solutions for rebalancing supply and demand.**⁸⁹ These States are now attempting to develop a more balanced combination.

The rebalancing of rental statuses was developed

in tandem with investment incentives, themselves coupled with provisions to alleviate or regulate rents with a view to ensuring that state support is not absorbed by a speculative bubble on the rental market.

The liberalising of the private rental market

There are heated debates regarding the most appropriate way to facilitate the development of a smoothly operating private rental market. Countries with the highest rates of private tenants (Austria, Germany) also offer the highest levels of protection. Concurrently, IMF and European Commission proposals⁹⁰ on making the rental market more "flexible" have been adopted in Spain, Portugal and Slovakia, with the vast majority of countries now clamouring for such measures to be implemented. The British example of Assured Shorthold Tenancy (AST) agreements that last for a six to 12 month duration and end swiftly - intended to facilitate labour market flexibility without adversely affecting protections afforded to long-term tenants or homeowners - is often proposed in this regard⁹¹.

However, a number of specialists consider that strong statutory protections for tenants contribute to the development of the private rental market by attracting demand⁹². At the same time, weaker tenure statuses are catastrophic for individuals. In the United Kingdom, local authorities reported that 25% of homeless people had exited an AST agreement in 2013, compared to 13% in 2010⁹³.

Individual allowances and guarantees

23 of the 28 European Union countries provide housing benefits and/or public guarantee mechanisms. According to the national experts who participated in the study by Kenna & al. (2015), **individual allowances would appear to have barely kept pace with housing costs and their impact on solvency has been somewhat eroded**

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94

Czech Republic expert report.

95

Andrews, D., Caldera Sánchez, A. and Johansson, Å. (2011), p. 25.

96

Repelova, J. (2013); See also Cuerpo, Kalantaryan & Pontuch (2014).

97

Rents in the private sector are not subject to control in the UK, while social housing rents are now set at an 'affordable' level – up to 80% of private rents.

98

Law 36/1975 and Law 23/1983.

99

Haffner, Hoekstra, Oxley & Van der Heijden (2009) p. 220.

everywhere in Europe (with the possible exception of Germany where rent allowances are supposed to cover “all reasonable costs” associated with housing). In the United Kingdom, assistance has been capped resulting in the most vulnerable tenants falling behind in rent payments with the number of evictions having sharply increased over the past five years.

These allowances are a powerful resource when it comes to preventing evictions and housing exclusion, but on the other hand can create threshold effects that eliminate certain categories of the population due to criteria for claiming benefits and the way these are calculated resulting in the wrong households being penalised. These are powerful resources with immense benefits which should nonetheless be constantly improved with a view to limiting their less-positive side effects.

Public guarantee systems also exist, for example, in the Czech Republic, Flanders and France where it is considered that in most cases facilitating access to existing housing by providing the means to do so is less costly than constructing new dwellings.⁹⁴

Rent controls

In practice, despite thirty years of deregulation, rental markets remain partly regulated everywhere,⁹⁵ although the impact of rent controls on the development of new housing and the quality of stock available is a constant source of controversy.

Several possible pathways exist and these may include: rent reviews, increases in rents linked to a price index or other criteria, rent freezes and rents fixed by law or administratively. A study⁹⁶ carried out by the International Union of Property Owners (UIPI) shows that rent increases are regulated in Austria, Belgium, France, Germany, Ireland and Italy, and that only the following five countries

are divested of any control: the Czech Republic, Greece, Slovakia, Spain and the United Kingdom.⁹⁷

In most countries, existing stocks of rental properties tend to be regulated while new developments are not. This is for the purpose of stimulating the property market and avoiding a situation where investment encourages speculation rather than providing effective solutions.

In Belgium, for example, newly-constructed developments are at liberty to set their own rents while applying rent increases to existing housing is linked to an index that is also used for measuring trends in salaries. This results in social housing rents being calculated according to household income. In Cyprus, the Rent Control Act established in 1975⁹⁸ governs rent increases, but there has been a freeze on these in recent years due to the financial crisis and the consequent decline in property values.

In Germany, a combination of factors has alleviated rents: rates on rental yields, capping increases at 20% over a three-year period and rent indexes that assure the transparency of neighbourhood rents leading to greater stability. However, the loss of production controls in the last decade coupled with internal migration towards the richest cities of the south west of the country has led to a significant rise in rents.

Other measures

The balance, through ensuring the attraction of a variety of housing statuses, is guaranteed by various other measures. “Notice of sale” does not exist in Latvia by virtue of the principle *incipal emptio non tollit locatum* (the lease contract does not end if the property is transferred to another person). In the Netherlands, even temporary contracts may be renewed an unspecified number of times⁹⁹. Moreover, the Dutch Tenant's Union provides official representation in a variety of instances enabling it to play a significant role in preventing evictions.

TARGETED MEASURES

Prior to Default

Family and friends remain the primary remedy for people at risk of eviction. **Extreme poverty resulting in dire consequences is more often than not linked to isolation.** By way of example, 40% of Spanish pensioners reported using a portion of their pension to help family and friends in 2012¹⁰⁰, demonstrating that as sophisticated as public solidarity schemes are, they struggle to finance the gaps that result from the fragmentation of European societies and the gradual weakening of private solidarity.

Public financial assistance for paying rent and arrears (allowances and loans) is available in Austria, the Czech Republic, Spain, Finland, France and Poland.

In Germany, such assistance is optional but is becoming a measure more commonly used by local authorities to assist individuals threatened by homelessness.¹⁰¹

In Denmark, local authority emergency assistance is targeted at socially vulnerable people and families with children.

These measures are often supplemented by charitable organisations. For example, Caritas Barcelona distributed EUR 2 million in 2013 in the way of financial assistance to tenants and homeowners experiencing payment incidents.¹⁰²

The effectiveness of this assistance depends on how chronic the household's difficulties are as well as whether it has had recourse to the eviction prevention system. By way of example, in Austria, Germany, Denmark and Sweden, notices to vacate premises and court orders to evict lapse automatically if arrears are paid in a timely manner.

Housing advice and social mediation emerge as important measures in complex procedures that encompass housing policies, social services and legal procedures, and which can weaken households to the point where they lose their grip. In France, 80% of legal decisions are handed down without the household in question having been assessed or represented. Local authority services for housing advice, geared towards assisting with repaying debts are available in Austria, the Czech Republic, Germany, Denmark, Finland, Ireland, Sweden, Slovakia and the United Kingdom, with varying degrees of intensity and specialisation in relation to crisis situations.

Rules for negotiations are also essential for a positive outcome in crisis situations and often permit the rearranging of the household dynamic when financial negotiations are conducted in accordance with social procedures and other measures.

This is particularly true in the case of property loan negotiations, including the partial cancellation of debts or the rescheduling of loans, interest rates and frequency of repayments. The requirement for a pre-litigation negotiation stage in accordance with a clearly-defined process exists in a number of European countries including Belgium, Bulgaria, the Czech Republic, Denmark, Finland, Hungary, Ireland, Italy, Luxembourg, Sweden, Slovakia, Malta, the United Kingdom, Spain and Latvia, etc. According to the study by Kenna et al. (2015), these measures are insufficient in Ireland and Cyprus and are not yet even on the agenda in Greece, France and the Netherlands. Such provisions are often subject to supervision by a judge or an administrative authority with a view to an amicable agreement being concluded. Moreover, depending on the country, they may entail a solution that involves cancelling or rescheduling all or part of the debt.

100

FUNDACIÓN ENCUESTRO, (2013), pp. 227. In 2009 the rate was only 15.1 %.

101

According to sections 22.5 SGB II and 36 SGB XII local authorities may cover arrears if that is justified in order to secure accommodation in risk or prevent a similar risk from materialising. Local authorities should cover arrears if that is justified and necessary in order to prevent homelessness.

102

Caritas Diocesana de Barcelona (2013), p. 73. An increase from EUR 1.1 million in 2010.

103

Laki
yksityishenkilön
velkajärjestelyistä
[Law on individual
debt rescheduling]
57/(1993).

In Finland, banks offer property loans that provide for several months of crisis during which the borrower is not required to pay back the capital, merely the interest. In the Netherlands, loan institutions may unilaterally initiate a debt restructuring procedure, useful in instances where households can no longer meet debt repayments. In the Czech Republic, creditors have to exhaust all “primary resources” (wage withholding, etc.) before contemplating eviction or property foreclosure proceedings.

Increasingly, countries are implementing ‘buy to rent’ measures such as purchasing housing from homeowners and maintaining them as tenants, including forms of lease-sale arrangements. Depending on the system, this may assist in keeping down monthly charges and also permit the household to avail of solidarity measures tailored to tenants, or even benefit from the proceeds derived from the sale in order to contend with difficult economic circumstances. Across countries, expert organisations proceed with these acquisitions with a view to maintaining tenure or creditors recover the dwellings by virtue of *datio in solutum* (acceptance in lieu) meaning ownership of the property in exchange for the value of the debt, undertaking, for example, to resell the housing to the residents at the same price when they are in a position to purchase it. A prevention measure that is increasingly being implemented in Scotland is worth highlighting here: when a tenant faces difficulties, he or she may be compelled to accept budget management assistance and even social assistance. If difficulties persist, the dwelling in question is taken over by a specialised social rental agency (like the AIS in Belgium or the AIVS in France) and later on, if problems still prevail, the dwelling is then placed under a form of guardianship with housing serving as a type of accommodation centre but with accompanying support measures. At each stage, a six-month moratorium on rents is necessary to ensure complete independence.

In Austria, the centralised and well-resourced FAWOS (Fachstelle für Wohnungssicherung), an associative para-public structure with access to 25% of the local authority housing stock of the City of Vienna, showed particularly convincing results when it comes to showing the relevance of these pre-litigation notifications provisions.

Legal procedures

Prevention may also be built into the legal framework. The legal requirement to exhaust social avenues before resorting to judicial measures (Australia, Czech Republic, Germany, Denmark, Finland, Netherlands, Poland, Sweden and other countries) only in instances where children are involved means action can be taken, even though arrears may only be modest.

Courts often have the ability not only to reschedule debts but also to redefine the amount of the debt inviting creditors to prioritise mediation schemes. This is particularly prevalent in Finland where a law provides that civil courts may cancel debts¹⁰³.

Various means are available as part of the legal framework to limit the brutal consequences of eviction. These may include: enforcement judges who permit the implementation of a civil court decision, a winter ban on eviction, etc. These types of provisions exist in all European countries.

Subsequent decision-making

Again, links to specialised services appears to play a significant role in guiding households subject to eviction orders towards measures that prioritise the granting of allocations. France and Sweden have a high level of social housing and very long deadlines for evictions yet a greater correlation between evictions and homelessness exists in these countries than in Denmark where such proceedings are exe-

cuted in a timelier manner. While the capacity to give households access to affordable rental accommodation is of course a determining factor, it would appear that the ability to guide households towards solutions such as these is just as important.

BIBLIOGRAPHY

Chapter abstract of the study Kenna, P., Benjaminsen, L., Busch-Geertsema, V. and Nasarre-Aznar, S. (2016), *Pilot project - Promoting protection of the right to housing - Homelessness prevention in the context of evictions*, European Commission, FEANTSA, Human European Consultancy, School of Law - National University of Ireland Galway, VT/2013/056.

<http://www.feantsa.org/en/report/2016/05/11/feantsa-position-pilot-project-promoting-protection-of-the-right-to-housing-homelessness-prevention-in-the-context-of-evictions?bcParent=27>

- # Adil du Gard (2012), *Comment en arrive-t-on à l'expulsion?* Paris, ADIL. <http://en.calameo.com/read/003334394467c6ac86792?authid=oBaKtqCp2v2G>.
- # Akkermans, C. and Räckers, M. (2013). *Handreiking voorkomen huisuitzettingen*. (Guidelines to prevent eviction), St. Eropaf. <http://eropaf.org/lib/publicaties/Handreiking%20Digitaal%201.0.pdf>.
- # Andrews, D., Caldera Sánchez, A. and Johansson, Å. (2011) *Housing Markets and Structural Policies in OECD Countries* OECD Economics Department Working Papers, No. 836 (Paris, OECD Publishing).
- # Andritzky, J.R. (2014) *Resolving Residential Mortgage Distress: Time to Modify?* IMF Working Paper WP/14/226 (Washington, IMF).
- # Angel, S. (2000) *Housing Policy Matters* (Oxford, Oxford University Press).
- # Balchin, P. (1996) *Housing Policy in Europe* (London, Routledge).
- # BBVA (2013), *Some international trends in the regulation of mortgage markets: Implications for Spain*, Working Paper n. 13/17 (Madrid). <http://www.bbvaesearch.com>.
- # Bengtsson, B. (2001) 'Housing as a Social Right: Implications for Welfare State Theory' *Scandinavian Political Studies* vol. 24 issue 4, pp. 255-275.
- # Bengtsson, B., Fitzpatrick, S. and Watts, B. (2014) 'Rights To Housing: Reviewing the Terrain and Exploring A Way Forward, Housing', *Theory and Society* vol. 31, no. 4, pp. 447-463.
- # Benjaminsen, L., Dyrvig, T. and Gliese, T. (2015): *Livet på hjemløseboformer. Brugerundersøgelse på §110-boformer* [Life in homeless shelters. A user study] Copenhagen, SFI – The Danish National Centre for Social Research, report 15:02.
- # Càritas Diocesana de Barcelona (2013) 'Llar, habitatge i salut, acció i prevenció residencial', (Home, dwelling and health, action and residential prevention), *Col·lecció Informes* no. 2 (Barcelona, Càritas).
- # Council of Europe, The European Convention of Human Rights (ECHR) 1950. http://www.echr.coe.int/Documents/Convention_ENG.pdf (Strasbourg, Council of Europe).
- # Council of Europe (2013). *Acceptance of provisions of the Revised European Social Charter* (1996), updated 26 March 2013. http://www.coe.int/t/dghl/monitoring/socialcharter/Presentation/ProvisionTableRevisedMarch2013_en.pdf (Strasbourg, Council of Europe)
- # Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols n° 11 and 14, 4 November 1950, ETS 5.
- # Council of Europe, Committee of Ministers, Recommendation n° R (2000) 3 of the Committee of Ministers to the member states on the *Right to the Satisfaction of Basic Material Needs of Persons in Situations of Extreme Hardship*, 19 January 2000.
- # Council of Europe Recommendation CM/Rec (2007) 8 of the Committee of Ministers to Council of Europe Member States on legal solutions to debt problems. <http://www.coe.int/t/dghl/standardsetting/cdcj/CDCJ%20Recommendations/CMRec%282007%298Fet%20expose.pdf>.
- # Cuerpo, C., Kalantaryan, S. and Pontuch, P. (2014) *European Economy, Rental Market Regulation in the European Union*, Economic Papers 515, (Brussels, European Commission).
- # Dekleva, B. and Razpotnik, S. (2007) *On the street: homeless people talk about themselves and others talk about them*. (Na cesti – brezdomci o sebi in drugi o njih) (Ljubljana, Pedagoška fakulteta)
- # Deutscher Städtetag (1987) *Sicherung der Wohnungsversorgung in Wohnungsnotfällen und Verbesserungen der Lebensbedingungen in sozialen Brennpunkten* [Securing housing for households in urgent need and improving living conditions in social focus areas], (Cologne, DST).
- # Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts, OJ L 095, 21 April 1993. <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31993L0013:en:HTML>.
- # Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L 180, 19 July 2000, p. 22–26. <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32000L0043>.
- # Directive 2008/48/EC of 23 April 2008, on credit agreements for consumers and repealing Council Directive 87/102/EEC, OJ L 133/66, 22 May 2008.
- # Erkkilä, S. and Stenius-Ayoade, A. (2009) *Asunnottomat Vastaanottoyksiköissä Asunnottomien vastaanottoyksiköiden asiakkaiden sosiaalinen tilanne ja terveydentila pääkaupunkiseudulla* [The homeless in reception centres for the homeless. The social situation and health of customers of homeless reception centres in the Helsinki Metropolitan Area] (Helsinki, Socca). http://www.socca.fi/files/150/Asunnottomat_vastaanottoyksiköissä.pdf.
- # European Banking Authority (2013), *Opinion of the European Banking Authority on Good Practices for Responsible Mortgage Lending*, EBA-Op-2013-02, (Frankfurt, EBA)
- # Eurostat (2012), *EU-SILC ad-hoc module on housing conditions*, Brussels, Belgium. <http://ec.europa.eu/eurostat/web/income-and-living-conditions/data/database>
- # Eurostat (2013) *European Social Statistics*, Brussels, Belgium. <http://ec.europa.eu/eurostat/documents/3930297/5968986/KS-FP-13-001-EN.PDF>
- # European Social Charter. European Committee of Social Rights, Conclusions (2003) Vol. 1. (Chapter 2 regarding France, Article 30). Strasbourg, Council of Europe. http://www.coe.int/t/dghl/monitoring/socialcharter/conclusions/Year/2003Vol1_en.pdf.

- # European Union Financial Stability Board (FSB) (2011), *Thematic Review on Mortgage Underwriting and Origination Practices*. Available at: http://www.financialstability-board.org/wp-content/uploads/r_110318a.pdf?page_moved=1
- # European Roma Rights Centre (ERRC) (2012) Slovakia: A Report by the European Roma Rights Centre, *County Profile 2011-2012*. Budapest, European Roma Rights Centre.
- # Fitzsimons, J. (2014) *The German private rented sector. A holistic approach*, Boligokonomisk Videncenter, Working Paper, March 2014. http://www.iut.nu/members/Europe/West/The_German_Private_Rented_Sector_2014.pdf.
- # Fundación Encuentro (2013) *Informe España* (Report Spain).
- # Gall, A. (2009) *Understanding Mortgage Arrears* (London, Building Societies Federation).
- # Haffner, M., Hoekstra, J., Oxley, M. and Van der Heijden, H. (2009) Bridging the gap between social and market rented housing in six European countries: *Housing and Urban Policy Studies*, 33 (Amsterdam, IOS Press).
- # Haffner, M. and Boumeester, H.J.F.M. (2010) The affordability of Housing in the Netherlands: An Increasing Income Gap Between Renting and Owning? *Housing Studies* 25 (6) 799-820.
- # Høst, A. H., Boje-Kovacs, B., Stigaard, D.L. and Fridberg, T. (2012) *Når fogeden banker på. Fogedsager og effektive udsættelser af lejere*. [When the Bailiff comes. Eviction cases and effectuated evictions of tenants]. Copenhagen: SFI, report 12-27.
- # Housing Europe (2015) *The State of Housing in the EU 2015*, Brussels, Housing Europe (Brussels CECODHAS). <http://www.housingeurope.eu/resource-468/the-state-of-housing-in-the-eu-2015>.
- # Hunter, C., Blandy, S., Cowan, D., Nixon, J., Hit-chings, E., Pantais, C. and Parr, S. (2005) *The exercise of judicial discretion in rent arrears cases*. The Department for Constitutional Affairs. DCA Research Series. 6/05.
- # King, J. (2012) *Judging Social Rights* (Cambridge, Cambridge University Press).
- # Klimaka (2008) 'Homelessness in Greece: socio-psychological profile and living conditions in the streets of Athens and 3 other big Greek cities' <http://education.klimaka-cos-mos.net/material/feantsa.pdf>.
- # Kodutud (2012) *Kodutud Tallinnas, Uuringu aruanne* (Homeless in Tallinn. Analysis of the Study), Tallinn: Tallinna Sotsiaaltöö Keskus, 2012.
- # Kõre, J. (2003). 'Housing instability, homelessness and social work in Estonia'. In *Poverty and Homelessness in the Countries Bordering the Baltic Sea*. Bielefeld. pp.123-131.
- # Monk, S. and Whitehead, S. (2010) *Making Housing More Affordable- The Role of Intermediate Tenures* (London, Blackwell).
- # Mullen, T. (2010) *Homelessness and the Law*, (Glasgow, Legal Services Agency).
- # Nasarre-Aznar, S. (2014) 'Leases as an Alternative to Homeownership in Europe. Some Key Legal Aspects', *European Review of Private Law*, 22 ERPL 6, pp. 815 to 846.
- # National Economic and Social Council (2014), *Homeownership and Rental: What Road is Ireland On?* (Dublin, NESO). http://files.nesc.ie/nesc_reports/en/140_Homeownership_and_Rental.pdf
- # Nelson, K. (2013) 'Social Assistance and EU Poverty Thresholds 1990–2008. Are European Welfare Systems Providing Just and Fair Protection Against Low Income?' *European Sociological Review*, 29(2), 386–401.
- # Nomisma (2010) *La condizione abitativa in Italia 2° - Rapporto Nomisma 2010*, (The housing condition in Italy), (Rome, Agra, 2010).
- # OECD (2015) *Integrating Social Services for Vulnerable Groups: Bridging Sectors for Better Service Delivery*, OECD Publishing, Paris.
- # Olds, K. (2010) 'The Role of Courts in Making the Right to Housing a Reality Throughout Europe: Lessons from France and the Netherlands' *Wisconsin International Law Journal* vol. 5 issue 21 pp.170-99.
- # Phelps, L. and Carter, M. (2003), *Possession action – the last resort? CAB evidence on court action by social landlords to recover rent arrear*. Shelter, London: Citizens Advice.
- # Pleace, N. et al. (2008) *Statutory Homelessness in England: The Experience of Families and 16-17 Year Olds* (London: Department for Communities and Local Government).
- # Repelova, J. (2013) *Landlords in Europe – A Comparative Analysis*, (Brussels, Union Internationale de la Propriété Immobilière, (UIPI)). <http://uiipi.com/new/wp-content/uploads/2014/12/UIPI-Landlords-in-Europe-Report.pdf>.
- # Rugg, J. and Rhodes, D. (2008) *The Private Rented Sector: its contribution and potential* (York, Centre for Housing Policy).
- # Socialstyrelsen, the National Board of Health and Welfare (2011). Homelessness in Sweden. <http://www.socialstyrelsen.se/publikationer2012/homelessnessinsweden2011/Documents/Homelessness-in-Sweden-2011.pdf>.
- # Stadt Bielefeld. Amt für soziale Leistungen – Sozialamt (2011) *Wohnungslosenhilfe 2011. Angebote, Kooperation und Ergebnisse* (Services for Homeless People: Provisions, Cooperation and Results), (Bielefeld, City of Bielefeld).
- # UN-Habitat (2009) *The Right to Adequate Housing*, UN Factsheet 21/Rev 1. http://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf.
- # Van Leerdam, J. (2013) 'Analysing Costs and Benefits of Homelessness Policies in the Netherlands: Lessons for Europe', *European Journal of Homelessness*, 7.2, pp. 157-181.
- # Volkshilfe/FAWOS (2014) Report 2013, Vienna 2014.
- # Wallace, A. and Ford, J. (2010) 'Limiting possessions? Managing mortgage arrears in a new era' *International Journal of Housing Policy*. 10 (2) 133-154.
- # Whitehead, C. and Monk, S. (2011) 'Affordable home ownership after the crisis: England as a demonstration project', *International Journal of Housing Markets and Analysis*, Vol. 4, No. 4, 2011, pp. 326-340.

European cases and decisions

European Court of Human Rights

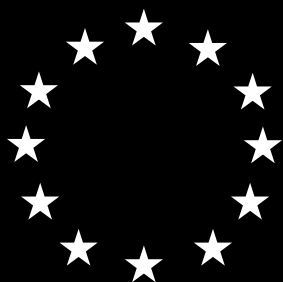
- # *AMB v Spain* App No. 77842/12 (ECHR, 20 February 2014).
- # *Raji and Others v Spain*, App No 3537/13 (ECHR, 16 December 2014).
- # *Winterstein v France* App No 27013/07 (ECHR, 17 October 2013).

Court of Justice of the European Union

- # Case C-415/11 *Mohamed Aziz v Caixa d'Estalvis de Catalunya, Tarragona i Manresa* [Catalunyacaixa]. 14 March 2013.
- # Case C-34/13 *Monika Kušionová v SMART Capital*, a.s., 10 September 2014.
- # Case C-482/13 *Unicaja Banco SA v José Hidalgo Rueda and Others and Caixabank SA v Manuel María Rueda Ledesma*; C-484/13 *Rosario Mesa Mesa*; C-485/13 *José Labela Crespo and Others* and C-487/13 *Alberto Galán Luna and Domingo Galán Luna*, OJ C 352, 30 November 2013.

European Committee of Social Rights

- # *Defence for Children International (DCI) v Belgium*, Complaint No. 69/2011, Decision on the merits of 23 October 2012.
- # *Defence for Children International (DCI) v the Netherlands*, Complaint No. 47/2008, Decision on the merits of 20 October 2009.
- # *European Federation of National Organisations Working with the Homeless (FEANTSA) v France*, Complaint No. 39/2006, Decision on the merits of 5 December 2007.



A close-up, high-contrast photograph of an elderly man's face. He has a weathered, wrinkled complexion, a thick grey beard, and a single visible green eye that looks directly at the viewer with a serious, intense expression. The lighting is dramatic, with deep shadows on the left side of his face and forehead, highlighting the textures of his skin and the intensity of his gaze. He is wearing a plaid shirt, partially visible at the bottom.

CHAP. 4

MONITORING OF EUROPEAN CASE LAW IN RELATION TO HOUSING

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MONITORING OF EUROPEAN CASE LAW

LEGENDS



SUCCESSFUL



IMPROVING



COULD DO BETTER



UNSATISFACTORY

In the first edition of the report in 2015, EU housing legislation was reviewed and European case law was monitored for the first time in relation to housing rights. Judgements by the European Court of Human Rights, decisions by the European Committee of Social Rights (ECSR) and, to a lesser extent, judgements by the Court of Justice of the European Union, declared that housing rights be made explicit.

In a context marked by a worsening of living conditions for low-income and vulnerable households, European case law decisions are of critical importance as they set out the legal limits and obligations incumbent on public, national, and local bodies in relation to housing rights¹. At the same time, the arguments contained in these decisions are indispensable for housing law practitioners in the national courts.

In this second edition, this chapter provides an update of the case law monitored in the first edition, in particular by means of a presentation of judgements relating to the rights of failed asylum seekers, occupants of land, and consumer rights in relation to mortgage loans.

¹ For a more in-depth analysis of the positive obligations arising from European case law in relation to housing rights, see FEANTSA/ Foundation Abbé Pierre (2016), Housing-related Binding Obligations on States from European and International Law, available at: <http://housingrightswatch.org/news/housing-related-binding-obligations-states-european-and-international-law>

2

<http://hudoc.echr.coe.int/fre?i=001-169049>



ECHR, V.M. and Others v. Belgium, 7 July 2015 and 17 November 2016, Application No. 60125/11

<http://hudoc.echr.coe.int/fre?i=001-169047>

A Serbian family of asylum seekers, subject to an order to leave Belgium, were deprived of basic subsistence and forced to return to their country of origin where their seriously disabled child died shortly after their return. The family complained that exclusion from Belgian accommodation services had left them exposed to **inhuman and degrading treatment**; and that reception conditions in Belgium had led to the death of their eldest daughter.

The Court carried out a review on whether **a violation of Article 3 of the Convention relating to the prohibition of inhuman or degrading treatment** had occurred. In determining whether the **threshold of severity** justifying the application of Article 3 had been attained, the Court had to consider **the status of asylum seeker** of a person belonging to a **particularly disadvantaged and vulnerable group in need of special protection**. The Court considered that this vulnerability was compounded by the presence of **young children**, including a baby and a disabled child.

The Court considered the family's living conditions between their **expulsion from the reception centre** and their departure for Serbia. The family, having spent nine days in a public square in Belgium, followed by two nights in a transit centre, slept for three weeks in a Brussels railway station.

Accordingly, the Court found that the Belgian authorities had not sufficiently taken into account the vulnerability of the applicants and that the Belgian State had failed to comply with its obligation not to expose them to **conditions of extreme deprivation**, by leaving them living **in the streets, destitute, without access to sanitation facilities, and with no means of meeting their basic needs**. The Court took the view that the family's living conditions combined with an absence of any prospect of securing an improvement in their situation attained **the threshold of severity** required under Article 3, and therefore found a violation of the prohibition on inhuman or degrading treatment.

The case was however referred to the Grand Chamber and, one year later, the Court, in a decision dated 17 November 2016², observed that the applicants had not maintained contact with their lawyer and had failed to keep her informed of their place of residence or provide her with another means of contacting them. The Court considered that the circumstances permitted it to find that **the applicants had lost interest in the proceedings and no longer intended to pursue the application**. According to the Court, '[...] nor is there anything to suggest that the precarious conditions in which the applicants lived in Serbia were such as to prevent them from maintaining some form of contact with their lawyer, if necessary through a third party, for such a long period [...]'. It is nevertheless worth noting the dissenting opinion of Judge Ranzoni, also espoused by Judges López Guerra, Sicilianos, and Lemmens. In their opinion, **'the Grand Chamber should have continued the examination of the application under Article 37 § 1 to finality as in this case, there are special circumstances relating to respect for the human rights as defined the Convention and its Protocols which exceed the particular situation of the applicants'**.

A number of important questions arose from this decision:

- Defining or adjusting the **concept of vulnerability** to assess whether the threshold of severity justifying the application of Article 3 had been attained, with a greater degree of vulnerability justifying a lower threshold of tolerance.
- Recognising **asylum seekers as vulnerable**, even if they do not qualify as such unconditionally.
- The various **responsibilities regarding conditions of reception**.
- **The concepts of 'effectiveness' of a remedy and 'arguable complaint'** in the context of expulsion of foreign nationals, particularly in the event of transfers carried out under the Dublin Regulation.



ECHR, 28 April 2016, Winterstein and Others v. France

<http://hudoc.echr.coe.int/eng?i=001-162215>

This case involved an application brought against the French Republic by 25 French citizens on 13 June 2007 under Article 34 of the Convention.

The applicants, who were in occupation of land in the locality of Bois du Trou-Poulet, in Herblay, France, were evicted from the land. Some of the applicants asked to be rehoused on family plots.

By Decision dated 17 October 2013, the Court found that there had been, in respect of all of the applicants, **a violation of Article 8 of the Convention** insofar as they did not benefit, as part of their **eviction from the land** they occupied in Bois du Trou-Poulet, in Herblay, from an **examination of the proportionality of the interference** in accordance with the requirements of that Article. In addition, the Court ruled that there had also been a violation of Article 8 in respect of the applicants who applied for relocation to family plots, on account of **the failure to give sufficient consideration to their needs**.

The applicants claimed, through an **application for just satisfaction**³, non-pecuniary and pecuniary damages, as well as a refund of the legal costs incurred.

The Court noted the developments in domestic case law following the Judgement in the main proceedings in 2013. It recognised that several lower court and Court of Cassation decisions had drawn conclusions from the Judgement. The domestic judges had taken into account **the proportionality of interference** that an eviction measure represents **in the rights of the applicants under Article 8 of the Convention**.

In its assessment of **pecuniary damages**, the Court pointed out that the families who had had to leave the land suddenly or following the eviction had been forced to abandon their caravans, chalets, or bungalows together with the belongings left inside. The Court awarded the families damages ranging from EUR 600 to EUR 3,000, depending on the circumstances.

3

http://www.echr.coe.int/Documents/PD_satisfaction_claims_ENG.pdf

In its assessment of **non-pecuniary damages**, the Court approved the claims of the applicants and awarded the following amounts:

- EUR 7,500 for the applicants who remained on the land;
- EUR 15,000 for the individuals rehoused in social housing or who had found a relatively stable installation;
- EUR 20,000 for those still without long-term accommodation.

Finally, the Court granted the applicants EUR 5,000 in respect of legal costs.

Certain issues which arose from this Judgement should be highlighted:

- The loss of a home is a serious violation of the right to respect for the home. Any person who risks being a victim should in principle be able to have **the proportionality of the interference and the failure to give sufficient consideration to their needs** determined.
- The Court **welcomed** developments in French case law as regards **evictions from land occupied without title**. Several legal decisions in 2014 and 2015 have **balanced the claimant's property rights against the right to respect for one's private and family life**. Occupants without title are no longer necessarily regarded as being without rights and judges have refused to proceed with evictions in some circumstances or granted deferrals.
- The Court appeared, however, not to have been persuaded by the French State's expressed willingness to **take the individual measures necessary**, as it referred to the appropriate decisions that would 'help France' fulfil its obligations arising out of the Convention (§ 16 of the Judgement).



ECHR, 11 October 2016, Bagdonavicius and Others v. Russia

<http://hudoc.echr.coe.int/eng?i=001-167089>

This case involved an application brought against the Russian Federation by 33 French citizens on 12 May 2006 under Article 34 of the Convention.

The applicants were members of six Roma families who lived in the village of Dorojnoé, situated in the district of Gourievsk, in the Kaliningrad region of Russia. They were evicted and their houses were demolished.

In particular, the applicants alleged a **violation of Article 8** relating to respect for the home taken alone or in conjunction with Article 14 of the Convention relating to prohibition of discrimination due to **the demolition of their houses and their forced eviction** which, they complained, had occurred **on account of their membership of the Roma community**. On the basis of these facts, they also complained of a violation of Article 1 of Protocol No. 1 of the Convention relating to protection of property.

The Court pointed out that it had ruled, in the *Yordanova and Others*⁴, and *Winterstein and Others*⁵ cases, that particular attention had to be paid to **the consequences of evicting members of the Roma community from their homes and the risk of homelessness**, having regard to how long the parties, their families, and the communities they had formed had been living there.

The Court also stressed the need, in the case of forced evictions of the Roma and Travellers, **for rehousing**, except in cases of force majeure. The Court moreover reiterated that **due to their membership of a socially disadvantaged group, the parties had specific needs which should have been taken into account in the examination of proportionality** that the national authorities were obliged to carry out. This principle applies not only to finding a solution to the illegal occupation of the site, but also, when such eviction is necessary, to determine the date and terms of its implementation, and, if possible, rehousing options. The Court also noted that Russia had been called upon to implement these principles within the framework of both the Council of Europe and the United Nations.

The possible consequences of the demolition of the houses and the forced eviction of the applicants were not taken into account by the domestic courts during or following the legal proceedings initiated by the prosecutor. With regard to the date and terms of the eviction, the Court observed that **the Government had not shown that the applicants had been duly informed of the intervention of the judicial officers** in charge of the demolition of the homes nor the terms of this operation.

With regard to the proposals for rehousing, the Government argued that the Kaliningrad regional government had adopted Order No. 288 dated 28 April 2006 which proposed the creation of a special housing fund to rehouse the applicants and that, in so doing, the national authorities had fulfilled the rehousing obligation. However, **the Government had not shown that Order No. 228 had been practically implemented**, in other words that its adoption had been followed by the actual creation of a housing fund, and that such housing had been made available and offered to the applicants.

Consequently, the Court took the view that **the national authorities had not conducted genuine consultations with the applicants about possible rehousing options, on the basis of their needs and prior to their forced eviction.**

The Court found that **there had been a violation of Article 8 of the Convention, as the applicants had not benefited, in the proceedings in relation to the demolition of their homes, to an examination of proportionality of the interference, in accordance with the requirements of that Article**, and that the authorities had failed to conduct genuine consultations with the applicants about possible rehousing options, on the basis of their needs and prior to their forced eviction.

One of the key elements of this Judgement was that **the Roma community** had to be considered in the examination of proportionality **as a socially disadvantaged group with special needs.**

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Yordanova and Others v. Bulgaria,
Application No.
25446/06, 24 April
2012
<http://hudoc.echr.coe.int/eng?i=001-110759>

5

Winterstein and Others v. France,
Application No.
27013/07, 17 October
2013
<http://hudoc.echr.coe.int/eng?i=001-126910>


ECHR, 28 July 2016, Hunde v. The Netherlands
<http://hudoc.echr.coe.int/eng?i=001-165569>

The case involves an application brought against the Netherlands by Gadaa Ibrahim Hunde, a person of Ethiopian origin. In particular, the applicant alleged a violation of Articles 2 and 3 of the Convention.

In December 2012, a group of approximately 200 irregular migrants in the Netherlands who – as rejected asylum-seekers – were no longer entitled to State-sponsored care and accommodation for asylum-seekers occupied St. Joseph Church in Amsterdam. These irregular migrants formed an action group called ‘We Are Here/Wij Zijn Hier’, seeking to attract attention to their situation. During their stay there, St. Joseph Church was colloquially referred to as the ‘Refugee Church’ (Vluchtkerk). It appears that the group was evicted from the Refugee Church on 31 March 2013.

On 4 April 2013, the Municipality of Amsterdam offered temporary shelter to the original members of the ‘We Are Here’ group who had been staying in the Refugee Church since December 2012. Accordingly, **159 persons were housed temporarily in a former detention facility** on the Havenstraat Amsterdam - which came to be known as the ‘Refuge Haven’ (Vluchthaven) - until 31 May 2014. The remaining persons from the Refugee Church who had been evicted and not offered shelter in the Refugee Haven, squatted in an indoor car park, which came to be known as the ‘Refuge Garage’ (Vluchtgarage).

A number of **residents of the Refuge Garage** brought **administrative proceedings against the Municipality of Amsterdam** seeking the provision of basic services. The judge of the Central Appeals Tribunal ordered the Municipality of Amsterdam to provide basic services to the applicants, including overnight shelter, shower facilities, breakfast, and dinner.

In the decision of the Central Appeals Tribunal, the fact that the Netherlands Institute for Human Rights had witnessed **degrading living conditions in the Refuge Garage** had been taken into account. In addition, the Tribunal bore in mind two decisions of the European Committee of Social Rights of 1 July 2014, in which the Netherlands was found to have violated Articles 13 § 4 and 31 of the European Social Charter by failing to provide adult irregular migrants with adequate access to emergency assistance, food, clothing, and shelter.

The Association of Netherlands Municipalities set up the so-called ‘Bed, Bath and Bread’ scheme (bed-bad-broodregeling) for irregular migrants, starting from 17 December 2014. The scheme entailed central municipalities providing basic accommodation to irregular migrants, including overnight shelter with shower facilities, breakfast, and dinner. It was announced from the outset that this scheme would be temporary, awaiting the adoption of a resolution by the Committee of Ministers of the Council of Europe concerning the two decisions of the ECSR, in accordance with Article 9 of the Additional Protocol to the European Charter Providing for a System of Collective Complaints. Although these resolutions were adopted by the Committee of Ministers on 15 April 2015, the scheme has been prolonged and is currently still in place.

With regard to the fact that the applicant had been denied access to the Refuge Haven, the Mayor and city counsellors held that accommodation at that location had been offered to the original members of the 'We Are Here' group who had stayed in the Refuge Church for an uninterrupted period of time. The applicant did not fulfil those requirements.

The authorities further made reference to the **possibility of the applicant having recourse to the Repatriation and Departure Service**, which organises accommodation services, **subject to the person concerned cooperating with the arrangements to return to his country of origin.**

The Court considered the existence of a positive obligation under **Article 3** to provide the applicant – a failed asylum seeker at the time of the incident – with emergency social assistance. The Court pointed out that States have the right, as a matter of well-established international law, to control the entry, residence, and expulsion of foreign nationals. The corollary of a State's right to control immigration is the duty of foreign nationals to submit to immigration controls and procedures, and leave the territory of the Contracting State if they are lawfully denied entry or residence. Foreign nationals who are subject to expulsion cannot, in principle, claim any entitlement to remain in the territory of a Contracting State in order to continue to benefit from services.

The Court reiterated that **there is no right to social assistance as such under the Convention**, and insofar as Article 3 requires States to take action in **situations of the most extreme poverty** – even when it concerns irregular migrants – the Netherlands authorities had already addressed this. In the first instance, the applicant had the possibility of applying for a 'residence permit' and/or to seek admission to a centre where his liberty would be restricted. It is furthermore possible for irregular migrants to seek a deferral of removal for medical reasons and to receive free medical treatment in case of emergency.

In addition, the Netherlands have most recently set up a special scheme providing basic needs for irregular migrants living in their territory in an irregular manner. That scheme was only operational as of 17 December 2014; one year after the applicant had taken shelter in the Refuge Garage. The Court explained that the design and practical implementation of such a scheme takes time, but that it understood the applicant's pursuit of domestic remedies. The Court considered that the Netherlands authorities **had failed to fulfil their obligations under Article 3.**

To conclude, the Court held that **the Netherlands guaranteed the fundamental rights of failed asylum seekers.**

The Judgement revealed a **restrictive stance on the part of the European Court** which had excluded the unconditional reception of this category of people. However, being a failed asylum seeker exposes such people far more to the risk of an infringement of privacy, and inhuman and degrading treatment, as they generally exist in marginalised sectors.

CONSUMPTION

Mortgages/Unfair terms



ECJ (Grand Chamber), 21 December 2016, References for a preliminary ruling

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=186483&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=573162>

By temporally limiting the effects of 'floor' clauses contained in mortgage loan contracts in Spain, Spanish case law is incompatible with EU law. According to the Court, this limit makes consumer protection defective and insufficient, and does not constitute adequate and effective means of preventing the use of unfair terms..

Context:

In Spain, a number of owners brought legal proceedings against credit institutions to establish that **the 'floor' clauses contained in mortgage loan contracts concluded with consumers were unfair in nature and therefore were not binding on consumers**. The clauses in question provided that, even if interest rates fall beneath a certain threshold defined in the contract, the consumer must continue to pay minimal interest equivalent to this threshold without benefiting from a lower rate.

By Judgement dated 9 May 2013, the Spanish Supreme Court (Tribunal Supremo) **classified the 'floor' clauses as unfair**, given that the consumers had not been properly informed of the economic and legal burden which these clauses posed. Nevertheless, **the Supreme Court decided to limit the temporal effects of the declaration of nullity of these clauses**, so that they would only take effect in the future, from the date the Judgement was handed down.

Consumers affected by the application of these clauses began claiming back the money they had unduly paid to credit institutions from the date of conclusion of their mortgage loans. The Commercial Court No. 1, Granada (Juzgado de lo Mercantil no 1 Granada) and the Provincial Court of Alicante (Audiencia Provincial de Alicante) asked the Court of Justice of the European Union if the Supreme Court decision was compatible with the Directive on unfair terms, given that, according to this Directive, such clauses are not binding on consumers.

First of all, the Court pointed out that, according to the Directive, unfair terms must not be binding on consumers under the conditions fixed by Member State law which are responsible for laying down adequate and effective means to prevent the use of these clauses. **The Court reasoned that the domestic judge must purely and simply exclude the application of an unfair term** so that it is regarded as never having existed and does not have a binding effect on the consumer. A finding of unfairness must have the consequence of restoring the consumer to the situation that he or she would have been in had that term not existed.

Consequently, a finding of unfairness in relation to 'floor' clauses must permit the restitution of benefits wrongly obtained by the professional to the detriment of the consumer.

According to the CJEU, the Supreme Court could decide that its Judgement should not affect, in the interests of legal certainty, situations permanently resolved by previous judicial decisions. EU law cannot impose the exclusion of internal rules of procedure on national courts. However, **in the light of the fundamental requirement of a general and uniform application of EU law, it is for the Court alone to decide upon the temporal limitations to be placed on the interpretation it lays down in respect of such a rule of EU law.** In this regard, the Court specified that **requirements laid down by national law must not infringe on the consumer protection guaranteed by the Directive.**

However, **a limitation on the temporal effects of the nullity of the 'floor' clauses deprived Spanish consumers** – who had concluded a mortgage loan contract before the date the Spanish Supreme Court Judgement was handed down – **of the right to recover the money they had unduly paid to credit institutions.** This temporal limitation therefore resulted in **incomplete and insufficient consumer protection** which does not constitute either an adequate or effective means of preventing, as required under the Directive, the use of unfair terms.

HOUSING EXCLUS THE KEY STATISTICS

218 912 900

100%

HOUSEHOLDS IN THE EUROPEAN UNION

A HOUSEHOLD COMPRISES ALL OCCUPANTS OF THE SAME DWELLING.
THE POPULATION OF EUROPE STOOD AT 506.9 MILLION PEOPLE ON 1 JANUARY 2014.

25 174 983

HOUSEHOLDS OVERBURDENED BY HOUSING COSTS

MORE THAN 40% OF INCOME SPENT ON HOUSING COSTS

11,5%

36 558 454

16,7%

HOUSEHOLDS LIVING IN OVERCROWDED CONDITIONS

10 945 645

HOUSEHOLDS FACING SEVERE HOUSING DEPRIVATION

5%

!

NUMBER UNKNOWN HOMELESS

MISSION IN EUROPE: TICS

9 194 342

4,2%

HOUSEHOLDS IN ARREARS
ON THEIR RENT
OR MORTGAGE REPAYMENTS

22 329 116

HOUSEHOLDS EXPERIENCING DIFFICULTY
IN MAINTAINING ADEQUATE
TEMPERATURES IN HOUSING

10,2%

%

PERCENTAGE
OF THE EUROPEAN
POPULATION

34 369 325

15,7%

HOUSEHOLDS LIVING
IN DAMP CONDITIONS

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.

31 085 632

HOUSEHOLDS LIVING IN HOUSING
SITUATED IN AN ESPECIALLY
POLLUTED AREA

14,2%

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

SOURCE: EUROSTAT,
2014 DATA

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THIS REPORT IS A WARNING

Homelessness is on the increase in Europe, reaching record numbers across almost all Member States. The alarm sounded by national upward trends shows that millions of people are being left behind by inadequate policies. This is leading to dramatic consequences for European social cohesion and economic stability.

People living below the poverty threshold are being put under severe strain by the housing market. They are being increasingly marginalised by a private rental market that feeds off a systematic lack of affordable housing; their financial security and wellbeing are being endangered by housing costs taking up an increasingly large proportion of their budget. The most vulnerable sections of the population are being ignored and left with nowhere to turn. The number of evictions has increased dramatically in some countries in the aftermath of the 2008 subprime mortgage crisis. The dramatic situation in Greece embodies the violence of this ongoing crisis. **Being above the poverty threshold does not necessarily spare people from housing exclusion. In fact, today in Europe, social factors such as being young, having dependent family members, or being a migrant, surely lead to increased difficulties in accessing housing.**

THIS REPORT IS A CALL TO ACTION

These issues are largely local and the responses must therefore be formulated at a local level. At European level, networks bringing together various stakeholders exist, and are actively committed to breaking down barriers and unleashing a creative dynamic to promote accessible housing for all – one that is sustainable for the future. A European Pillar of Social Rights is due to be presented by the European Commission in spring 2017. Within this framework, respect, protection and implementation of the right to housing – as a legal obligation that is the responsibility of all public authorities – must be guaranteed.

This report aims to highlight Europe's shared challenges in order to draw the attention of European decision makers to the fact that **there is no economic stimulus without social stimulus, and that the housing sector is at the heart of this.** The tools required to deal with the challenges of housing exclusion in Europe already exist. There is no lack of inspiration or good practice.

The European Union has a crucial role to play in creating opportunities and promoting solutions. This may even be the only way to move beyond the dangerous path we are on, one of a Europe consumed by national self-interest and disconnected from its vulnerable citizens.