



**SEVENTH OVERVIEW
OF HOUSING
EXCLUSION
IN EUROPE**

2022

Fondation Abbé Pierre - FEANTSA



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EDITO- RIAL

Let's start the Seventh Overview of Housing Exclusion in Europe on a positive note for once: for the first time in the European Union's history, an agreement to eradicate homelessness by 2030 was signed in June 2021, formally committing all EU Member States.

The alarm that we have been sounding for years appears to only have been partially heard. Some governments included housing measures in their post-pandemic recovery plans and some municipalities have taken new initiatives to begin the necessary shift towards guaranteeing the right to housing for all. However, this impetus is still hopelessly inadequate and will not achieve the new key goal of eradicating homelessness. As we have repeatedly pointed out, housing is not an isolated issue. It goes hand-in-hand with several other major challenges facing the European Union, i.e. extreme pressure on low-income households, worsening inequality, an unprecedented surge in energy costs, and reaching the vital goals of the energy transition and climate neutrality. Ensuring that each individual has access to decent, affordable housing is undoubtedly one of the most important public responses to these challenges.

Among the essential changes to be made in the area of housing is the deployment of prevention policies so that we can avoid returning to, or indeed exceeding, the worrying levels of rental evictions seen before the pandemic. These policies must provide better support and protect vulnerable households as well as those who benefitted from temporary safeguarding measures during the pandemic and those newly at risk of finding themselves even more

destabilised by the current high levels of inflation. At a time when the fight against housing deprivation is becoming a priority across Europe, eviction cannot continue to be normalised, as it is today in many European countries. Eviction without alternative accommodation should be an exceedingly rare occurrence.

Considering that the increase in people facing housing exclusion or homelessness is, among other things, the result of a dysfunctional housing market, the solutions must also lie in structural responses. These include: carrying out energy renovations in a socially just manner; creating dignified, affordable, and adequate housing; investing in social housing; and making the private rental sector more affordable and more adequate.

The transformations required directly concern political leaders as well as national and local administrations, but they should also involve economic players, including private sector stakeholders, who need to start considering the widespread harm caused by housing exclusion. Civil society needs to play a role too, as do all Europeans without whom these transformations will take significantly longer to materialise at the scale required.

We have neither the time nor the right to wait until we are in the midst of a worse environmental and social catastrophe to act, when we have both the methods and resources to do so now.

Freek Spinnewijn
(Director, FEANTSA)

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CHAP. 1

TAKING STOCK
OF HOMELESSNESS
IN EUROPE

9

Two years ago, the pandemic appeared to be a potentially decisive turning point in the battle against homelessness and inadequate housing across Europe; it posed a major challenge for homeless people, institutions, and front-line services. They were forced to adapt quickly when isolating at 'home' became the first line of defence against the virus. Furthermore, the virus also presented an unprecedented opportunity to recognise homelessness as a public health issue and a top political priority.

The number of homeless people has exploded Europe-wide over the last decade¹ but this trend appeared to slow down in some places during the pandemic due to specific national and local factors, as well as counting methodologies. Where slowdowns occurred as a result of protections introduced during the pandemic, like in Ireland for example, the trend is likely to be reversed once measures are lifted. Housing markets remain severely unaffordable, the gap between real incomes and the cost of decent housing is widening, homeless services are being overwhelmed, and over three million Ukrainian refugees now need to be accommodated. In this context, stopping safeguarding measures without implementing long-term policies is a missed opportunity to progress towards the now official EU-wide target of ending homelessness by 2030. The economic fallout from the war in Ukraine and the worsening cost of living crisis could, without decisive action, push the number of homeless people back to pre-pandemic levels, or worse.

1. TAKING STOCK AGAIN: LESSONS FROM THE PANDEMIC

It is still too early to measure the real impact of the measures taken during the pandemic on homelessness trends. However, some Member States are starting to redirect their services towards long-term solutions, along the lines of Housing First. This shift in approach proved effective in ensuring the safety and health of service users during the pandemic.²

Europe's call for solidarity: can homelessness be ended by 2030?

In recent years, more attention has been paid to homelessness on Europe's political stage in response to the alarms raised repeatedly by civil society and in the wake of the adoption of the Action Plan to deliver on the European pillar of social rights. On 21 June 2021, the Portuguese Presidency of the Council of the EU hosted a conference on homelessness in Lisbon together with EU institutions, national ministers and stakeholders, to launch the European Platform to combat homelessness and to sign a joint declaration committing signatories to ending homelessness by 2030.³

All EU Member States have now formally committed to the goal of ending homelessness by 2030, a first in the history of the European Union. In this regard, they have undertaken to work together within the framework of the platform and to implement measures within their respective competencies. According to the Lisbon Declaration, ending homelessness means that by 2030:

- no one sleeps rough due to a lack of accessible, safe, and appropriate emergency accommodation;
- no one lives in emergency or temporary housing longer than is necessary for a successful transition to a permanent housing solution;
- no one is discharged from any institution (e.g. prison, hospital, care home, etc.) without being offered appropriate accommodation;
- evictions should be avoided as far as possible, and no one should be evicted without help finding a suitable housing solution where required; and
- no one should be discriminated against because they are homeless.

On 28 February 2022, under the aegis of the French Presidency of the Council of the EU, the ministers of the 27 Member States, representatives of the EU institutions and bodies, as well as civil society representatives and social partners approved the platform's work programme,⁴ undertaking to work, with adequate funding, on prevention, access to housing, and support for homeless people. A series of measures will underpin the platform, including:

- **Facilitation of dialogue and exchange between policy makers and social players, and the dissemination and promotion of good practice:** the European Commission is committed to facilitating these exchanges between members of the platform, expert guests, and policy makers.
- **Leveraging of EU funding opportunities:** mobilising the European Social Fund Plus and the European Regional Development Fund, as well as Invest EU and other instruments to invest in better homeless policies and services.

• **Data collection to better understand homelessness and review progress:** the European Commission and other stakeholders have committed to improving statistics on homelessness. Actions will include a coordinated European counting initiative, repeating in 2023 an ad-hoc module in EUSILC on past experiences of homelessness, and developing a shared monitoring and evaluation framework, in conjunction with the Social Protection Committee and the European Semester.

« Homelessness is the most extreme form of social exclusion, and it has been growing across the EU. We must act now. The European Platform on Combating Homelessness will help partners to share experiences and policy measures that have worked in their regions and cities, so we can radically reduce homelessness in Europe. Housing and assisting the homeless is Principle 19 of the European Pillar of Social Rights – and it is a moral imperative if we are serious about building a fair and inclusive society. »

*Nicolas Schmit, European Commissioner for
Employment and Social Rights*

Using the economic recovery to tackle homelessness

Government efforts to get the economy back on track after the pandemic provide an opportunity to boost efforts to tackle homelessness and housing exclusion. In order to raise funds to help remedy the immediate economic and social damage caused by the COVID-19 pandemic, the European Commission created NextGenerationEU, a temporary stimulus package whose main financial tools have been grouped under its Recovery and Resilience

Facility. This instrument makes EUR 672.5 billion available in the form of loans and grants to support reforms undertaken and investments made by Member States. The aim is to mitigate the economic and social consequences of the COVID-19 pandemic and make European economies and societies more resilient in future.

Each Member State is required to submit a national recovery and resilience plan to the Commission setting out the reforms and investments to be implemented by the end of 2026. A few EU countries have adopted national plans that address homelessness and housing exclusion. It is difficult to give an assessment of these plans at this stage due to the broad – and often overlapping – categories of expenditure, with some plans only available in the national language and others not yet submitted (e.g. the Dutch plan). The social impact of the plans is difficult to assess, especially the extent to which those most at risk will actually benefit from the funds. According to the European Commission, with regard to the EUR 193 billion intended for the facility for social and territorial cohesion, 7% of the expenditure foreseen in the plans assessed is intended for social housing and other social infrastructure.⁵

Most countries have not grasped the opportunity of the recovery to make substantial strategic investments to end homelessness. However, there are several positive initiatives.

Italy's national recovery and resilience plan would appear to be the most proactive and solid of these plans from a homelessness perspective. It contains measures aimed at:

- Helping homeless people gain easy access to temporary accommodation, in both shelters and flats, by providing comprehensive services with the aim of promoting personal autonomy and social integration,⁶ with a budget of EUR 450 million.

- An operational plan for Housing First and emergency shelters came into effect in March 2022; the target is to have supported at least 25,000 homeless people for six-month periods at a minimum by March 2026.
- Building new public housing, reducing housing deprivation, and regenerating run-down areas, while focusing on sustainability and green innovation.⁷ The EUR 2.8 billion budget measure aims to conclude at least 15 regional agreements by March 2022, and to have reached a target of public housing covering an area of at least 800,000 m² by March 2026.
- Renovation of 200 properties confiscated from the Mafia in order to underpin economic and social development projects such as the social inclusion of homeless people, victims of violence, elderly people, people with disabilities, the Roma, and young people by March 2026.⁸
- EUR 300 million will also be earmarked for identifying dignified housing solutions for workers in the agricultural sector as well as combating exploitation,⁹ and EUR 200 million will be allocated to promoting the construction of new student accommodation.¹⁰

Italy's Ministry of Labour and Social Affairs also decided in December 2021 to implement emergency social measures for homeless people through Axis 6 of the Operational Programme 2014-2020 to combat the effects of COVID-19 using EUR 90 million of REACT-EU resources.¹¹ This response includes emergency social services 24/7, 365 days a year, which can be accessed namely through the setting up of an operations centre; services for access to rights and assistance in registering the resident population of municipalities (essential for access to voting, social assistance, general practitioners, social housing, etc.); and strengthening local service networks for people experiencing severe material deprivation or homelessness (single

points of contact against poverty, Housing First services, etc.).

In **Spain**, homeless people are one of three target groups for spending on deinstitutionalisation in its national recovery and resilience plan, with people departing institutions, children, and older people prioritised in this regard. Eight regions plan to transform temporary accommodation into supported housing units. In the autonomous Spanish community of **Galicia**, the regional government has launched a pilot project to renovate 100 dwellings to house families in need and homeless people.¹²

Belgium's national recovery and resilience plan¹³ comprises a 'social infrastructure' component for **Wallonia** that aims to increase the supply of social housing in order to offer vulnerable groups (homeless people, people with disabilities or facing a loss of autonomy, etc.) decent housing conditions to reduce dependence on institutions and promote social reintegration. EUR 165.8 million has been set aside for the creation or renovation of 1,635 dwellings (public housing, independent and solidarity housing, stepping stone accommodation for the homeless, etc.).

In **Portugal**, the national recovery and resilience plan has set aside EUR 1.2 billion for the provision of decent and adequate housing for families in need and vulnerable groups, representing at least 26,000 households by 2026.¹⁴ This investment is aimed at the construction of new buildings and the renovation of existing housing and, where appropriate, the acquisition of new buildings or rental of buildings. Throughout mainland Portugal, investment in housing will be based on local strategies developed by the municipalities identifying all the needs of this programme while appointing the entities responsible for its implementation.

In **France**, EUR 500 million has been earmarked for the rehabilitation and renovation of social

housing stock in 2021 and 2022. Meanwhile, financing worth EUR 1 billion will continue to help **Germany's Länder** promote social and affordable housing until 2024.¹⁵ Moreover, **Slovenia's** national recovery and resilience plan promotes access to more affordable housing for people facing poverty and social exclusion through investments to the tune of EUR 60 million.¹⁶ Similarly, **Latvia** has set aside the same amount for quality social and municipal rental housing via renovation and construction projects.¹⁷ In **Greece**,¹⁸ the national plan foresees the renovation of 100 apartments (70 in Athens and 30 in Thessaloniki) for 250 beneficiaries from vulnerable, at-risk groups and groups affected by homelessness. And in **Bulgaria**, 21% of the country's social equity plan has been earmarked to provide access to adequate housing. Support for the construction or renovation of affordable housing is also included in the national plans of both **Luxembourg**¹⁹ and **Ireland**.²⁰

Adaptation of emergency accommodation to ensure more humane conditions

Due to the strict social distancing measures imposed during the pandemic, new shelter solutions had to be implemented that were of a higher quality than conventional emergency arrangements, i.e. dormitories and gymnasiums. Overcrowding in residential services was identified as a risk factor for the health of residents.²¹ As a result, 24/7 accommodation in single rooms and/or hotels has been continued in a number of municipalities where it has become the 'normal' accommodation model, e.g. in **Germany**, the **Netherlands**, and **Italy**. Such advances have been observed locally but have not been expanded nationally. In Berlin, more than 500 places in

converted hotels and hostels were used as 24/7 emergency shelters in winter 2020. Initially intended as an ad hoc solution, these schemes have provided psychological support and social counselling, favouring a beneficial change of approach for both individuals and professionals. Three of Berlin's 24/7 shelters are to be financed until 2023 using EUR 11.4 million in EU funds earmarked to mitigate the effects of the coronavirus pandemic²². 'Covid' funds also financed, on an ad-hoc basis, the conversion and upgrading of emergency shelters in the **Netherlands**, where access hours were also extended to a 24/7 basis and some dormitories were redesigned to accommodate only one or two people, leading to the opening of new centres to cope with demand. Most Dutch cities do not now want to turn back the clock, because of the particularly dramatic effects this could have on the people accommodated.²³ Municipalities are therefore looking to create new temporary accommodation, for example through the use of brownfield sites and containers. In **Poland**, the night shelters in Gdańsk and Wrocław changed to 24/7 opening, which was a hugely transformative step in the fight against homelessness in the country.²⁴ In **Brussels**, the 'hotel facilities' – opened thanks to Bruss'help during the COVID-19 epidemic – represented an opportunity to offer emergency solutions with a low threshold of access that were accessible 24/7. This offer was key to sheltering especially vulnerable categories of people, such as female victims of domestic violence and undocumented residents. The use of hotel rooms provided respite, privacy, comfort, a greater sense of security, and a form of autonomy for those who were homeless, regardless of their administrative situation.²⁵ Several hotels were made available from April 2020 to house homeless people. One year after the first hotel facilities were opened to the homeless, about 700 people were accommodated in hotel rooms, divided between five hotels and a former convales-

cent home converted into a women's shelter. In September 2021, at the time the scheme was evaluated, about 200 people were still being accommodated in hotel rooms. Initially proposed as a temporary and emergency solution, the scheme has continued over time and is now an integral part of the service provision aimed at homeless people in the Brussels-Capital Region.

In **France**, the Minister in charge of housing announced the end of the weather-based response management of emergency accommodation places in September 2021. Before the COVID-19 crisis, the State would release a certain number of so-called 'winter' places each year based on requests made by regional prefects, before closing a large proportion of them at the end of the winter season. The 2019-2020 winter plan initially foresaw the availability of 14,000 emergency accommodation places in addition to the 146,000 already in existence, a figure that has been revised upwards due to the pandemic. The 43,000 additional emergency accommodation places finally opened since March 2020 have been extended until March 2022.²⁶

Enabling homeless people to sleep in their own private space, and not in shared dormitories, not only facilitated containment of the virus, but it also improved the living conditions and quality of accommodation in the facilities concerned. Night shelters that are not accessible on a 24-hour basis and overcrowded emergency accommodation where privacy is impossible no longer have any place in a civilised Europe. Finally, while hybrid models such as the hotels – midway between an emergency shelter and a hostel – have the advantage of offering more dignified emergency solutions (i.e. low thresholds of access, greater privacy, and less risk of overcrowding), they also have their limitations in that they do not represent long-term, sustainable solutions that provide genuine respite and a real home for people in need.

Housing First: towards systemic change?

According to a survey conducted by homeless services in the **Italian** city of **Turin**, the pandemic served to amplify pre-existing problems, i.e. the dangerousness and unsuitability of emergency shelters, which disenfranchise their users and exclude them from the community at large. In contrast, Housing First projects are viewed as more inclusive and safer spaces that can empower people in their own lives.²⁷ Right across the European Union, calls to change the existing model of dealing with homelessness and to adopt measures that are not exclusively emergency-based are becoming louder. This is reflected in the action plan adopted by the new European Platform to combat homelessness described above.

In some countries and municipalities, the need for a long-term and sustainable reorganisation of homeless services has been enshrined in new public policies that are reorienting services towards long-term Housing First solutions:

- In **Denmark**, the parliamentary majority adopted an agreement on homelessness and housing in November 2021 to be implemented as of 2022. This is an important milestone in the fight against homelessness, as it recognises and addresses the fact that public responses to homelessness cannot be based solely on social policy but must include housing policy. Central to this change is the guarantee of an additional supply of affordable housing available to municipalities and a complete reorganisation of the existing approach to homelessness.²⁸
- In **Germany**, the new coalition government announced a national action programme to combat homelessness in a new agreement,

published on 24 November 2021, with the aim of ending homelessness by 2030.

- In the **Netherlands**, the government announced a new strategy in 2020 (called 'A home with a future'), which marks the gradual end of the emergency shelter model in order to base solutions on prevention and rapid rehousing.²⁹ Fast-tracking of the construction of affordable housing has also been the subject of a new agreement, with a financial commitment to the tune of EUR 1 billion, which will finance around 75,000 housing units, with EUR 100 million of those funds earmarked for housing specific groups like students, homeless people, refugees, and migrant workers.³⁰
- The use of EU funds in **Italy** as described above is also an effective lever for transformative social action and for the promotion of long-term housing approaches. The use of the funds is underpinned by guidelines on ending homelessness, allowing EU financing to be used for structural and systemic change.
- In January 2022, the **Spanish** government adopted a royal decree establishing a national plan for access to housing for the period 2022-2025, for a EUR 432 million budget. The plan includes a new support package targeting particularly at-risk groups while granting financial incentives to landlords offering affordable rental housing to young people. Cooperation agreements will be signed with the 17 regions for the implementation of the plan.³¹ Spain is also in the process of finalising a new homelessness strategy.
- In **Ireland**, a new Housing for All plan was adopted in autumn 2021. This five-year EUR 20 billion plan is the largest budget ever allocated to housing policy in Ireland. Policy aims include eradicating homelessness and increasing the supply of social and affordable housing.³² The initial steps are encouraging: a new national Housing First office has been set up to accompany the creation of 1,319 Housing First tenancies by 2026 while a citizen's assembly on a new strategy to tackle youth homelessness is also underway.³³
- Outside the EU, the **Welsh Government** has also announced a new strategy to phase out emergency and temporary accommodation. The programme includes, for example, the ambitious target of building 20,000 new low-carbon social homes and forging stronger links between local authorities and private sector landlords.³⁴ In **Scotland**, the Rapid Rehousing Transition Plan was initiated in 2019; an additional EUR 16 million will be allocated to local authorities from 2022 to 2024 to quickly rehouse homeless people in permanent housing if they have been living in temporary accommodation (ensuring this is only an interim solution). EUR 6.5 million of this is earmarked for Housing First schemes for people with multiple complex needs.³⁵



Photo : ©Yann Levy | Portrait de personnes sans abris à Paris

2. SHELTERING PEOPLE IN POST-PANDEMIC EUROPE: STILL A MAJOR CHALLENGE

Sadly, swift and effective action by institutions and stakeholders working with homeless people in many places during successive lockdowns in 2020 did not bring about much-hoped-for systemic changes. And despite some progress, the challenge of ending homelessness in Europe remains.

A persistent lack of accommodation places

Although fears of a mass closure of accommodation places when restrictions came to an end seem to have been allayed for the time being, the adaptation of services during the pandemic sometimes corresponded to reductions in the number of places available as not all services had the organisational and financial capacity to make the necessary transformations.

The budgets of some homeless services have been cut, such as in **Germany**, where high standards of protection and hygiene have also meant fewer available places. According to a survey conducted by BAGW,³⁶ few German facilities were able to rent additional buildings to allow for an accommodation supply at pre-pandemic levels. On the other hand, some local authorities went to great lengths to provide 24/7 services and offer accommodation including single rooms. But it was not a pervasive widespread movement – for several homeless services, no adequate space was available for those having to quarantine, for example.

Measures to protect vulnerable people were, as with all crisis management solutions, temporary, serving more as a brief reprieve for those

concerned. In **Ireland**, the number of people in emergency accommodation fell by a historic 21% in the early months of the pandemic between February 2020 and May 2021, as a result of the lockdown and ensuing tenant protection measures. In spring 2021, these measures came to an end, while rents continued to rise for families relying on housing benefits, without a commensurate increase in this allowance. At the same time, the number of people leaving accommodation for sustainable housing was half of what it had been the previous year, due to the lack of supply.³⁷ The number of people in emergency accommodation offered by Irish local authorities has now risen rapidly again, by 19% in just nine months.³⁸

The cost-of-living crisis and ensuing pressure on households will make it increasingly difficult for many of them to cover housing costs. The risk of homelessness, especially for vulnerable people can be expected to increase. Some governments have taken decisions that are exacerbating this situation by cutting social welfare and providing far too little support to households with incomes that are too low to withstand the rising energy costs. In the **UK**, for example, Universal Credit is a benefit introduced in 2013 that combines housing and family allowances, work tax credits, jobseeker's allowance, and income support; after being increased during the pandemic, it is now being targeted for further substantial cuts.³⁹

There is still a significant lack of knowledge in the EU Member States about the most extreme form of homelessness, i.e. sleeping rough, and the numbers of homeless people affected by this experience. In recent years, local, regional, and national authorities have increasingly tried to consider this blind spot by organising municipal nightly head counts of people sleeping rough

(i.e. who have no place to stay for the night or who have to sleep in an unsuitable place (car, tent, hallway, etc.). Censuses take place in several cities and provinces in **Belgium** (including Brussels, Arlon, Liège, Ghent, Charleroi, Namur, the south of West Flanders, and the province of Limburg⁴⁰), **Austria** (Graz, Salzburg, Vorarlberg, and Lower Austria), **France**⁴¹ (18 cities participated in a homeless census via the annual *Nuit de la Solidarité* in January 2022, including Paris, Lyon, Marseille, Bordeaux, Metz, Grenoble, Toulouse, Montpellier, etc.⁴²), **Spain** (Barcelona, Madrid, and autonomous communities). In **Paris**, 2,600 rough sleepers were counted on 20 January 2022.⁴³ In the **Belgian** city of **Charleroi**, 1,159 people were counted as being in need of shelter on 29 October 2021, of whom 36 % (284 people) were sleeping rough.⁴⁴ Local surveys conducted frequently are key to better understanding the profile of rough sleepers and their needs in order to improve public reception, accommodation, and inclusion policies and systems. In **Germany**, the first one-night census of homeless people was conducted by the federal authorities on 31 January 2022, enabling data to be compiled at federal, state, and municipal levels. While it will provide information on the number of people in emergency and temporary accommodation, it does not cover those sleeping rough or those staying with third parties.⁴⁵

Despite the exceptional improvement in circumstances brought on by the pandemic, life on the streets is still deadly in Europe. In **England**, 1,286 deaths of homeless people were recorded in 2021, an increase of 80% in just two years. Some 41% of deaths were reportedly due to alcohol or drug use and 12% to suicide – only seven homeless people were reported to have died as a result of COVID-19, demonstrating the effectiveness of emergency restriction measures against the spread of the virus but also the pitfall of not providing adequate support for people with complex needs.⁴⁶ In the Irish capital of **Dublin**, 115 home-

less people died in 2021, more than double the number of deaths recorded in 2019.⁴⁷ In **France**, in 2021, the *Collectif des Morts de la Rue* counted 623 deaths of homeless people, up 6% from 2020.⁴⁸ In the **Italian** capital of **Rome**, a man died of hypothermia in January 2021 after settling down for the night in front of the entrance to an emergency shelter which had been closed due to the pandemic.⁴⁹ In the **Netherlands**, palliative care integrated with emergency accommodation was set up to ensure a dignified end of life for very ill people, who are particularly vulnerable to disruption of care.⁵⁰ Having a roof over one's head continues to be a matter of survival; having a home remains a matter of dignity and respect for the most basic of human rights.

The challenge of hosting exiled people

In addition to this 'return to normality', there is a new humanitarian crisis. The Russian invasion of Ukraine in February 2022 forced more than three million people to leave their homes and flee the war. While the European Union and its Member States, especially Ukraine's neighbours, reacted immediately to facilitate the arrival of refugees,⁵¹ the challenge of providing dignified reception conditions for all those in need continues.⁵² The displacement of millions of people as a result of the war in Ukraine is likely to add to the already substantial pressure on existing services and the question of how long they can continue to be accommodated will then arise. The lack of adequate, dignified, and sufficient solutions for homeless people leads to increased competition between groups with intersectional vulnerabilities. This constantly undermines the Member States' duty of unconditional reception posing a

challenge which the whole of the European Union must be able to respond to.

Yet the past decade has shown an unprecedented reception crisis;⁵³ the result of managing migration flows to the detriment of basic rights and the adequate care of those seeking protection. Non-standardised reception conditions combined with dysfunctional housing markets have made refugees and asylum seekers particularly vulnerable to homelessness; not to mention the circumstances of asylum seekers in detention, those affected by the Dublin Regulation or who are in transit, and undocumented migrants, whose fundamental rights are systematically violated.⁵⁴

Reception systems for asylum seekers have not improved significantly in recent years, despite the ongoing humanitarian tragedies that show no signs of abating in many parts of the world. The inhumane and undignified living condition imposed on exiled people still exist today. With a substantial 79% drop in arrivals at **Greece's** land and sea borders in 2020 (particularly since lockdowns began in March of that year), coinciding with the beginning of a documented increase in reported refoulement practices, the Greek government proceeded to close several emergency reception camps.⁵⁵ The length of time that beneficiaries of international protection are allowed to stay in accommodation for asylum seekers has been reduced to six months, leading to bizarre scenarios where refugees, after a few months of being accommodated, were sent back to camps, tents, and makeshift shelters, exacerbating the risk of homelessness and destitution faced by refugees in Greece, in the continuing absence of a proper integration strategy.

The French city of **Calais** also tragically symbolises the structural dysfunction of the reception system. Every 48 hours the police evict homeless people in exile who set up makeshift camps with no alternative means of survival. This egregious harassment by police aims to avoid procedures that comply with international law, i.e. informing people in their own language that they are going to be evicted, providing a 'social diagnosis', and offering alternative accommodation. A prefectural decree even forbids the distribution of water and food in 31 streets across the city of Calais, effectively turning solidarity into a crime. By contrast, those fleeing the war in Ukraine in recent weeks were welcomed with dignity in a youth hostel opened specially by the Calais City Hall and the prefecture in accordance with existing legislation. The unconditional right to accommodation should, however, be non-discriminatory in principle and not depend on the administrative status of the people concerned. However, in practice, some Member States appear to be implementing a two-tier reception system.

1

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TAKING STOCK OF HOMELESSNESS IN EUROPE

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Photo : ©Yann Levy | Portrait de personnes sans abris à Paris



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CHAP. 2

EVICTIIONS IN EUROPE

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On 28 April 2020, Leilani Farha, UN Special Rapporteur on the Right to Adequate Housing, called on governments worldwide to suspend evictions in order to prevent the spread of COVID-19.¹ Faced with the need to adopt urgent lockdown measures, several countries granted moratoria to people facing eviction from their homes. Two years later, most of these measures have come to an end and moratoria are being lifted, leading to fears of a resurgence in evictions in Europe.

Being evicted from one's home, 'where meals are shared, quiet habits formed, dreams confessed, traditions created',² is a **form of institutional violence with dramatic social and economic consequences**. It is not merely one of life's misfortunes or a private struggle. Eviction without rehousing is legally sanctioned³ and, organised by public institutions that pitted the right to ownership against the right to be sheltered, housed, and protected in your 'home'.

This report mainly focuses on the conditions and consequences of the actual eviction, i.e. the moment the evictee is forced to leave their home. However, it is important to understand the eviction process in its entirety. According to the ETHOS typology, **people threatened with eviction** (i.e. those who have been served with an eviction notice, whether they are tenants, owner-occupiers facing repossession procedures due to mortgage arrears, or people living on land or in housing without right or title) **are all categorised as people living in insecure housing**.

Where an eviction is legal, it is the result of legal proceedings over a certain period that passed through different administrative and legal stages. Despite the differences between countries, the eviction procedure can be broadly divided into three consecutive steps (Kenna et al., 2016):

- **Step 1**) the owner starts the formal eviction process by serving the tenant with an eviction notice (which can lead to legal bodies, for example the court system, summoning both parties before a judge);
- **Step 2**) the legal authority formally orders repossession of the home and delivers an eviction order or dismisses the initial eviction notice;
- **Step 3**) the household is physically evicted from the home by legal order by a bailiff or authorised agents (possibly via a warrant and law enforcement).

An 'actual eviction' is one that gets to the third step.

[...] These steps (...) serve as an indicator of the fragility and insecurity of those involved. In other words, the further along the procedure, the more significant and wide-ranging the problems faced by those affected, which manifest in different areas of their lives (poverty, lack of knowledge of one of the national languages, low educational attainment, health problems, social isolation, etc.).⁴

For legal evictions, the last phase of the eviction occurs because the tenant has not complied – often because it is impossible to do so – with the legal decision ordering them to leave the place in question. This last phase is the moment when the legal decision is implemented by the bailiff with the assistance of law enforcement who enter the occupant's home (though in some cases, the occupants have already left). The purpose of the eviction at this point is to immediately and completely empty the real estate of its occupants

and their belongings, in order that it may be returned to the owner. **Not every eviction ends in an 'actual eviction', carried out with the involvement of law enforcement.** Many evictions never reach this stage. Instead, they end in a 'voluntary departure', which is hard to quantify and, despite its name, involves forced departure from the home. In such cases, the occupants have been successfully evicted from the premises as part of the so-called 'implementation' phase of the process.

Where an eviction is **illegal**, it does not comply with the legal framework. Illegal evictions may occur at the behest of the owner, via force or other types of pressure (excessive rent increase, threatening letters sent by a lawyer or by the owner themselves, etc.). They can also arise as a result of unfit housing conditions, gas or electricity disconnections due to unpaid bills (forcing tenants to leave their home for fear of a cold winter), in the absence of a written contract, etc. Happening under the radar of legal or policy measures, these are 'silent evictions' because they cannot be quantified; only the professionals involved and those affected can help us to comprehend this hidden problem.

The triggers, or risk factors, for eviction vary and depend on the national and/or regional/local legislation in each jurisdiction. Such triggers are deep-rooted in the reasons behind eviction notices. They can be **due to the owner**: changes in the lease conditions (rent increase), intention to occupy the property, change in owner (death, inheritance, sale, etc.), wish to change tenants, desire to carry out significant renovation works, non-regulatory lease or occupancy conditions (absence of lease, unauthorised sub-let, no legal address, etc.), unfit or unsuitable housing (no investment in renovations/maintenance), poor management of the property, etc. From the tenants' perspective, the factors are often linked to arrears in rent and/or utilities (due to a very

high proportion of income being spent on rent, a sudden change in their financial situation or household composition, debt, lack of savings, health problems, etc.), but can also be related to degradation of the property (poor maintenance,

overcrowding, etc.), neighbourhood disturbances, not meeting contractual obligations, occupation without right or title, refusing the terms of a new lease, or a complaint being filed due to unfit housing.

Risk factors for eviction - Analysis table (Kenna et al., 2015)⁵

Type of cause	Factor	Comment
Structural	Poverty	Severe poverty
	Unemployment	High rate of unemployment, financial breakdown
	Lack of housing	High prices, lack of affordable housing
Systemic/ Institutional	Legal systems	Procedures for evictions and repossessions lacking prevention mechanisms
	Social protection system	Weak protection against unemployment and loss of income, low transfer incomes
	Availability of support services	Lack of social assistance, prevention, for example outreach work for the most vulnerable
	Households with psychosocial vulnerabilities	Pas de priorisation du logement abordable vers les revenus modestes et les groupes en grand besoin
	Housing allocation system	No prioritisation of affordable housing for lower income households and those most in need
Interpersonal	Family status	Vulnerability of single people
	Relationship situation	Domestic violence
	Relationship breakdown	Death, divorce, separation
	Lack of social network	No support from family, friends or social networks
Personal	Economic/employment status	Low disposable income, no job, working poor, low level of savings
	Ethnic and minority status	Cultural barriers, discrimination

The following **aggravating factors for eviction**⁵ explain, at least partially, how the circumstances of an evictee can deteriorate. These include poor access to information (inadequately distributed information, a lack of understanding of the legislation, mistaken beliefs, illiteracy, or lack of proficiency in the local language); refusal to participate in the legal proceedings; lack of responsiveness (denial, unopened mail, psychological and/or social distress, or refusal to comply); not availing of support services; absence of protective rights; absence of support from social services and/or legal aid; and the ineffectiveness or inadequacy of whatever assistance is offered.

One of the social and economic consequences of the 2008 financial crisis **was the increased recourse to the private rental market** in place of owner occupation, particularly in countries where the housing market is extensively ownership-based, e.g. in Italy and Central and Eastern European countries. In these countries, the number of housing units offered on the black market, outside the legal framework, seems to make up a very large proportion of the rental market. In response to these developments, legislative reforms on the relationship between landlord and tenant were established in Member States, with some countries becoming less protective of tenants' rights (in Spain and Portugal, for example), or alternatively introducing rental regulations for the first time to rebalance the power held by landlords and tenants (Croatia, Hungary, and Slovenia) or to limit rent increases (Germany).⁷ **Evictions are a symptom of the delicate balance between the right to property and the right to a home.** This balance is regulated through the legal framework in each country. Despite this, the balance seems to be particularly tipped towards landlords in high-pressure zones. The severe lack of affordable housing adapted to household size as well as competition for access in these areas puts landlords in a powerful position vis-à-vis tenants. This position of power

manifests in, among other things, the possibility to – rather easily – evict a tenant from the housing unit they occupy. Landlords are, of course, not all the same and do not all have the same relationship with their property. Small private landlords invest their savings in housing and count on the rental investment to supplement their incomes, to prepare for their retirement, or to create an inheritance; they are not motivated in the same way as institutional landlords, property companies, and investment funds. The latter invest in housing as real estate assets, aiming to secure a yield, i.e. a return on their investment, with the largest profits possible to be extracted.

This chapter was compiled based on bibliographical research and interviews with people affected by evictions, either through personal experience or in the course of their professional work. **The social impact of the 2008 financial crisis significantly weakened households leading to large numbers of evictions. The 2017 edition of this report⁸ unequivocally demonstrated that these evictions are useless, expensive, and preventable.** At that time, urgent measures were taken in some of the countries most affected in order to prevent dramatic waves of evictions.⁹ Today, the consequences of the pandemic are being compounded by the effects of the war in Ukraine and its impact on the cost of energy and consumer goods. While evictions remain poorly understood in Europe despite their major societal impact (I), the above-mentioned events have led to fears of an increase in household debt due to a growing proportion of income being spent on housing costs (including utilities), which risks leading to a wave of evictions across Europe (II). That said, solutions already exist to avoid these expensive and useless procedures (III).

1. HIDDEN EVICTIONS WITH MAJOR SOCIAL IMPACT

Even now in 2022, quantitative and qualitative knowledge about evictions remains patchy. And yet precise, homogeneous, regular, and trustworthy data are vital for identifying and combating rising in evictions, as well as for carrying out a needs analysis and evaluating the efficiency of prevention policies. It is now clear that evictions are a vector for poverty, social exclusion, and inequality, as well as being extremely costly – both in human and economic terms – for society as a whole.

Insufficient data

The current difficulties linked to data collection in this area are numerous, as detailed below.¹⁰

- **Partial data.** In terms of information sources and databases, some steps in the procedures and certain forms of evictions are recorded while others are not.

Only **France, Italy, Wallonia** (Belgium), **Poland**, (and **England**) gather data on all the procedural steps in evictions. The majority of countries only provide statistics on one or two of the procedural steps for evictions; **Denmark** is one such example where only the number of eviction orders mandated by the courts is available, and no information on possession orders is available. The data available does however show that actual evictions represent a variable proportion of the total number of eviction procedures. In **Italy**, of 32,536 evictions ordered in 2020, 22,841 were the subject of enforcement requests and 5,270 were ultimately carried out.¹¹ In **the Netherlands**, a quarter of legal rulings ultimately ended in an

eviction: 1,720 actual evictions were counted in 2020, out of 6,750 court rulings.¹² In **Sweden**, 2,560 physical evictions were counted out of 6,324 eviction requests filed in the courts in 2021.¹³ In **Germany**, 46,571 eviction notices counted at federal level (excluding Bavaria, Hamburg and Schleswig-Holstein) in 2020 resulted in 29,744 actual evictions,¹⁴ i.e. an average of 81 evictions per day. In **France** in 2019, out of 130,514 court rulings on evictions, 16,700 evictions were carried out with the assistance of law enforcement. However, the number of households evicted and forced to leave their homes is much greater than the data on evictions subject to full legal proceedings would suggest. In fact, a large number of households leave their homes for fear of legal proceedings or under pressure from a landlord or bailiff. According to the Foundation Abbé Pierre, about half of orders to vacate premises in France, involving more than 30,000 households, are not carried out due to the 'voluntary' departure of the occupants.¹⁵

- **Very varied sources depending on country.** The official statistics of bailiffs and courts collocate data on evictions in **the Czech Republic, Denmark, Finland, Latvia, Spain, Sweden, and England**. In **Italy and in Poland**, the national statistics institutes are responsible for providing this data. In **the Netherlands**, data on rental evictions are only available for social housing and it is the social landlords who collect and transmit the information. In **Belgium and Greece**, a total lack of statistical monitoring means academic research and estimates from NGOs form the only available data. In Belgium, as the justice of the peace court is paper-based, researchers investigating this issue have to go through files by hand in the court buildings.¹⁶ In **France**, the

first two steps are monitored by the Ministry of Justice through the courts responsible. Data on the enforcement of decisions are collected by France's Ministry of the Interior through prefects (State representatives in each region). In Germany, the federal government collects the data on enforcement decisions.¹⁷

- Data that does not cover all segments of the housing market or all types of evictions. Some sources only report statistics on household eviction procedures when it comes to social or public housing, such as in **the Netherlands**, for example, which does not provide a full overview of the situation, as occupants of private housing stock are often less well protected than those in social housing. Evictions from informal living places (squats, shanty towns, etc.) are very often under documented: no data exists on this issue in Central and Eastern Europe countries, although several testimonies and submissions to the international courts in **Poland, Bulgaria, Hungary, and Slovakia**, for example, show that they occur frequently and that there has been a hardening of these practices, mainly targeting Roma communities.¹⁸ In **France**, the Observatory of Collective Evictions from Informal Living Places (*Observatoire des expulsions collectives de lieux de vie informels*), organised by the NGO sector, counts all evictions or evacuations of people from shared or informal living places, detailing their legal basis and the practicalities of how they were carried out.¹⁹

- Weak data on the characteristics and profiles of households affected by eviction and the outcomes for them. Research conducted in 2015 by Professor P. Kenna and his team also aimed to identify the households affected. In particular they tried to identify destabilising or discriminatory factors that result in over-representation with regard to eviction, i.e. household composition, gender, country of birth, work situation, value of property from which household is being

evicted, household income. Information on this, derived mainly from academic research, exists for a mere six countries (Denmark, Finland, Spain, the Netherlands, Sweden, and most of Germany).²⁰ In **France**, given the lack of visibility on the outcome of households following an eviction, the Foundation Abbé Pierre and University of Paris 1 Pantheon-Sorbonne launched a study on the subject.

« For the majority of them (evicted households), we don't know what becomes of them. »

*Bana Woolery,
Social Service Assistance for Housing and
Eviction Prevention, Berlin-Mitte²¹*

The lack of interest in understanding who might be affected demonstrates that eviction is still considered an issue of personal responsibility. The societal dimension has been inadequately researched, which shows the general denial of the systemic causes of eviction in particular, and of housing difficulties in general. And yet, rental evictions are undeniable vectors of poverty and inequality.

A catalyst for poverty and inequality

At each stage of the eviction procedure, a series of stakeholders and factors interact: the further the procedure advances, the more multiple weaknesses in different areas of people's lives become apparent (financial poverty firstly, a low level of educational attainment, sometimes combined with poor understanding of the national language(s), physical and mental health problems, social isolation, etc.). According to the Brussels report on poverty,²² **the absence of a**

genuine rehousing solution is the determining factor in people not voluntarily vacating their homes, which in turn leads to actual evictions.²³

The severe lack of affordable housing in Europe and the flagrant lack of social housing are the source of evictees' difficulties.

« I don't understand. I've been on the waiting list for social housing for so long. All my brothers and my cousins have one but being disabled with two children doesn't seem to be enough to be prioritised. [...] My son is 12 years old and no longer concentrates in school. This situation has been going on for 11 years and has affected my whole family. »

*Mr. S., on the waiting list for social housing for 11 years and facing eviction from his private rental accommodation.*²⁴

Eviction can represent a significant personal breakdown, a traumatic event with painful consequences reverberating well into the future lives of those affected. There are consequences:

- On health and mortality. Several studies carried out in different countries have shown the impact of evictions on the physical health of people evicted (self-reported bad health, high blood pressure) and also on mental health (depression, anxiety, psychological distress, and suicide), as well as on violence towards children, even several years after the eviction.²⁵ In the **United States**, the high level of accidental deaths associated with drug and alcohol abuse is exacerbated by the level of eviction risk.²⁶ In **France**, according to the above-mentioned study carried out by the Foundation Abbé Pierre and the University of Paris 1 Pantheon-Sorbonne, 71% of evictees surveyed presented with health problems or psychological problems arising from an eviction.²⁷ Among the dramatic personal and social consequences that evictions can have, a study²⁸ conducted among more than 22,000 people in

Sweden showed a correlation between evictions and suicides. People who have lost the legal right to their home and whose landlord has enforced an eviction order were about four times more likely to commit suicide than those who had not been exposed to this type of experience (taking into account demographic, socioeconomic, and mental health issues prior to the court ruling). Home evictions therefore have a significant and detrimental effect on the suicide risk of individuals, even when controlled for several other risk factors.

- On wellbeing, particularly children's wellbeing, which has significant repercussions on their adult lives. Some 80% of families surveyed in the above-mentioned French study stated that the eviction had a direct impact on their wellbeing, and 43% reported that it affected the education of their children (disengagement with school, behavioural problems, and concentration difficulties). Increased risk of severe material deprivation, depression, health problems, and parenting stress have a long-lasting impact on family life, including up to several years after the eviction.²⁹ Housing insecurity is particularly dramatic for the trajectory of children's lives. According to a US study for example, housing- and abuse-related experiences (children being placed in care, running away, getting kicked out of the family home, or being a victim of physical, emotional, or sexual abuse) of minors increases their chances of experiencing housing insecurity as adults (26-32 years). This means they are at higher risk of being unable to pay rent or mortgage and/or utilities and of being evicted.³⁰ Housing insecurity as experienced by adolescents increases not only the risk of depression but also of being involved in criminal activity as an adult.³¹

- On holding down a job and income security. People forcibly evicted from their homes belong to particularly disadvantaged sectors of society. In **Sweden**, more than half of people evicted have

no work-related income, compared to 15% of the total Swedish population.³² Evictions also have repercussions on employment as workers who lose their home are much more likely to also lose their job. According to the above-mentioned study conducted in **France**, 29% of people surveyed have been unable to continue their careers due to being evicted. In the **United States**, the risk of being made redundant is much higher among workers who have experienced an eviction than among those with similar characteristics who have not.³³

- On criminal activity and prison sentences.

Criminal behaviour is fuelled by the process of marginalisation, and by the cumulative effects of social disadvantages and housing insecurity. Evictions increase the risk of criminality, just as criminality in turn increases the risk of eviction. In **Sweden** for example, evictions increase the rate of criminal conviction for 'utilitarian', violent, and drug-trafficking crimes.³⁴ Some 60% of those evicted have been convicted of a criminal offence, compared to 14% of the total Swedish population.³⁵ Several studies have shown that evictions, through their direct consequences on spiralling financial difficulties and substance abuse, increase a person's risk of being involved in the criminal justice system.³⁶ Eviction is even carried out by the authorities with extreme violence in some places as a public safety measure, to combat 'anti-social behaviour' or 'criminality'. This is true of the Netherlands, Denmark,³⁷ Flanders, and France. For example, in Nice, a mother was even evicted with her 19-year-old son from social housing when he was convicted of drug trafficking.³⁸

- On finding a home, rehousing difficulties, and housing deprivation. Referring to the above-mentioned study again, one to three years after their eviction, 32% of households surveyed had not yet managed to find a proper home and were still living in hotels or with third parties.

According to the Kenna et al. study, financed by the European Commission in 2016,³⁹ in EU Member States where evictions mainly affect people with significant support needs, about a quarter of those evicted are vulnerable to becoming homeless once they have exhausted all the fallback solutions. According to the same study, the trajectory from eviction to the streets is not direct: generally, evictees find temporary solutions in the months following the eviction, particularly by 'couch surfing' and staying with third parties, ending up on the streets six to twelve months after the eviction.

« We are now in a situation where the bailiff letter is imminent, and we are about to become homeless. We cannot find any other places to rent because we'd fail landlord reference or credit checks now that we're behind on rent, and we don't have a guarantor or six months' rent sitting in the bank which landlords and letting agents ask for if you fail credit checks. We are essentially homeless with no help from the council because we will be deemed as having made ourselves intentionally homeless. I never envisioned being in a position where I work yet I am homeless. »

Rachel, her partner and her adult daughter after being served an eviction notice in Essex (England) during the pandemic.⁴⁰

While those evicted do not all necessarily become homeless, some studies show that homeless people have often experienced one or more evictions in their lives. In **Ireland**, for example, a study conducted by Focus Ireland showed that eviction, on receipt of a notice from the landlord of their intention to sell or occupy the home, was one of the main causes of homelessness for families in emergency accommodation.⁴¹ Tenants, particularly those on the private market, are particularly vulnerable in high-pressure zones. A study conducted in **the**

Netherlands on a sample of 120 homeless adults in Amsterdam showed that 38% of them lived in rented accommodation before being evicted and becoming homeless.⁴² In **Romania**, according to 2020 figures from the association 'Casa Ioana' concerning 46 adults who requested a place in one of their reception centres, almost half (21) had become homeless following an eviction from private rented accommodation.⁴³

« In Poland, if an evicted person has no rehousing option, the bailiffs are required to ask the local authorities to offer them an accommodation place. This will be in temporary accommodation, hotel rooms, or apartments, for three to six months maximum, and sometimes in emergency accommodation. The hotels can be of very low quality and some are solely used by evictees; there is, for example, one in Warsaw. To stay longer than six months, the person must pay for it themselves. Particularly vulnerable communities who cannot manage this find themselves homeless. »

Beata Siemieniako, lawyer in Poland⁴⁴

An expensive reality

Forced evictions without rehousing are not simply the result of a succession of accumulated individual tragedies. They represent a systemic and structural failure, a collective problem that costs communities dearly:

- in terms of **public health**. Effectively fighting evictions slows the circulation of infectious diseases and leads to improved health among communities.⁴⁵ This has been proven by many studies throughout the COVID-19 pandemic. In the **United States**, several investigations have shown that eviction moratoria helped reduce the spread of the virus. In the first weeks after the moratorium was lifted in a given state, the

COVID-19 cases and deaths started to rise, which was not the case in states that maintained their moratorium.⁴⁶ Areas with the highest number of eviction applications during the pandemic had the lowest COVID-19 vaccination rate, which left residents particularly vulnerable to infection.⁴⁷ The prevention of evictions was therefore essential to controlling the COVID-19 pandemic.⁴⁸ Furthermore, the eviction moratorium was introduced by the CDC (Centers for Disease Control and Prevention) in the United States as a public health measure.

- in terms of **public spending**. Preventing evictions is not only important from social and health perspectives, but also from a financial perspective. Preventing evictions, through promoting housing security, also ensures greater stability on the jobs market.⁴⁹ Furthermore, the cost of physical eviction procedures and their consequences, which require the involvement of multiple stakeholders, is very high. This cost includes legal fees, the enforcement costs, as well as the rehousing and accommodation costs. In the **Austrian** capital of Vienna, FAWOS (the eviction prevention service) cost EUR 1.63 million in 2012. This covered 2,931 households (6,741 people), which represents an annual cost of EUR 241.82 per person. Compare this to the cost of rehousing and support services which are estimated at EUR 600 per person per month: prevention is 30 times cheaper. A study conducted in Germany and Austria showed that for every EUR 1 spent on preventing evictions (advice and management of rent arrears), EUR 7 can be saved on temporary housing and reintegrating homeless households. The city of Bielefeld in Germany calculated that through their eviction prevention policy, they have saved EUR 1.6 million. In the Netherlands, a study showed savings of EUR 2.20 for every EUR 1 spent.⁵⁰ In **Scotland**, 1,866 evictions of tenants from social housing by local authorities and housing associations in one year (2019-2020) cost GBP 28 million. These figures include the legal fees and the cost

of accommodating evicted households who are made homeless. While the cost of supporting homeless households varies considerably, it is estimated that the total average cost of evicting a lone person with non-complex needs, who spends nine months in temporary housing is close to GBP 24,000.⁵¹ Preventing evictions is an effective means of reducing the number of home-

less people and related expenditure. Previous editions of this report and several studies have shown the enormous societal cost of housing deprivation in the European Union, proving that prevention policies offer the best possible cost-benefit ratio.⁵² As well as being inhumane, resorting to forced evictions without rehousing solutions is not cost-effective.

Rental evictions in OECD countries

Rental evictions are widespread in OECD countries although the statistics available vary significantly from one country to the next. The database on affordable housing created by the OECD's Directorate for Employment, Labour and Social Affairs includes an indicator on rental evictions which gathers statistics on the realities and the various definitions relating to this issue. Following the widespread adoption of moratoria on evictions during the COVID-19 pandemic by OECD Member States, the OECD reported a drastic fall in the eviction rate. However, the data on evictions are still incomplete and prevent a detailed and comprehensive understanding of the profiles and needs of evicted households and of those at risk of involuntarily leaving their homes.

« Prevention is always cheaper than cure. »

Willem Adema, head of the OECD's housing mission

Find out more: <https://www.oecd.org/els/family/HC3-3-Evictions.pdf>

2. THE EFFECTS OF THE PANDEMIC ON MAINTAINING HOUSEHOLDS IN HOUSING

A temporary reprieve brought by the emergency protective measures adopted during the crisis

The measures taken during the pandemic, for a short period, brought an unexpected reprieve to households living under threat of eviction.

At the beginning of the COVID-19 pandemic, several protective policies were introduced affording households temporary housing secu-

rity. A Eurofound study showed that while 6% of Europeans reported at the beginning of the crisis (April-May 2020) that they were at risk of having to leave their current home within the following three months due to their inability to pay rent, this figure fell to 4.8% in June-July 2020 (rising again to 5.4% in February-March 2021).⁵³ The most widely adopted measures were the temporary suspension of rental evictions and repossessions, as well as emergency supports to compensate for loss of income due to the pandemic and limiting the cutting off of energy supplies.⁵⁴



Photo : @Sebastien Godefroy | Expulsion permanence ESH

EVICTIONS AND MORATORIA IN 10 EUROPEAN UNION COUNTRIES DURING THE PANDEMIC

GERMANY

Moratoria and protection measures taken during the pandemic

Federal moratorium announced by the parliament (Bundestag)

Duration: Three months from April to June 2020

Content: Deferment or suspension of eviction notices for tenants in arrears due to the pandemic (deferment until June 2022 inclusive, with the unpaid rent being paid before then) and deferment of actual evictions by court bailiffs when social distancing cannot be maintained.

Available figures on evictions

46,571 rental eviction notices issued nationally (excluding Bavaria) in 2020, compared to 50,763 in 2019 (2018: 54,010; 2017: 53,632; 2016: 54,276) i.e. an 8% drop in 2020.⁵⁵

29,744 households actually evicted (legal enforcement of the eviction procedure) in 2020 nationally (excluding Hamburg and Schleswig-Holstein)⁵⁶ i.e. an average of 81 evictions per day.⁵⁷

In 2020, energy providers disconnected the electricity supplies of more than 230,000 consumers in Germany due to unpaid bills.⁵⁸

FRANCE

Moratoria and protection measures taken during the pandemic

Annual winter eviction suspension, usually from 1 November to 31 March, extended by three months in 2020 and by two months in 2021 and reinforced by inter-ministerial guidelines ordering prefects to only enforce eviction orders where a rehousing or alternative accommodation solution is in place. However, according to various associations working in the sector, this 'was not fully complied with, and was even ignored, in the worst affected regions'.⁵⁹

Available figures on evictions

In 2019, 130,514 court rulings for evictions. 17,000 households evicted with the assistance of law enforcement in 2019; 8,156 in 2020; 12,000 in 2021.⁶⁰

Risk of 30,000 eviction requests for rent arrears in 2022.⁶¹

785,096 actions taken by energy providers due to unpaid bills (suspending supply of electricity or natural gas or reducing power levels) in 2021, i.e. a 17% increase in such actions compared to 2019, which can be partly explained by catching up on defaulters from 2020.⁶²

SPAIN

Moratoria and protection measures taken during the pandemic

- Suspension and deferment of legal deadlines for rental evictions due to the state of emergency brought on by the pandemic.

Duration: from March to June 2020

- Suspension of rental evictions where certain conditions are met, including financial vulnerability during the pandemic at the request of the tenant who must be able to prove to social services that they belong to one of the specific vulnerable categories.⁶³

Duration: measure extended several times over the last two years, currently in force until 30 September 2022.⁶⁴

Figures available on evictions

41,369 rental evictions and repossessions carried out in 2021, a 40.65% increase on 2020 and a 23.4% drop on 2019 when more than 54,000 evictions were counted.

28,993 evictions for rent arrears in 2021 (+37.1% on 2020), 10,103 for mortgage arrears (+46.1% on 2020), and 2,263 for other reasons (+68.1%).⁶⁵

In June 2020, lifting the suspension of legal deadlines for rental evictions led to a 413% resurgence in evictions compared to the first half of 2020.⁶⁶

79,000 new evictions could take place at the end of the moratorium if no other policy is introduced; this would mean even higher levels than in the 2012-2013 post-financial crisis period.⁶⁷

ITALY

Moratoria and protection measures taken during the pandemic

Four successive moratoria on processing eviction applications for reasons of arrears.

Duration:

- Until 31 June 2021 for eviction approvals filed before 28 February 2020.

- Until 1 October 2021 for eviction approvals filed between 28 February 2020 and 30 September 2020.

- **Until 31 December 2021 for eviction approvals filed between 1 October 2020 and 30 June 2021.**

Some municipalities including Rome and Milan have extended this until January 2022.

Figures available on evictions

32,536 evictions ordered in 2020, 28,024 (90%) of which were on grounds of arrears. 22,841 enforcement requests, 5,270 of which were effectively carried out.⁶⁸ 70,000 suspended evictions over the last two years: 32,000 in 2020 and between 40,000 and 50,000 in 2021.

An estimated wave of 100,000 evictions to come following the lifting of the moratorium.⁶⁹

IRELAND

Moratoria and protection measures taken during the pandemic

- Rent freeze

- Suspension in carrying out evictions and 90 extra days added to the notice of termination period, on condition that the tenants can prove that they were in arrears due to the pandemic and that they risk losing their lease.⁷⁰

Duration: until 12 January 2022.⁷¹

Figures available on evictions

2020: 1,902 households received a notice of termination from their landlord.⁷²

2021 (lockdown measures lifted in April 2021): 3,038 households received a notice of termination, i.e. a 60% increase in eviction notices.⁷³

AUSTRIA**Moratoria and protection measures taken during the pandemic**

- Ban on terminating a rental agreement due to arrears;
- Flexibility on extending fixed-term rental contracts;
- Possibility to defer a rental eviction at the request of the tenant concerned.

Duration: From 1 April to 30 June 2020.⁷⁴

Figures available on evictions**In Vienna:**

2019: 2,187 actual evictions.

2020: 1,567 actual evictions, i.e. a drop of -28% in one year.

11,835 households risk losing their apartment due to an eviction procedure in 2020 (compared to 21,500 households in 2014).⁷⁵

The number of forced evictions in Austria had fallen considerably in the 15 years preceding the pandemic. In 2019, there were about 38% fewer evictions than in 2004.

In summer 2021, up to 17,000 tenants risked being evicted in the months following the end of protection measures.⁷⁶

FINLAND**Moratoria and protection measures taken during the pandemic**

No moratorium on evictions or specific protection measures, apart from some adapted services. The lockdown measures did not lead to a drop in the number of evictions.

Figures available on evictions

2014: 7,586 eviction procedures initiated, 3,679 evictions ordered and 3,500 eviction notices cancelled by the landlord.

2019: 6,958 eviction procedures initiated, 3,879 evictions ordered and 2,883 eviction notices cancelled by the landlord.

2020: 6,425 eviction procedures initiated, 3,629 evictions ordered and 2,689 eviction notices cancelled by the landlord.

2021: 6,818 eviction procedures initiated, 2,874 evictions ordered and 2,874 eviction notices cancelled by the landlord.

This represents a 7.7% fall between 2019 and 2020 and a rise of 6.1% between 2020 and 2021 in eviction procedures initiated; and a 6.2% fall between 2019 and 2020 and a rise of 5.7% between 2020 and 2021 in evictions ordered.⁷⁷

BELGIUM**Moratoria and protection measures taken during the pandemic**

- Temporary successive suspensions in rental evictions on grounds of arrears in Flanders, Wallonia, and Brussels
- Emergency support for rent payment for poor households who lost income during the pandemic

Duration:

- Wallonia: until 8 June 2020.

- Brussels: until 13 May 2020 and from 11 November 2020 to 15 December 2020.

No winter suspension on evictions in Belgium except for social housing.

Figures available on evictions

No centralised data available in Belgium.⁷⁸

According to 2018 estimates, 5,000 legal eviction requests are filed each year in Brussels with the justice of the peace court. This results in at least 600 forced evictions.⁷⁹

In Wallonia, eviction rulings increased from 5,529 in 2005 to 14,234 in 2012. From a sample of 1,000 legal decisions analysed for the year 2012, eviction rulings were made in 33% of cases. And in 80% of these cases, the reason stated was rent arrears.⁸⁰

SWEDEN**Moratoria and protection measures taken during the pandemic**

No moratorium on evictions during the pandemic.⁸¹ Increase in housing assistance for families with children from 1 July to 31 December 2021.⁸²

Figures available on evictions

Eviction requests filed:

2019 : 5,262 / 2020 : 5,598 / 2021 : 6,324

Physical evictions:

2019 : 2,355 / 2020 : 2,106 / 2021 : 2,560

The number of children affected by forced evictions fell between 2008 (716) and 2016 (387), then increased again (572 in 2021).⁸³

NETHERLANDS**Moratoria and protection measures taken during the pandemic**

No moratorium on evictions during the pandemic.

Figures available on evictions

Data only available for social housing.

2018: 12,000 court rulings on evictions; 3,000 physical evictions.

2020: 6,750 court rulings on evictions; 1,720 physical evictions.

One quarter of rulings ultimately end in an eviction.

Continuous drop in rulings and enforced evictions since 2015 in terms of social housing, due to the adoption of prevention measures by housing corporations to prevent over-indebtedness.⁸⁴

The outbreak of the pandemic in 2020 marked a significant drop in the number of households actually being evicted from their housing due to suspensions in a large number of countries. In the Austrian capital of Vienna, effective evictions fell by 28% between 2019 and 2020. In **France**, the number of evictions with assistance from law enforcement fell by half. In **Italy**, 70,000 evictions were suspended in 2020 and 2021. Even outside of such moratoria, lockdown policies provided a reprieve for people threatened with eviction; in places where no official moratorium was adopted, for example in **Finland and the Netherlands**, evictions effectively slowed in 2020. In EU countries with a large majority of owner-occupiers, notably Eastern European countries, temporary protection measures made during the pandemic were mainly related to moratoria on mortgage payments and loans or eliminating mortgage interest payments (Poland, Lithuania, Latvia, Hungary, Bulgaria, Croatia, and Greece).⁸⁵

Another impact of the adoption of moratoria became apparent in **Ireland** for example, when the few months that the moratorium measures applied coincided with the first fall in the number of families in local authority emergency accommodation for several years. This led NGOs to label the eviction moratorium as the main reason for a reduction, by about 20% in 2020, of the number of homeless people⁸⁶. Even without data and enough of a perspective yet, given that evictions have a significant impact on the health and education of children in disadvantaged families, it would seem that the moratoria have (temporarily, at least) protected this particularly vulnerable section of society.⁸⁷ The main pitfall of the moratoria adopted is their temporary nature. While they had the advantage of temporarily halting some of the flow of newly evicted homeless people, they deferred, rather than resolved, the financial difficulties experienced by households that benefited from the reprieve.

The financial weakening of households and the increase in housing costs

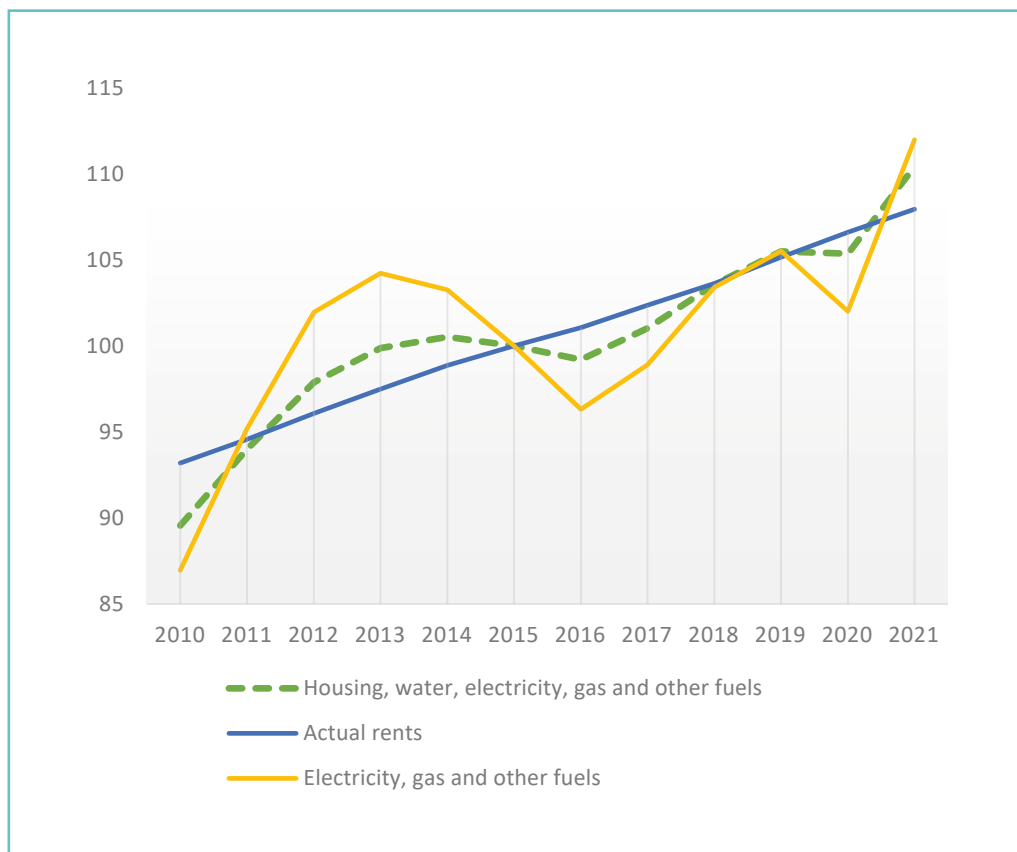
As demonstrated in the pan-European study by Kenna et al. financed by the European Commission in 2015, where data are available, unemployment and financial instability are the main factors when it comes to risk of eviction. In Central and Eastern European countries, evictions are closely linked to poverty – low incomes, including from work and pensions, and lack of savings makes it difficult to tackle the vagaries of life. In Northern and Western European countries, where prevention measures are more common and long-standing, evictions tend to be the result of a cumulation of structural and personal factors, i.e. unemployment, relationship or family breakdown, high housing costs, psychosocial difficulties, addiction, isolation, etc.⁸⁸ In **Sweden**, for example, two-thirds of people actually evicted in 2017 were dependent on means-tested social benefits to survive, compared to 7% of the total Swedish population.⁸⁹

Between 2020 and 2021, **the proportion of income spent on housing and utilities (water, electricity, gas, and other fuels) once again increased for European households. It represented more than a quarter (25.7%) of spending; an increase of 2.2 points in one year.**⁹⁰ When this expenditure is analysed in detail, what emerges is a consistent increase in spending related to actual rents, i.e. of about 16% between 2010 and 2021. **Energy spending (electricity, gas, and other fuels) has increased the most significantly, by 29% between 2010 and 2021**, and by 10% in just one year, between 2020 and 2021. Finally, 37.8% of poor households were overburdened by housing costs in 2020,⁹¹ an increase of three percentage

points when compared to 2010. This increase in prices has significantly impacted the ability

of households to cover the costs of housing and utilities.

INDEX OF HOUSEHOLDS' EXPENDITURE ON HOUSING, 2015 = 100, EU27



FEANTSA & Foundation Abbé Pierre graph – Source : Eurostat, HICP (2022)

An explosion in energy costs

According to the Harmonised Indices of Consumer Prices,⁹² in all EU27 Member States excluding Slovakia, the Czech Republic, and Malta, the price of electricity, gas and other fuels as a whole increased between 2020 and 2021. These increases are particularly concerning in Belgium (+26%), Spain (+26%), Estonia (+22%), and the Netherlands (+18%). This signals the major crisis in household living expenses coming down the lines, worsened by the economic impact of the Russian invasion of Ukraine. **The price of electricity, gas, and other fuels increased by 43% between February 2020 and March 2022.** This steep rise in prices has particularly affected heating oil (+81%), gas (+48%), and electricity (+39%).⁹³ This explosion in utilities and the cost of living are significant factors in terms of risk of eviction, and in the increased number of households affected by energy poverty and living in unfit housing.

Against this backdrop, rent and mortgage arrears are identified as the main triggers of eviction procedures. **In 2020 in Europe, almost one in ten poor households was in rent or mortgage arrears and this proportion increased by 16% in just one year.**⁹⁴ In **Spain** in 2021,⁹⁵ 70% of evictions were a result of non-payment of rent (+37% on 2020) and 24% were a result of non-payment of mortgage dues (+46% on 2020). In **Italy** in 2020, 90% of evictions were ordered due to payment arrears.⁹⁶ Household over-indebtedness is nothing new: the pandemic and the related economic and social challenges occurred at a time when several vulnerable groups in Europe were already highly exposed to debt and arrears, according to Eurofound research on household indebtedness.⁹⁷ The pandemic also exacerbated the EU's worsening inequality situation, as certain Southern and Eastern European countries were disproportionately affected by debt, arrears, and risk of poverty.

Mrs J., a home help whose work completely stopped during the pandemic, found herself without an income. A private market tenant for over 20 years,

*she was no longer in a position to pay rent. She visited the Espace Solidarité Habitat in Paris, an organisation that holds sessions to help people experiencing housing exclusion to access their rights. She has been summoned to court for debts and hopes the judge will grant her a repayment schedule. However, her landlord's heirs have informed her that they want to take possession of the home.*⁹⁸

According to a Eurofound study⁹⁹ of 60,000 people conducted online during the pandemic in the 27 Member States, **5.4% of respondents stated in February/March 2021 that they were at risk of having to leave their current home within three months due to an inability to pay the rent.**¹⁰⁰ This rate is slightly lower than the pre-COVID-19 period and higher rates were noted in Cyprus (12%), Portugal (9.7%), Greece (9.6%), and Poland (8%). If this survey were extrapolated to the entire European population, it would mean that **24 million people considered themselves to be under threat of rental eviction, i.e. twice the population of Belgium.**

The steep rise in housing costs in Germany

In Germany, where the housing market has stood out in Europe historically for its high level of stability, the steep rise in residential property prices seen since 2019 has not been slowed by the pandemic. This situation is the result of low interest rates, a slowdown in construction, and a lack of available housing in high-pressure urban areas. Between 2010 and 2020, public spending on housing construction fell by 28%. The cost of living and of housing have exploded in recent years: in 2020 across the whole country, 20% of all households and 67% of poor households were spending more than 40% of their disposable income on housing. In Berlin, where eight out of ten residents are tenants, rents increased by 42% over the last five years. The increase in demand for housing with the arrival of so many Ukrainian refugees needing dignified reception conditions, on top of Germany already being one of the biggest host countries for asylum seekers, has intensified competition for access to affordable housing as well as pressure on reception and accommodation services. With an average of 81 rental evictions per day (in 2020), some municipalities have established specialised prevention services to combat evictions where there are no rehousing solutions. However, this system remains subject to a willingness to act at local level.

« The problem is the supply of affordable housing. Finding alternatives for evictees is very hard. With the arrival of people from Ukraine, demand will be even higher. »

Bana Woolery, Social service assistance for housing and eviction prevention, Berlin-Mitte

Across all EU Member States, the pandemic has not merely inflicted hardship on people on low incomes, but also those whose standard of living is constantly at risk of deteriorating and who could fall into poverty as a result of the slightest economic slowdown. Among working people, those in the restaurant and retail sectors, corporate services, the self-employed, artists and those in the cultural and events sectors, have been worst affected by an inability to pay rent, according to eviction prevention services in several European cities.¹⁰¹

Madame M. attended Espace Solidarité Habitat in Paris. She is self-employed but her business ground to a halt during the pandemic. She found herself without an income and receiving RSA (income support). Her income was not compa-

tible with her rent. Her landlord summoned her before the courts due to arrears and, at the same time, sent her a notice of intent to sell. She has been on a social housing list for five years but in Paris there is a ten-year wait.¹⁰²

A French study documented the diversifying profiles of workers at risk of eviction due to arrears:¹⁰³ these workers tend to have fluctuating incomes that are linked directly to the performance of their sector, are aged on average between 50 and 60 years, and tend to rent somewhat dilapidated housing. Shockingly, where debt is recent and easier to resolve, lack of understanding of the benefits and supports available for working people is often a major issue as well. In France, according to the IPSOS/Secours Populaire poverty barometer, 32% of

French people had difficulty paying their rent, mortgage, or utility bills in 2021; the figure was 25% for 2020.¹⁰⁴

« We started to see people coming to us that we never saw before. People who had been living their lives without any problems until now. The difficulty with them is that they don't know their rights, and we need to ensure that they exercise them. »

*Siiri Winter, housing advisor
at the Y Foundation specialised
in eviction prevention.¹⁰⁵*

Some examples of households undergoing eviction procedures due to 'COVID debt', that attended Espace Solidarité Habitat for eviction prevention in autumn 2021 (Paris, France)

- *A couple – the man is self-employed and the woman works in the hotel business – were severely affected by the pandemic and their income fell suddenly despite social benefits. Their landlord summoned them for debt.*
- *A social housing tenant living with his three adult children could not work during the first lockdown as they were stuck abroad. He was summoned before the courts due to arrears by his landlord. Although he was able to start paying rent again, he was unable to repay the debt.*

Housing for all in Bulgaria: 'mission (im)possible'?

In Bulgaria, the poor housing conditions experienced by a large part of the population remain a blind spot for public policies. Some 65% of Roma people and 45% of Turkish people are living in poor housing conditions. Just over 30% of all Bulgarian people are living in housing with a surface area of under 15m² per person. The data shows that the housing problems affect all of the country's ethnic groups, and in order to effectively resolve these problems, it is necessary to adopt policies targeting all those in need without categorising them or stigmatising them further. The weakness of Bulgaria's social support system, after years of neglect and under-financing, has been worsened by the pandemic and become more visible. It has been pushed to its limits, with the measures taken to lessen the pandemic's economic impact on households not sufficient to make up for lost ground.

In Sofia, the number of available social housing units fell from 120,000 in 1993 to 9,000 in 2021. People on waiting lists often find themselves in temporary accommodation centres for homeless people which inevitably become long-term shelters. This in turn leads to a lack of available beds to accommodate homeless people in crisis. The municipal authorities refuse to open new social services due to the negative public opinion of homeless people. Since 2007, Bulgaria has left housing to the free market which has considerably exacerbated the problem for particularly vulnerable communities. By 2023, 1,429 social housing units will be built using funds from two European operational programmes: this will only cover 1.7% of the 85,000 social housing units necessary to address the needs of Bulgarian citizens.

To find out more [in French]: Médecins du Monde and Fondation Abbé Pierre (2022), *Logement pour tous : mission (im)possible? Les politiques de logement en Bulgarie pour les plus vulnérables*, <https://www.fondation-abbe-pierre.fr/actualites/en-bulgarie-la-fondation-finance-une-grande-enquete-sur-le-mal-logement>

The predictable surge in evictions

Many countries observed a return to rising actual evictions in 2021, as the majority of moratoria were lifted. In Spain, rental evictions were eight times higher in the second half of 2021 than the same period in 2020,¹⁰⁶ while repossessions initiated on people's homes rose spectacularly by 243%.¹⁰⁷ In **France**, evictions carried out with the assistance of law enforcement increased by almost 50% in 2021. In **Ireland**, after a fall in evictions in 2020 followed by a historic low in the number of homeless people, eviction notices

increased again by 60% in 2021 along with the number of people in emergency accommodation (+19% between May 2021 and February 2022, rising to more than 9,400 people, i.e. close to pre-pandemic levels), an increase that particularly affected children.¹⁰⁸ In **England**, 14,123 landlords initiated legal proceedings to evict their tenants between October and December 2021, a rise of 43% compared to the previous quarter. An extensive survey conducted in the UK in November-December 2021 showed that 275,000 households on the private rental market had received an eviction notice during the previous month or were behind on their rent, which is equivalent to one private renting household in 17 at risk of losing their home in winter 2021.¹⁰⁹

During the pandemic, European civil society called for a complete end to evictions without rehousing

In June 2021, several European organisations including FEANTSA, Housing Europe, the International Union of Tenants, and the Foundation Abbé Pierre jointly called on Member States to act immediately to avoid a peak in evictions in Europe. Extending the moratoria on evictions was already considered insufficient to address the challenges of housing exclusion. The organisations called for the adoption of extra measures to prevent an increase in the number of homeless people, and particularly for a restructuring of debts for vulnerable families at risk of losing their homes. In the event of eviction, governments should ensure that alternative accommodation exists to rapidly rehouse those evicted, as well as long-term housing solutions. Preventing any individual from becoming homeless as a result of eviction without rehousing should be an integral part of the European objective to eradicate homelessness by 2030..

Find out more: <https://www.housingeurope.eu/resource-1574/joint-statement-eu-member-states-must-act-to-stop-evictions-and-prevent-homelessness>

Furthermore, suspending evictions does not mean that households stop accumulating arrears or are no longer pursued through the courts. In **Germany** in 2020, despite the establishment of a three-month court moratorium, 46,571 rental eviction notices and 29,744 legal enforcements in eviction procedures were served at federal

level,¹¹⁰ i.e. an average of 81 evictions per day.¹¹¹ All across Europe, court rulings have continued in this regard. With enforcement being postponed for various reasons, some households had a reprieve in 2021 and 2022 from their actual eviction. This is the case in Italy where the year 2022 could see a wave of 100,000 evictions being car-

ried out,¹¹² in light of the 70,000 suspended evictions over the last two years (32,000 in 2020 and between 40,000 and 50,000 in 2021). The sudden and massive enforcement of evictions would not only see the number of people in material and psychological distress increase, the legal systems would be overwhelmed if nothing is put in place in terms of prevention. In New York in April 2022, three months after the end of the moratorium, evictions were so common that the legal aid services complained of a lack of lawyers available to defend households, with dramatic consequences on people's legal representation and outcomes (rulings in favour of eviction were almost systematic).¹¹³

Evicting people without rights or title and illegal evictions saw no reprieve during the pandemic, according to the rare reliable data available. In Eastern European countries such as **Hungary, Slovakia, Czech Republic, Bulgaria, Romania, and Poland**, illegal evictions are commonplace. They have even led to flourishing businesses offering private bailiff-type services that break into the homes of people who cannot defend themselves legally if they have no lease or legal right of occupation. Illegal evictions occur outside of the legal framework, with the landlord or leaseholder using force. In many Central European countries, landlords must declare any asset rented out to the authorities and pay taxes. Fraudulent tax declarations are behind the significant black market in housing in these areas, in which conflicts are resolved outside the legal system.¹¹⁴

Collective evictions from informal living spaces that are sometimes borderline illegal were not suspended during the pandemic, impacting par-

ticularly vulnerable homeless people who were forced to live in makeshift housing e.g. people in squats and makeshift camps, asylum seekers and transient people who are undocumented and without an accommodation solution. In **France**, the Observatory of Collective Evictions from Informal Living Places counted 1,330 evictions from 1 November 2020 to 31 October 2021, i.e. an average of 472 people evicted every day. The towns close to Calais and Grande Synthe alone accounted for 77% of the total. This effectively amounts to a proactive eviction policy enabling systematic harassment of homeless refugees. In 71% of evictions, the person's belongings were destroyed or confiscated, even though the law requires an inventory be made by the bailiff and that the belongings be stored so that the evicted person can collect them. In 91% of evictions counted, no alternative accommodation or rehousing offer was made to the evictees, which means that some or all inhabitants were put out on the streets.¹¹⁵

« Our struggle also reaches deeper than symbols, from the effects of the crisis to its causes. The same demands resonate all over Europe: We want new public housing, new models of common housing, rent control, and protection of our homes from the volatility of the markets. Whichever model or solution we advocate, the message is clear – our homes are not a commodity, we want to give housing back its social function. »

*European Action Coalition for the Right to Housing and to the City*¹¹⁶

3. PREVENTIVE SOLUTIONS ARE BETTER THAN A CURE

Citizens have been resisting evictions in Europe for hundreds of years. With various property bubbles bursting and the 2008 financial meltdown, widespread evictions have once again become a main concern of urban social movements as a symbol of their fight for the right to the city and as part of their opposition to the financialisation of property. These citizen movements have, over the last decade, built strong local and international communities that are a true counter-power, fighting against abusive evictions and highlighting these issues in the media and public opinion. There are many forms of citizen action against evictions. In **Sweden**, for example, tenants facing 'renovictions' (that is to say, indirect evictions caused by energy renovations and the subsequent hike in rents) have taken collective and individual action, by forming action groups, some formal some not. They have developed strategies to delay or divert renovations, demanding landlords take responsibility by publicising what they are doing, using their knowledge to upend the status quo.¹¹⁷ In **Berlin**, due to sustained action from the citizen movement for the right to housing and in response to the significant hikes in rent, a referendum was held in September 2021 to find out if voters wanted more than 3,000 housing units to be expropriated from large real estate companies, so that the city of Berlin could acquire them and turn them into public housing. Some 57.6% of voters, i.e. more than one million Berliners, were in favour of the measure.¹¹⁸ While the campaign for socialising housing in Berlin may seem radical to some, it shows how much power tenants and residents have. The current housing crisis hitting all parts of the European Union cannot be resolved with minor corrective measures and

short-term band-aid policies. The solutions have to be creative and rolled out as widely as possible so as to address the scale of the problem. They have to be able to address housing insecurity, as far in advance as possible, and to give residents a way to fight back against growing marginalisation and defencelessness.

Strengthening prevention measures and alternatives to eviction can ensure people's fundamental rights and dignity while at the same time reducing public spending. Three levels of prevention can be used:¹¹⁹ primary prevention reduces the risk of eviction to maintain an entire community (or a large part of it) in their housing through a general housing policy and social protections; secondary protection involves interventions targeting those at high risk or in a crisis situation having to leave emergency housing (ongoing eviction procedures, family violence, etc.); tertiary prevention entails targeted measures for people who have already been evicted, are homeless, and in need of rehousing. Though the following is by no means an exhaustive list of effective prevention measures, it is worth describing some of the local and national practices in place with regard to financial supports, access to rights and multidisciplinary cooperation, rapid rehousing, systemic prevention such as securing tenant rights, combating the financialisation of housing, and producing a quality and affordable supply of housing.

Financial supports

The most effective means of avoiding eviction is **financial**. This means financial support to help settle or reschedule rental arrears. Support measures for payment or recovery of rent arrears for tenants on low incomes already exist in several Member States (**Austria, Czech Republic, Spain, Finland, France, Poland, Germany, and Denmark**).¹²⁰ In **France**, the minister for housing announced the creation of a support fund for rent arrears in spring 2021 to address concerns about the risk of massive rent arrears after the pandemic. Based on the actions of local authorities,¹²¹ these support funds supplement the FSL (Housing Solidarity Fund) managed by the *départements*, enabling them to double their capacity for rent payment supports. Amounting to EUR 30 million, these funds help support households facing financial hardship due to the pandemic who do not usually resort to social services.¹²² Also in France, the *Loca-Pass* tool, managed by Action Logement, enables tenants facing difficulties paying their rent to request a kind of deposit to supplement their payments in the event of non-payment; the deposit can last up to 18 months and amounts to a maximum of EUR 1,200 per month. However, despite the development of several tools, authorities and stakeholders who are now responsible for preventing evictions in France, the number of court summonses for evictions increased by 23% and the number of evictions with law enforcement increased by 152% between 2001 and 2018.¹²³ The lack of financial and human resources to implement these tools is the main impediment to an efficient prevention policy. The budgetary austerity affecting current housing policy in France, which has meant massive cuts to individual housing benefits and to financing social housing, cannot sustain the above-mentioned

tools. A proper social policy for housing would emerge from anticipating measures to ensure secure housing for both tenants and housing corporations.

In **Portugal**, rent arrears can be taken on by the State where the tenants can prove a lack of resources (income less than or equal to minimum wage or being in receipt of social benefits) or a disability. During the pandemic, temporary measures were established to enable tenants in payment difficulties to take out an interest-free loan to pay the difference between the monthly rent and a maximum of 35% of the household income. Landlords who can demonstrate a drop in income greater than 20% and whose tenants have not made use of the above-mentioned loan can also benefit from this zero-interest loan to compensate for unpaid monthly rents. These emergency measures were initially approved to come into force during the state of emergency and in the months thereafter. However, when the state of emergency was lifted, it was obvious that many families needed more time to get back on track financially. Therefore, these measures were extended several times, and in light of the circumstances faced by especially vulnerable families, it was decided that the loan could even be converted into a grant.¹²⁴

In **Italy**, a law was introduced in December 2020 for 2021 to promote citizens' access to secure housing, to address the financial difficulties of tenants, and to reduce the risk of eviction. The law provides for a contribution for owners of residential real estate units who reduce the rent by any amount. The amount of the contribution corresponds to 50% of the agreed reduction, up to a maximum annual limit of EUR 1,200 for each tenant. The housing must be located in a high-pressure zone and be the tenant's main residence. EUR 50 million was allocated to this specific fund for the sustainability of residential rent payments.¹²⁵ Similar initiatives were also

adopted in the **Spanish** capital of Madrid during the pandemic.¹²⁶

Transfer incomes must be recognised as an essential safety net for households in difficulty and as a tool to fight poverty. In the EU27, the proportion of people at risk of poverty before social transfers was 25.4% in 2020, but 17.1% after social transfers:¹²⁷ transfer incomes therefore eliminate the risk of poverty for 8.3% of the European population. With the hike in housing and utility costs, social transfers are no longer sufficient to always keep households in their homes. In **England**, the National Audit Office highlighted the correlation between the fall in housing benefits and the increase in homelessness, as a result of the 2012 reforms to social welfare.¹²⁸ However, when the amounts are adequate, transfer incomes are an effective prevention method. In **Poland** for example, the 'Family 500 plus' programme, launched at the beginning of 2016 enabled each Polish family, regardless of their financial situation, to receive a monthly amount of PLN 500 (about EUR 110) per child. A significant drop in the number of homeless children according to 2019 figures (-47.6% on 2015 levels and -37.9% on 2013 levels) seem to support the theory that the programme had a major influence not just on reducing child poverty but also on reducing housing deprivation among children.¹²⁹

As the cost of housing becomes increasingly burdensome in terms of household budgets, **personal housing supports** play a key role. As they are means-tested, they are indispensable in helping low-income households to balance their budgets. Nonetheless, they have been frequently chipped away at over the last decade by various governments, including in **France**¹³⁰ **and in England**,¹³¹ and even removed in countries such as **Hungary and Greece**.¹³² As such, they are not sufficient to compensate many households for the rise in property prices, in rents and in utilities.

« While government measures, like the GBP 65 million rent arrears fund, will help some, it won't be enough to protect every family who is barely hanging onto their home. It's time the government gave renters the financial lifeline they need by boosting support and reversing the damaging welfare cuts that have left people on the brink of destitution. »

*Osama Bhutta,
Director of Campaigns at Shelter, England.*

Access to rights and multidisciplinary cooperation

Unfortunately, many eviction procedures occur without households knowing how to proceed to resolve the situation. The complexity of legal eviction procedures is, in effect, the main barrier to accessing rights for people threatened with eviction. In practice, this means that the rate of representation in court is very low, for example, just 40% in **France**. In **Paris**, the ADIL (*Département Agency for Information on Housing*) has been mandated since 2019 by various government services to establish a legal support service for private tenants who have received a formal notice to pay (this is the first action taken in eviction procedures for rent arrears). In 2021, the debts demanded could be disputed for 32% of households who presented at ADIL. The undue amounts totalled EUR 1,285 on average per household affected. Furthermore, 60% of households who attended ADIL did not have a social worker.¹³³ In **Brussels**, the Front Anti-expulsions, a group of tenants, homeless people, squatters, undocumented migrants, and residents, supported by different organisations and associations, created a paper guide as well

as a radio play to better prepare people who are summoned to court for residential eviction.¹³⁴

Supporting access to rights and information goes hand-in-hand with **cooperation between the different stakeholders so that they can take action upstream**, as of the first signs of difficulty, and thus prevent the situation escalating to an eviction. In **the Netherlands**, the government and municipalities of its four largest cities established an action plan to fight homelessness and reduce evictions from 2006 to 2014. This plan led to a 22% reduction in the number of evictions between 2005 and 2014. Cross-cutting cooperation between the different stakeholders (local authorities, housing corporations, social services, municipal health services) was put in place to ensure advance communication and proactivity as soon as a household started to get into difficulty, with support to manage debt for example.

In **Ireland** in 2021, the law on preventing homelessness integrated new measures into the related legislation (the Residential Tenancies Act). As such, a household deemed by the local authority to be at risk of becoming homeless benefited from an extra 12-week delay on the eviction notice. During this period, the local authorities and the associations work together to find a suitable rehousing solution. In the Dublin region, these practices enable 55% to 60% of families affected to avoid housing deprivation.¹³⁵

In **Austria**, Fawos (the eviction prevention service) is a collaborative semi-public tool that brings together a number of different services. It has significant resources including Vienna's municipal housing (about 25% of total housing stock), enabling it to act in advance of and in the course of legal eviction procedures. Proactive prevention centres are tasked with directly contacting the households threatened with eviction and offering them legal help, support in formulating a debt rescheduling plan, and

access to social supports. In **Austria, Sweden, and Germany**, the municipalities must be informed when an eviction procedure is before the courts and when an eviction date is announced.¹³⁶ In **Germany**, eviction prevention is carried out by the municipal authorities. In **France**, there are CCAPEX (Committees for Coordination of Eviction Prevention Actions) bringing together all the stakeholders concerned. Unfortunately, these are, depending on the region, sorely lacking the funding required to properly carry out their job.

« People who are not used to asking for help find it difficult to contact the specialist advisory services for housing. People who have worked and paid rent all their lives call us saying "I just don't know what to do". »

Siiri Winter, housing advisor at the Y Foundation in Finland, specialist in eviction prevention¹³⁷

In Finland, a new law providing access to a housing advisor for all

Finland's housing advisory service is interdisciplinary and provides mediation. It offers advice on financial management, housing contracts, and relations with neighbours; it can also act as a bridge to legal support. In March 2022, the Finnish government began adopting a draft law that aims to extend the housing advisory service to anyone who needs it and to ensure adequate access to it regardless of housing type or location, by making this access a legal obligation incumbent on municipalities. This process will start by redefining the principles of cooperation between ARA (Housing Finance and Development Centre of Finland) and the communes regarding housing advice which will be based on government subsidies allocated to municipalities. These subsidies have been allocated since the beginning of 2022 whereas prior to this, the scope for State funding was more limited as it only applied to ARA housing stock. First, the law will be in force for a specific period, followed by an evaluation of how effective the advice was with regard to housing and the legislation. The draft law is due to be submitted in autumn under the 2023 budget pending entry into force at the beginning of 2023. This new legislation is an essential element in the prevention of homelessness in Finland. It will contribute to the government objective of reducing by half the number of homeless people during the current mandate, and of eradicating homelessness in the coming years. .

« **Having a home is a fundamental right that belongs to all. Finland has succeeded in reducing the number of homeless people, but the risk of homelessness is still real for even larger groups of people. Increasingly, the risk of homelessness is linked to financial problems, and studies have shown that housing advice is a very effective way of preventing and reducing homelessness caused by such issues.** »

Minister of the Environment and Climate Change Emma Kari.

Find out more: <https://ym.fi/en/-/work-on-homelessness-intensified-by-improving-housing-advice-ministry-of-the-environment-launches-process-to-enact-legislation-on-advice>

Access to information and rights also means that informal evictions can be addressed. Evictions, which are often illegal, are particularly difficult to trace as they are not managed by any one institution. The occupying household, regardless of whether they possess a title, are obliged to leave the home by force or under threat, with some landlords changing the locks without permission.¹³⁸ The households affected have few resources to defend themselves and do not have access to sufficient legal protection. Training the police and boosting the role of civil society organisations are essential in helping occupants to exercise their rights.

« **Through awareness-raising and poster campaigns, we are trying to draw attention to these silent evictions. It is a common practice whereby landlords call by every day asking the occupants to leave and some tenants just give up in the end. Thanks to our campaigning, the landlords are not as brazen and the public authorities cannot ignore these evictions.** »

*Paloma, activist in the PAH
(a Spanish organisation created in 2009
to fight evictions)*

Rapid rehousing

When evictees cannot be maintained in their housing, rapid rehousing solutions must be put in place to avoid housing exclusion. The ability to prioritise the affected households in accessing available rental stock is a determining factor, along with the capacity to support these households in finding solutions. In **Spain**, European financing from the COVID-19 recovery fund is contributing to the launch of a three-year project managed by two organisations, HOGAR SI and Provivienda, and will aim to rapidly rehouse evictees and homeless people. These ‘innovation projects’ will involve 12 public administrations and will aim to deinstitutionalise emergency accommodation by converting them into sustainable housing based on the Housing First model.¹³⁹

Social Rental Agencies also play an important role in prevention by serving as intermediaries between private landlords and households facing difficulty, using the private rental market to rehouse evictees. The social rental agency is the private landlord's tenant and the household's lessor. Social rental agencies, particularly common in **Belgium, Germany, the United Kingdom, and France**, must be subsidised to cover the difference between the rent due and that effectively paid by the household.¹⁴⁰

Scotland adopted its ‘Ending Homelessness Together’ action plan in November 2018 with the Scottish government committing to systemic change towards rapid rehousing. When a person finds themselves homeless, they must be rapidly rehoused and not suffer losses that may lead to them staying in unsuitable temporary accommodation such as hotels or shelters. To this end, each local authority was invited to submit a Rapid Rehousing Transition Plan (RRTP) to the

Scottish government in spring 2019. These plans detail how each authority intends to actually transition from the current system of emergency homelessness management to a rapid rehousing system that is more respectful of people's dignity. As such, 32 inspiring roadmaps are available showing what this change might look like in different Scottish regions. These roadmaps describe the measures in terms of partnership, access to and production of adequate housing, transforming emergency and temporary accommodation, cultural changes within the related services and among professionals working in the area, and sourcing funding.¹⁴¹

Systemic measures

Securing the rights of occupants is vital in the fight against eviction. The level of tenant protection, the rules on rental contracts, mortgage lending, and occupancy without right or title that is covered in the legislation determines how evictions are used. These tools can either facilitate evictions or, on the other hand, act as safeguards ensuring eviction is a last resort in the settling of legal disputes around the occupancy of housing.¹⁴² Where tenant protections are weak, rental contracts guarantee little security, or where short-term rental contracts are standard, eviction procedures are rarely used or complied with for the simple reason that landlords can simply not renew a short-term contract in order to get rid of a tenant. This is the case in the **Czech Republic** for example, where the vast majority of rental contracts in Prague are short-term contracts. In fact, this market flexibility and weak tenant protection means that resorting to eviction is less common; however, these are the places where housing insecurity for tenant households, particularly those in financial diffi-

culty, can be extremely problematic. This tenant insecurity is, for example, one of the main causes of homelessness in **England**, where one in five legally homeless households found themselves in this situation due to a short-term rental contract ending (assured shorthold tenancies that are six months in duration).¹⁴³

In **the Netherlands**, the rental market has become increasingly insecure in recent years, where previously it had been very protective of tenants. New forms of temporary rental contracts were very quickly introduced and encouraged in parallel with ongoing rent increases. While legislation on security of occupation and rent ceilings still exists, derogations are increasingly being used. According to some studies, the majority of young adults in Amsterdam are reported to have temporary rental contracts.¹⁴⁴ Until 2016, rules covering the ending of a rental lease in the Netherlands were strongly protective of tenants. Private and social housing leases were contracts of unlimited duration. If a landlord wanted to end a lease, it could only be done via the courts. The judge evaluated whether the eviction was justified due to violation of the rental contract and if such action was proportional given the tenant's situation. In practice, judges considered the tenant to be in effective violation of the rental contract where a minimum of three months of rent arrears existed. In 2016, the Parliament adopted a law on housing market mobility stipulating that the new temporary contracts could be unilaterally and automatically ended by the landlord if the initial contract duration had expired. As such, landlords no longer had to go through the courts to end a lease. However, if the tenant refuses to leave the property, the landlord is obliged to go to court to request an eviction notice.¹⁴⁵

In **Germany**, eviction with intent to sell is not permitted. To get around this ban, a common practice for landlords wishing to sell their pro-

perty for profit is to request eviction of their tenants claiming that they wish to occupy the home themselves. The association of German tenants is calling for these actions to be punished with heavy fines of up to EUR 50,000 as a deterrent.¹⁴⁶

Evicting people who are occupying buildings without right or title appears to have become easier in many jurisdictions over the last decade. In **the Netherlands**, while occupants of vacant housing and squatters previously benefited from strong protections against eviction, the 2010 law on squatting and vacancy made it a criminal offence to occupy a property without title. The law in effect made it possible for landlords of vacant properties to offer such properties to 'guardians' who occupy the asset for free or very low rent. However, they are not considered tenants in the absence of a rental contract and are therefore not protected by the eviction legislation. There are reported to be about 50,000 'guardians' of vacant properties in the Netherlands.¹⁴⁷

Combating the financialisation of housing must also be a central policy objective in order to underpin an affordable quality housing supply.

The rising domination of financial markets in the housing sector has not been slowed by successive crises. On the contrary, market influence is getting stronger, spreading to new market segments and to more urban areas.¹⁴⁸ Residential property is, in effect, the biggest asset class in the world. The amount of money being spent by private investors such as companies and capital investment funds to generate profits has exploded over the last twenty years. There is now a global market for residential properties that are not intended as primary residences but are bought for the purpose of reselling at a profit e.g. demolition-reconstruction of luxury apartments for resale, renovation of rental apartments to extract higher rent, second homes, office spaces, and hotel accommodation.

In the European Union, institutional investors have returned to the market in their droves in recent years. The volumes invested in residential property in the private rental sector increased from EUR 11.8 billion in 2008 to EUR 61.7 billion in 2019,¹⁴⁹ i.e. a five-fold increase. Despite the COVID-19 pandemic, the volumes invested in the first half of 2020 represented more than half of the volume in 2019, which was already a record-breaking year. In **Ireland**, vulture funds acquired massive stocks of properties when prices collapsed in the country following the 2008 financial crisis. In the absence of regulatory policies or rent ceilings, these funds are today profiting from their dominant position and selling off apartments at high prices.¹⁵⁰ This practice has been strongly condemned by tenant organisations.¹⁵¹ After 2008, the European Union's regulatory supervision of non-performing loan management, and particularly the pressure put on secondary markets to absorb these loans, facilitated the entry of vulture funds onto the market. Banks ultimately found themselves holding a vast stock of real estate assets which represented a danger due to their potential loss of value. Choosing to clean their banks' balance sheets of the vast quantities of toxic assets (non-performing loans, i.e. loans in the red for at least 90 days), governments and the European Central Bank turned to the secondary

financial markets to securitise these toxic assets. Once the authorities had opened this loophole, the vulture funds seized their chance. Having gained influence on the secondary markets, they facilitated much of the cleaning of balance sheets in the banking sector. These dynamics contributed to greater financialisation of housing in the European Union, with higher rates of institutional ownership, including capital-investment companies such as Blackstone, which, for example, has become the number-one private real estate owner in Spain. These landlords evict at higher rates and cause prices to rise.¹⁵² These financialisation dynamics thus affect both property prices and rent prices. In response, rent controls are being used more and more by municipalities and Member States. In **Berlin**, a 2020 law on rent freezes established rent ceilings which were judged unconstitutional in March 2021. Nevertheless, the German federal constitutional court highlighted in its decision the need for rent regulation in the public interest. In *France*, a decree has banned rent increases since 2012 in 28 urban areas and the 2018 ELAN law introduced an experimental and optional rent control measure for five years in high-pressure zones.¹⁵³ Seasonal rental regulations were also a central part of some local reforms in recent years, in order to limit the harmful effects of gentrification by mass tourism.¹⁵⁴

'Renovictions' & the European Green Deal

The European Renovation Wave: what is its impact on access to housing?

Context: The Green Deal for Europe and the Renovation Wave

To fight climate change, the European Commission launched a 'Green Deal for Europe' in July 2020,¹⁵⁵ with the goal of ending net greenhouse gas emissions by 2050. In the European Union, buildings are estimated to be responsible for about 40% of energy consumption and 36% of greenhouse gas emissions. In keeping with the Green Deal, the European Commission published its 'Renovation Wave' strategy in October 2020,¹⁵⁶ to double the rate of building renovation over the next ten years, and to ensure improvements in the energy efficiency of buildings and an eventual reduction in emissions.

The current predicted increase in energy prices and living costs risk leading to mass evictions. Renovating the inadequate housing stock could be a way to fight both housing exclusion and energy poverty while also reaching our climate goals. However, this must be correctly financed and subsidised in order to protect low-income households and especially vulnerable individuals when it comes to housing markets. These renovations cannot only be delivered through market mechanisms, they must also be based on a good understanding of the existing housing stock and the needs of residents.

Risks: The concept of 'renoviction'

Some examples of major renovation programmes have in the past, demonstrated the risk of increased rents or energy bills following renovations, leading to the poorest communities being pushed out of newly renovated areas.¹⁵⁷ It is therefore essential that this major renovation effort fits into a process that takes their social impact into account.

The term 'renoviction' is a contraction of the words 'renovation' and 'eviction'. It refers to deliberate or indirect evictions due to the sudden and excessive increase in rents caused by housing renovations. In **Sweden**, although rents are collectively negotiated and cannot be increased without a valid reason, landlords have been accused of using renovations as an excuse to significantly raise rents.¹⁵⁸ Swedish tenants are therefore opposed in different ways to these renovation plans by domestic housing corporations.¹⁵⁹ Ultimately, renovictions can contribute to gentrification.¹⁶⁰

National examples to prevent 'renovictions'

At national level, legislative mechanisms have already been put in place to fight renovictions. In the **Canadian** province of British Columbia, landlords can be subject to fines of up to CAD 1,000 per day if they evict tenants without notice or the right to take back an apartment at the same rent after renovations since February 2019. In **Nova Scotia**, the government introduced a 2%

ceiling on rent increases as well as a ban on renovations during the pandemic, measures that have just been extended.^{161,162} In **Montreal**, the renovation permit is conditional upon the landlord committing to not evicting the tenants.

In **Germany**, favourable loans and grants are available from the country's public bank to encourage energy renovation works for individuals, communities, and companies.¹⁶³ However, the right to a 'modernisation levy' enables landlords to increase the rent by up to 8% to compensate for renovation costs.

In **France**, the law protects tenants but is not necessarily sufficient to prevent renovations in practice. Since 2017, rent increases when leases are being renewed cannot exceed the variation in the IRL (rent reference index).¹⁶⁴ In high-pressure zones, after a lease is terminated, the same applies to the rent for the new tenant. In such zones, the increase in rent cannot exceed 15% of the actual cost of renovation including taxes.¹⁶⁵

However, the legislation may not be adequate, as shown by testimonies from those in very high-pressure zones. In **Paris**, the real estate company Cherpantier bought run-down buildings claiming that it would renovate them before putting them on the market once again. In practice, the company resold the apartments as separate lots at exorbitant prices.¹⁶⁶ The group denies doing anything illegal as they claim the tenants were happy not to renew their leases, received compensation, and left without being legally obliged to do so. However, many former tenants speak of being put under pressure and have filed complaints against the company for psychological harassment.

Similarly, in **Ireland**, the potential for rent increases is limited in high-pressure zones. However, there is criticism of the lack of enforcement of this measure, as well as of the fact that it has led to some landlords trying to find new tenants at higher rents, using renovations as an excuse to evict the current tenants. A large number of renovations have thus been reported.¹⁶⁷

What is the European Union's role?

We suggest that the European Union use its Renovation Wave plan to renovate energy inefficient homes as a priority, and that it combines these renovations with the guarantees necessary to ensure that rents do not increase. This will only be possible through the establishment of ambitious public financing (both national and European) for the purpose of renovating the poorest performing buildings and the homes of those living in energy poverty. Furthermore, the regulatory framework (i.e. the different European directives such as the EPBD, EED, etc.) will need to be sufficiently protective and adapted to the needs of those on low incomes and those facing housing exclusion.

A 'European fund for cold homes' would facilitate this type of public financing and could be financed by European structural funds or by a contribution from the large construction companies benefiting from Renovation Wave contracts.

The Social Climate Fund, proposed by the European Commission in July 2021,¹⁶⁸ could be a part of the solution but is currently based on insufficient financing. It remains to be seen if this proposal can be improved so that a genuine investment fund for adequate housing can be created.

Fighting renoevictions also implies preventing gentrification, or the displacement of disadvantaged communities as a result of renovations. The European Union, aware of this risk, should continue its efforts so that Member States monitor the impact of building renovations on rents, and so that prevention measures like rent ceilings or eviction bans are properly implemented.

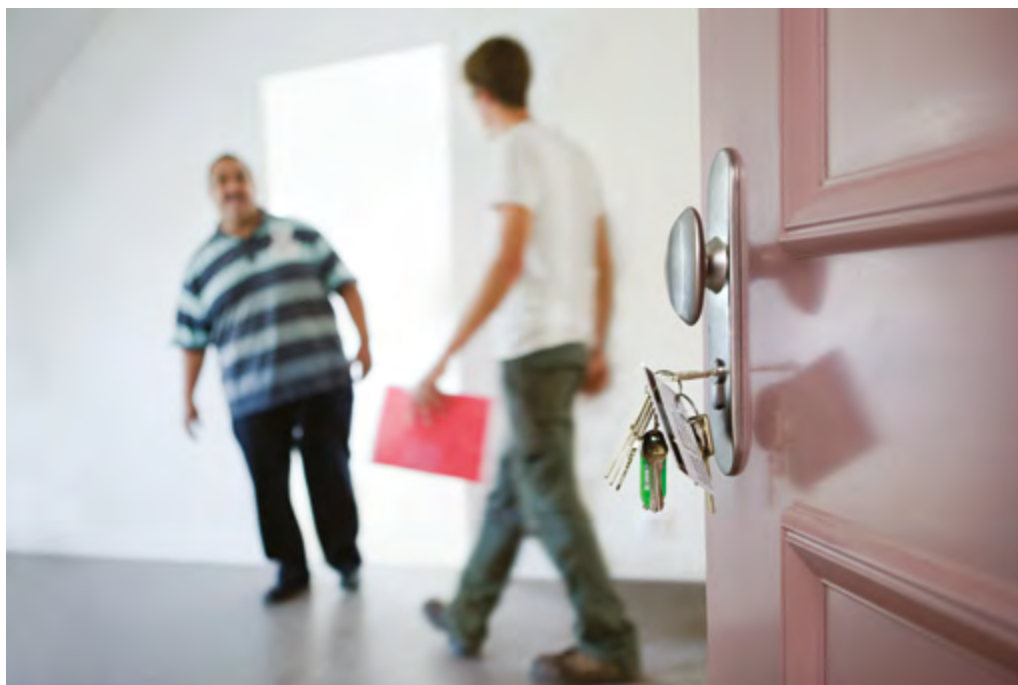


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4. RECOMMENDATIONS

In accordance with Article 25 of the Universal Declaration of Human Rights, which provides for the right for all to an adequate standard of living, including the right to adequate housing, and with Article 11 of the International Covenant on Economic, Social and Cultural Rights, which stipulates that everyone has the right to an adequate standard of living for themselves and their family, including adequate food, clothing, and housing, as well as continuous improvement of living conditions; and in light of the European commitment to eradicate homelessness by 2030, FEANTSA and the Foundation Abbé Pierre are making the following recommendations:

NOBODY SHOULD BE EVICTED WITHOUT BEING REHOUSED AND THUS BECOME HOMELESS, REGARDLESS OF WHETHER THERE IS A PANDEMIC, IN ACCORDANCE WITH INTERNATIONAL LAW.

The pandemic and lockdowns have proven for the umpteenth time that protection measures for increasingly vulnerable tenants are, in effect, homelessness prevention measures. The end of these moratoria risks a return to increasing numbers of evictions if protection measures are not made permanent or replaced with new more sustainable and ambitious policies. Eviction without rehousing, in addition to adding to the steady stream of people becoming homeless and thus adding pressure to the already overwhelmed homeless support services, has unacceptable social and economic costs. Research from the United States has also shown that moratoria slowed the spread of the virus, which demon-

strates a direct link between eviction prevention and public health. Ensuring security of occupation in housing is vital to ensuring the health, economic stability, and wellbeing of households.

GOOD QUALITY DATA ON EVICTIONS ARE NECESSARY TO BOLSTER AND ADAPT PREVENTION MEASURES.

It is vital to improve our collective understanding of people's trajectories and to define reliable and relevant indicators that will enable public policy to be evaluated and shaped in this area (nationally and locally). The phenomenon of evictions without rehousing is still very difficult to pin down and analyse, due to the lack of homogeneous data across Europe, the legal complexity involved, and the diverse individual circumstances. Illegal evictions are still a dire fact of life, particularly in areas where informal housing markets are significant (Eastern European countries); they are impossible to measure and therefore remain very much under-estimated.

PREVENTION STRATEGIES MUST INCLUDE:

- **a legal framework to foster protection of the right to housing for those in need.** Evictions involve obligations regarding human rights and housing rights in accordance with the norms of international and European legislation. These obligations must be integrated and applied to the social protection systems and housing markets of each Member State. An adapted legal framework must make eviction the last resort in court proceedings related to tenancy, mortgages, and occupation without right or title,

i.e. eviction must become the exception, not the rule. Rent arrears, issuing a minimum notice period, or neighbourhood disturbances should not necessarily lead to eviction procedures. This framework must also include a legal obligation for the courts and other stakeholders to notify the social and housing support services as far in advance as possible at the outset of an eviction procedure. It must facilitate evaluation of eviction policies, procedures, and practices in terms of their compliance with human rights.

- **specialised services as far in advance of the actual eviction as possible, with expertise available right the way along the procedure, providing advice on housing and budget management.** In order to effectively prevent evictions, it is vital to establish specialist eviction prevention services, at the most relevant level (national, regional, or local), with the required expertise, resources, and staff trained in the appropriate responses, i.e. home visits, mediation between landlords and tenants (as well as between lenders and mortgage defaulters), potential ways to settle the existing debt and arrears to keep occupants in their homes, support measures, legal advice, and assistance. These service providers must have the capacity to find an alternative housing solution when an eviction cannot be avoided. Specialised staff and tailored support can also be offered to dependants or to those with mental health problems. In the event of eviction, there must be ongoing follow-up to avoid anyone becoming homeless. These prevention services must be informed as early as possible of the risk of eviction, and this should be incumbent on the landlords, lenders, bailiffs, and courts.
- **the guarantee of rapid rehousing, with significant social supports if needs be, for evictees who find themselves homeless.** Evictees with complex needs, presenting with significant vulnerabilities, must be able to access a perma-

nent and sustainable rehousing solution, based on the Housing First model, in order to avoid falling into a spiral of chronic homelessness.

- **the guarantee of an affordable and accessible stock of adequate housing for people on low incomes or without incomes.** The growing and persistent lack of affordable housing in Europe is a scourge that requires interventionist political solutions. The current situation is the result of deregulating the housing markets without any safeguards. A viable housing policy would involve the development of social housing stock and, on the private market, would create security for landlords and tenants through guarantee funds for arrears, adapted rent controls, and anti-discrimination measures in access to housing. The increase in insecurity of occupation for vulnerable communities must be actively opposed as they are often unable to access permanent affordable housing for financial reasons or because of their legal status. The use of particularly short leases must be limited to very specific circumstances and must not be used with vulnerable groups, people on low incomes, or as an alternative to long-term social or affordable housing. Public policy measures, instead of continuing to support inequality in accessing home ownership, should promote a range of occupation models, taking into account the potential role of intermediary occupancies, in order to avoid household indebtedness.
- **cross-cutting cooperation between the relevant services, coordination of local strategies through a national strategy, and exchange of best practices.** Bringing together stakeholders when it comes to the prevention of eviction procedures is necessary so that all efforts can be directed towards the same objectives. It is necessary to promote awareness, training, and information sharing on the obligations related to evictions ensuing from the legislation and case law on the right to housing. All parties

to the process, whether they are those at risk of eviction or the landlords, lawyers, courts, associations, or mediation and prevention services, must be informed of changes to their rights and obligations in terms of housing. Sharing information, best practices, strategies, and organisational expertise can be managed through specialised agencies.

- **sufficient budgets.** Genuine eviction prevention is not compatible with budget cuts to social and housing policies. Limited resources lead to increased competition between regions and sections of communities, which in turn leads to a hierarchy of the needy. Given the context of local authorities' reduced resources and service provision locally, it is vital to move from a landscape of underinvestment to one of increased, sustainable, and effective investment in the above-mentioned measures, which are indispensable to any eviction prevention strategy. This financing should contribute to eviction prevention and support services, rental guarantee funds, rapid rehousing actions, direct payments to poor households helping them to survive the cost-of-living crisis, and, in particular pay their energy bills, etc. New instruments therefore need to be designed. SURE (Support to mitigate Unemployment Risks in an Emergency) has, temporarily, enabled the unforeseen increase in public spending to maintain employment and to use significant financial resources to fight the disastrous economic and social consequences of the COVID-19 pandemic. It can provide affected Member States with financial assistance of up to EUR 100 billion, in the form of EU loans. A similar measure should address mitigating eviction risks.

LET'S NOT REPEAT THE MISTAKES OF THE PAST.

The pandemic did not trigger the housing crisis but rather acted as a catalyst for existing diffi-

culties and served to further weaken particularly vulnerable groups. After the 2008 financial crisis, austerity policies caused public investment in house-building to collapse, substantially reducing the public and affordable housing stock and dramatically increasing waiting lists for access to social housing. The explosion in rents along with very low interest rates, growing housing inequality (with poor households facing ever greater housing exclusion), a severe lack of affordable housing suited to people's needs, increased evictions, and homelessness are all part of the reality of daily life for people in Europe. All of the above have dramatic consequences on social cohesion. When will we learn from our mistakes?

It is vital that support for vulnerable households is not reduced, as happened under European austerity policies, but rather that assistance is provided to address the cost-of-living crisis.

Ambitious, cross-cutting, and long-term strategies must be developed to mend the structural dysfunction of European housing markets. At European level, there could be a new regulatory regime for institutional investors in housing to limit the speculative practices of vulture funds and a European housing fund to reduce the anti-cyclical role of investors.¹⁶⁹

ALIGNING THE OBJECTIVE OF COMBATting ENERGY POVERTY WITH THE FIGHT AGAINST HOUSING EXCLUSION AND HOMELESSNESS.

The planned Renovation Wave must target those experiencing housing exclusion and include guarantees to limit housing cost increases so that the inflationary impact of renovations on housing prices do not hit very vulnerable individuals. In the absence of sufficient safeguards, renovations will make accessing dignified, adequate housing an even more remote possibility for vulnerable and poor households. It is imperative that revision of the Directive on the

Energy Performance of Buildings goes hand-in-hand with adequate and targeted financing on the renovation of unfit housing and energy inefficient housing, via large-scale public financing.¹⁷⁰ The draft Social Climate Fund does not currently guarantee this. It does not do enough to support those on the lowest incomes throughout the entire transition. Ambitious and adequate financing must be made available, through targeted earmarking and allocation of structural funds and of the Recovery and Resilience Facility.¹⁷¹ Finally, the extension (proposed by the European Commission) of the Emissions Trading System for buildings and transport will drastically increase households' energy spending. This will put the burden of climate transition onto households, particularly the poorest households, who spend a larger proportion of their income on energy. This unfair measure would generally undermine the political feasibility of energy and climate transition.

USING RECOVERY BUDGETS AS LEVERAGE TO REACH THE GOAL OF ERADICATING HOMELESSNESS.

Some national recovery plans show very positive developments in terms of planned investment in affordable housing, in the fight against energy poverty, in restructuring support systems for homeless people, and in Housing First. However, it is regrettable that all Member States lack concrete proposals underpinned by credible budgets, and some completely lack any measures at all on this issue. Without substantial policies being put in place at national and local

level, the multiple impacts of the pandemic risk increasing homelessness dramatically in the coming years. The increase in housing insecurity in conjunction with the lifting of emergency protective measures will have a delayed effect on the number of homeless people. All possible measures must be taken to ensure that the recovery genuinely leaves nobody behind and that it has a significant and positive impact on homelessness.¹⁷²

DEFINE THE EXACT MEANING OF 'SOCIAL IMPACT INVESTING', AND THE CLEAR OBLIGATIONS IT ENTAILS IN ACCORDANCE WITH FUNDAMENTAL HUMAN AND SOCIAL RIGHTS, AND APPLY THIS TO HOUSING MARKETS.

In February 2022, in line with the initiative to define a green, sustainable taxonomy Europe-wide, the sustainable finance platform (a European Commission advisory group) published a report on a social taxonomy,¹⁷³ which will enable the EU to establish common and clear standards on how a positive impact on social issues is defined. This could be a significant step in encouraging investment in companies that genuinely have a positive social impact. However, it could also open the door to 'social washing' when it comes to investment in residential property. This social taxonomy should therefore include special provisions on categories of property assets in order to improve transparency concerning regulation of institutional landlords and to help fight 'social washing'.¹⁷⁴



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- 1** https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/SR_housing_COVID-19_guidance_evictions.pdf
- 2** *The home remains the primary basis of life. It is where meals are shared, quiet habits formed, dreams confessed, traditions created.* Matthew Desmond (2016), *Evicted*, p.293.
- 3** Before approving the legality of an eviction, the judges must balance the right to ownership with the right to housing through the principle of proportionality, with varying outcomes.
- 4** Brussels-Capital Health and Social Observatory (2019), *Précarités, mal-logement et expulsions domiciliaires en Région bruxelloise, Cahier thématique du Rapport bruxellois sur l'état de la pauvreté 2018*, Common Community Commission: Brussels, p. 66, available [in French] at: <https://www.ccc-ggc.brussels/fr/observatbru/publications/2018-rapport-thematique-precarites-mal-logement-et-expulsions-domiciliaires>
- 5** FEANTSA and the Foundation Abbé Pierre (2017), *Second Overview of Housing Exclusion in Europe*.
- 6** The terminology used here is that coined by the Brussels-Capital Health and Social Observatory in *Précarités, mal-logement et expulsions domiciliaires en Région bruxelloise*, *Cahier thématique du Rapport bruxellois sur l'état de la pauvreté 2018*, Common Community Commission: Brussels, 2019.
- 7** Schmid C. (2016), 'Towards a European Role in Tenancy Law and Housing Policy?', *TENLAW: Tenancy Law and Housing Policy in Multi-level Europe*, https://www.uni-bremen.de/fileadmin/user_upload/fachbereiche/fb6/fb6/Forschung/ZERP/TENLAW_EuropeanRole.pdf
- 8** FEANTSA & Foundation Abbé Pierre, 'Useless, expensive, and preventable: Evictions in Europe', in *Second Overview of Housing Exclusion in Europe 2015*, available at: https://www.feantsa.org/download/gb_housing-exclusion-report_complete_20178613899107250251219.pdf
- 9** The Katseli law in Greece for example, which enabled owners threatened with repossession to get a moratorium on their debt, to restructure their monthly payments and to have the mortgage interest abolished. 60,000 households resorted to the protections offered by this law between 2011 and 2013. A 2013 law also suspended all repossessions on housing units valued at less than EUR 200,000.
- 10** OECD Affordable Housing Database, HC3.3 Evictions. <https://www.oecd.org/els/family/HC3-3-Evictions.pdf>
- 11** Italian Ministry for the Interior - <https://www.cisl.it/notizie/notizie-societa/notizie-societa-casa/sfratti-2020-i-dati-del-ministero-dellinterno/>
- 12** These data are only based on the social housing stock. There is no equivalent data for the private market. AEDES - <https://aedes.nl/schulden-en-huisuitzettingen/opnieuw-fors-minder-huisuitzettingen-bij-woningcorporaties>
- 13** National Statistics of Sweden, data available since 1982. <https://kronofogden.se/om-kronofogden/statistik/statistik-om-vrakningar>
- 14** Until 2019, only statistics on enforcement orders were recorded, not the number of forced evictions actually carried out in Germany. Since the end of 2019, the federal government has been collecting statistics from the Federal States on forced evictions being carried out; these are now available for the first time for 2020 (except for Hamburg and Schleswig-Holstein).
- 15** Foundation Abbé Pierre (from data from the French Ministry of Justice and the Ministry of the Interior).
- 16** Pernelle Godart, researcher at ULB Brussels, testimony collected in October 2021. A research study of eviction monitoring in the Brussels region is underway.
- 17** The sources for each country can be found in the OECD's dedicated database: *OECD Affordable Housing Database, HC3.3 Evictions*. <https://www.oecd.org/els/family/HC3-3-Evictions.pdf>
- 18** Testimony collected by FEANTSA with Beata Siemieniako, lawyer in Poland, December 2021, Doctors of the World and the Foundation Abbé Pierre (2022), *Logement pour tous: mission (im)possible? Les politiques de logement en Bulgarie pour les plus vulnérables*; FEANTSA and Foundation Abbé Pierre (2017), *Second Overview on Housing Exclusion in Europe*; FEANTSA (2022), 'Addressing homelessness and poor housing among Roma communities in the post-2020 national strategies for Roma equality, inclusion, and participation', *FEANTSA Statement*, <https://www.feantsa.org/en/feantsa-position/2022/04/08/feantsa-statement?bcParent=27>
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- 21** Testimony collected by FEANTSA in conjunction with Bana Woolery & Alexander Frielingsdorf, employees at the Social Service Assistance for Housing and Eviction Prevention, Berlin-Mitte, March 2022.
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- 23** Brussels-Capital Health and Social Observatory (2018), *Précarités, mal-logement et expulsions domiciliaires en Région bruxelloise*, available [in French] at: <https://www.ccc-ggc.brussels/fr/observatbru/publications/2018-rapport-thematique-precarites-mal-logement-et-expulsions-domiciliaires>
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CHAP. 3

RESPECTING INTERNATIONAL STANDARDS

ON HOME
EVICTIONS

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Although legal and commonplace, home evictions threaten a fundamental right of citizens; the right to decent housing. There are several types of evictions: so-called judicial evictions, which aim to return property to owners; and so-called administrative evictions, which are carried out for reasons of public interest. For the purpose of this chapter, we will focus on the former.

Moratoria on rental evictions of varying lengths were introduced across Europe during the pandemic. In April 2020, Leilani Farha, then UN Special Rapporteur on the right to housing, called on States to take immediate action against rental evictions: 'Evictions are not only inconsistent with the "stay home" policy, but forced evictions are a violation of international human rights law'.¹

Eviction moratoria have repeatedly been extended in the majority of EU states. However, they have now mostly been lifted and hundreds of thousands of people are at risk again. Organisations active across Europe highlighted this risk in June 2021, calling on EU Member States to take immediate and effective action to avoid a surge in evictions throughout Europe.²

This chapter aims to provide an overview of international and European law concerning home evictions to help housing rights advocates in their dealings with national and local governments.

1. RELEVANT STANDARDS OF INTERNATIONAL LAW

International law recognises the right to adequate housing both as an essential component of the right to an adequate standard of living and as a distinct right in itself. This is a particularly complex right that is not limited to the mere right to shelter, but rather as an entitlement to a place where one can live in peace, security and dignity.

Article 25(1) of the **Universal Declaration of Human Rights** provides for the right to an adequate standard of living for all, including the right to adequate housing.

Article 11(1) of the **International Covenant on Economic, Social and Cultural Rights** states that everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

According to the **Committee on Economic, Social and Cultural Rights**,³ the body responsible for interpreting the International Covenant on Economic, Social and Cultural Rights, adequate housing encompasses seven components according to **General Comment No. 4**. The first of these is the legal protection of tenure, which implies a certain degree of security of tenure that guarantees legal protection against forced evictions, harassment, and other threats.

General Comment No. 7 is entirely devoted to forced evictions, which can be broadly defined as the *'permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protec-*

tion'. Cases of forced evictions are prima facie incompatible with the requirements of the above Covenant. They can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law.⁴

Under Article 31(3) of the **European Social Charter**, States Parties must take action to prevent categories of persons in vulnerable situations from becoming homeless.⁵ This includes a housing policy for all disadvantaged groups of people in order to ensure their access to social housing (Article 31(3) of the Social Charter).^{6,7}

Even if evictions are considered justified under domestic law (e.g. in cases of persistent arrears of rent or damage to rented property without reasonable cause), they should not result in people being made homeless or vulnerable to a violation of other rights – under international human rights law.

In **Resolution of 21 January 2021 on access to decent and affordable housing for all**,⁸ the European Parliament states that a number of criteria must be met in order for an eviction to comply with international human rights law.

29. (...) including meaningful engagement with those affected, exploration of all viable alternatives, relocation to adequate housing with the agreement of the households affected, so that no one is rendered homeless, as well as access to justice to ensure procedural fairness, and compliance with all human rights; calls on the Commission and the Member States to ensure that where these criteria are not met, evictions are deemed to have been forced, and to constitute a violation of the right to housing;

In order to combat abuses, protect tenants from unlawful evictions, and protect their integrity and dignity, compliance with international standards on home evictions is therefore of vital importance.

Several fundamental principles stand out with regard to this legislation, i.e. recourse to the courts, the principle of proportionality, protection against evictions during winter, and provision of alternative accommodation or housing.

2. RECOURSE TO THE COURTS

All evictions without recourse to a third decision-making authority are banned.

Principle

Evicted individuals must have access to legal proceedings in which a court can review the legality of the eviction. In particular, a judge should be able to suspend or annul the eviction if the rights of the residents are not respected and to take interim measures in cases of illegal eviction.

All illegal evictions, i.e. those without recourse to a third decision-making authority, are banned. Evictions can therefore only be decided by the judge, upon request of the landlord or owner, or by the administrative authorities.

Case law

According to the ECHR, an order issued by the authorities to leave a dwelling must be necessary and meet procedural safeguards as part of a fair decision-making process before an inde-

pendent tribunal which meets the requirements of Article 8 (*Connors v. the United Kingdom*, Sections 81-84; *Bjedov v. Croatia*, Sections 70-71).⁹

In an example of home repossession, *Monika Kusionova v. SMART Capital A.S.*, C-34/13 from 20 September 2014,¹⁰ the Court of Justice of the European Union recognises that the loss of the family home is not only likely to seriously affect consumer rights,¹¹ but also places the family of the consumer concerned in a particularly difficult situation.¹²

The Court of Justice of the European Union found that 'the possibility for the competent national court to adopt any provisional measure would appear to constitute an adequate and effective means of putting an end to the application of unfair terms'. It concluded that 'the provisions of Directive 93/13 must be interpreted as not precluding national legislation, such as that at issue in the main proceedings. The legislation permits the recovery of a claim based on potentially unfair contractual terms through the extrajudicial enforcement of a security interest over the immovable property provided as collateral by the consumer. This is only insofar as that legislation does not, in practice, make it impossible or excessively difficult to safeguard the rights which that directive confers on the consumer as

this is a matter for the national court to ascertain' (see point 68, provision 1).

The Court of Justice of the European Union stated that the legal context of the case included Article 7 of the above Charter (*right to respect for private and family life*): *'In Union law, the right to housing is a fundamental right guaranteed by Article 7 of the Charter which the referring court must take into account when implementing Directive 93/13'*, and Article 38, which requires a high level of consumer protection. This decision is remarkable because of its strong emphasis on consumers' fundamental rights under EU law.

Evictions due to mortgage default or home repossession must be carried out in accordance with the law, and those affected must be able to effectively challenge the eviction and receive sufficient notice to do so. In particular, a judge should be able to suspend or annul the eviction if the rights of the residents are not respected and to take interim measures in case of illegal eviction.

In the case of **Aziz**, the Court of Justice of the European Union ruled that the state must put in place a system to effectively protect consumers against the risk of eviction from their homes as part of enforcing mortgage guarantees, until a final court decision is made.¹³

In the **Banco Popular Español SA** case,¹⁴ the CJEU ruled that the State must allow the judge to assess the unfairness of a clause in the contract in the context of home repossession proceedings, and to adopt interim measures to ensure the maximum effectiveness of the final measure, i.e. to suspend the proceedings if necessary.

Practices in Member States

In **Spain's** 2008 fiscal crisis, many people were unable to effectively challenge their eviction or were not given adequate notice to do so. In practice, thousands of evictions in Spain, affecting vulnerable groups in particular, were carried out under a legal procedure that did not guarantee the owners a genuine right to challenge the contractual terms of the loan. This, coupled with irresponsible lending practices, reveals how Spain has failed to provide sufficient protection against evictions in both law and practice.¹⁵

CJEU rulings have allowed Spanish judges to temporarily suspend evictions while proceedings to investigate the possible existence of unfair terms in their contracts take place. The government has had to reform the law to ensure compliance with European requirements on several occasions.

In order to protect tenants against evictions with the intervention of public forces, France's 2014 Alur Law deemed it a criminal offence to 'force a third party to leave the place they live without having obtained the assistance of the State' via a final court decision, using 'force, threats, assaults, or constraints'. The penalty is three years' imprisonment and a fine of EUR 30,000 (Art. 226-4-2 of the French Criminal Code).

3. THE PRINCIPLE OF PROPORTIONALITY

Principle

When a landlord demands the eviction of a tenant, the courts are confronted with the enforcement of two different sets of rights that may be contradictory or conflicting, i.e. the right to property and the right to housing. The loss of a home is an extreme form of interference with the right to respect for the home. Any person facing eviction should in principle be able to have the proportionality of the measure determined by an independent tribunal in the light of relevant principles, such as the right to respect for his or her private and family life (Article 8 of the European Convention on Human Rights; Article 7 of the EU Charter of Fundamental Rights), even if his or her right to tenure has ended (McCann, 2008).¹⁶

The principle of proportionality requires that particular attention be paid to the consequences of an eviction, in order to determine its reasonableness, in particular whether it leads to homelessness, regardless of whether the tenure is legal or not. For an eviction to be justified, three criteria must apply: legality, legitimacy and necessity in a democratic society, a criterion established by case law and made famous by the European Court of Human Rights judgement *Winterstein and Others v. France*¹⁷

Case law

The main cases in which the European Court of Human Rights has recognised violations of the

Convention concern forced evictions of Roma or Travellers include *Connors (2004)*, *Yordanova (2012)*, *Winterstein (2013)* and *Bagdonavicius (2016)*. The principle of proportionality must be applied in cases of residents in public land.

In the case of *Yordanova v. Bulgaria*,¹⁸ the European Court of Human Rights found that circumstances threatening an entire community and a long-term settlement should be treated entirely differently from normal cases of an individual being evicted from illegally occupied property.

In *Winterstein v. France*, the applicants alleged a violation of Article 8 of the European Convention on Human Rights because of an eviction from land which they had been living on for a long time. The European Court of Human Rights found that the requirement that the applicants vacate the land and remove all edifices constituted an interference with their right to respect for private and family life, and a home. It held that, although this interference is lawful and pursues the legitimate aim of defending the rights of others via environmental protection, it cannot be regarded as 'necessary in a democratic society' within the meaning of the above Article 8.

In *Hirtu and Others v. France, 2020*,¹⁹ concerning the eviction of Roma living in an unauthorised encampment, the European Court of Human Rights stated that their needs as an underprivileged social group has to be taken into account in the proportionality assessment that national authorities had a duty to undertake (Section 75).

In two more recent cases, *Faulkner v. Ireland* and *Mc Donagh v. Ireland*,²⁰ the Court stated as follows: 'In considering whether an eviction is pro-

portionate, whether the home had been legally established will be relevant. If so, this factor will weigh against the legitimacy of requiring the person to move. Conversely, if the home was illegally established, the individual's position would have to be regarded as less strong.'

The European Court of Human Rights has ruled that Article 8 of the European Convention on Human Rights does not require a proportionality test for private rental sector evictions, consequently limiting the applicability of this principle to the public sector. In *F.J.M. v. the United Kingdom*,²¹ the applicant was evicted following a possession order without being able to raise defence on the grounds of proportionality. The applicant claimed that the order was disproportionate in her case, and that she should have been able to ask the court to undertake a proportionality assessment before granting a possession order and evicting her. The application based on UK evictions in this case was declared inadmissible. The European Court of Human Rights found that there was no requirement for a proportionality check for occupiers of private sector premises.

However, the system of the International Covenant on Economic, Social and Cultural Rights has recently paved the way for a broader approach – based on state obligations – to be taken. The Committee on Economic, Social and Cultural Rights in *López Alban v. Spain*,²² found that Spain had violated the right to housing of the applicant and her children, as their eviction had taken place without guaranteeing them ade-

quate alternative accommodation and without a prior assessment of proportionality. The CESCR explains that: *'the principles of reasonableness and proportionality might make it necessary to suspend or postpone the eviction order so as to avoid subjecting the evicted persons to situations of indigence or violations of other rights contained in the Covenant.'*

Practices in Member States

In France, several court decisions have introduced the principle of proportionality in favour of residents' rights.²³ This is the case of a decision handed down by the Montreuil District Court ruling on an eviction: *'In the absence of a specific plan by the municipality justifying the recovery of the premises, a disturbance to public order and any steps taken by the Town Hall to provide these destitute families with alternative to eviction, the Court holds that this eviction disproportionately infringes on the right to respect for private and family life and to a home.'*²⁴

Undertaking a proportionality assessment that the district judge had avoided, the Versailles Court of Appeal held that *'the consequences of the immediate and provisional execution of the decision, given in summary proceedings are manifestly excessive in the absence of any effective proposal for rehousing and schooling for the children.'*²⁵

4. PROTECTION AND SUPPORT FOR OCCUPANTS

Principle

In order to preserve the privacy and dignity of occupants, international law provides for certain safeguarding measures for occupants and prohibits evictions from homes at night and during winter.

Case law

In the case of European Roma Rights Centre (ERRC) v. Greece,²⁶ the **European Committee of Social Rights** held that evictions should take place in accordance with applicable rules of procedure that are sufficiently protective of the rights of the persons concerned and enforced in accordance with these rules. Protection for those threatened with eviction should include: a duty to consult with the parties concerned to find alternative solutions, a duty to give reasonable notice, a ban on night or winter evictions, access to legal remedies, access to legal aid, and compensation for unlawful evictions.

The European Committee of Social Rights reiterated these principles in the case of *ERRC v. Bulgaria*, no. 31/2005, of 18 October 2006, finding in particular that evictions should be prohibited at night and in winter.

Since 2013, the UNC Committee on Economic, Social and Cultural Rights is competent to receive and consider communications from indi-

viduals who complain that their rights have been violated. It has repeatedly ruled on the violation of the right to housing guaranteed by the constitution and on evictions in Spain, and more than a hundred complaints are still pending.²⁷

In *M.B.D. v. Spain*,²⁸ the Committee on Economic, Social and Cultural Rights highlighted the obligation on the state to take positive steps to guarantee the right to housing even where eviction is justified. However, certain conditions must be met, including access to effective judicial remedies, **genuine consultation with those concerned**, consideration of alternatives, guarantees that eviction will not result in the violation of other rights, **special protection for vulnerable groups**, and reasonable steps to provide alternative accommodation.

At the same time, the above committee requested the following 'individual recommendations' from the Spanish government in 2015:

- (a) the adoption of legislative and/or administrative measures to ensure that tenants have access to judicial proceedings where a judge can consider the consequences of eviction;
- (b) the adoption of measures to resolve the lack of coordination between court decisions and the actions of social services;
- (c) the adoption of measures to guarantee that evictions of those without the means to obtain alternative housing involve genuine consultation and essential steps regarding alternative housing;

- (d) special protection for those who are in a situation of vulnerability; and
- (e) the development and implementation of a national plan to guarantee the right to adequate housing for low-income persons.

According to the **European Social Charter**, eviction is the deprivation of housing on grounds of either insolvency or wrongful occupation.²⁹ States must put in place procedures to limit the risk of eviction. The obligation to promote and provide housing also includes a guarantee against unlawful eviction.³⁰

To be consistent with the European Social Charter, legal protection for individuals threatened with eviction must be provided by law and include:

- an obligation to consult with those concerned to find alternative solutions to the eviction;
- an obligation to give reasonable notice in advance of the eviction date;
- a ban on evictions at night or in winter;
- the provision of legal remedies;
- access to legal aid; and
- compensation in the event of an illegal eviction.

Practices in Member States

Winter bans on evictions exist in Austria, Belgium's Brussels-Capital, and Wallonia regions (for social housing and under certain conditions), Bulgaria (discretionary for courts), France, Hungary, Poland, and Romania.³¹

In **France**, eviction proceedings against tenants who do not pay their rent are suspended in winter, even in the case of substantial rental arrears. The winter ban runs from 1 November to 31 March.³² After an extension to the winter ban,

evictions have resumed against a backdrop still marked by the pandemic. An inter-ministerial circular dated 28 April 2021 instructing prefects not to enforce an eviction order without alternative accommodation in place has only been partially complied with. Although a predicted explosion of rental evictions on 1 April 2021 did not happen and government measures to compensate landlords have been taken, this does not mean that individual cases have been resolved. The fear remains that from April 2022 onwards, the various court decisions on evictions will be enforced by the prefectures after the reprieve granted over the last two years.³³

Suspending the enforcement of an eviction order granted by a court is a key measure to protect occupants, and effectively prevent evictions leading to homelessness. This allows the occupant to remain in their home – sometimes indefinitely. Such suspensions are often granted at the discretion of the court on humanitarian or personal grounds, although in some cases there are prescribed criteria that may be related to characteristics of a household and other factors such as the availability of alternative accommodation. In general, suspensions are intended to ensure the protection of children and to enable vulnerable households to access social or financial support and alternative accommodation.

In many Member States, such suspensions are prescribed by law (ES, FI, FR, HU, IT, LT, LV, PL, PT, and SI). In general, suspension of an eviction decision is not possible or is limited (BE and DK), and in some Member States it is limited to certain reasons (DE, EE, ES, IE, IT, LT, LV, PT, and UK) such as the ability to repay, existence of children/disabled persons in a household, or the fact that the dwelling is located in a municipality with 'significant housing problems'.³⁴

In Germany, a court can prohibit or temporarily suspend the enforcement of an eviction order if it causes 'immoral hardship' to a tenant. 'Immoral

hardship' exists when the eviction endangers the life or health of the tenant, e.g. in cases of serious physical or mental illness, or restricting health conditions due to old age or impending child-birth (Article 765a of Germany's ZPO).³⁵

Italian legislation allows for the suspension of court-authorised evictions, sometimes indefinitely, for social reasons, which can be seen as a response to the lack of affordable rental housing and the inadequacy of the housing market. Accordingly, it is possible to have up to four rental suspensions on evictions – up to 90 days, up to 18 months, or almost indefinitely – where housing difficulties are experienced.³⁶

In **Spain**, organisations have criticised the Spanish government's inadequate and insuffi-

cient response to the recommendations issued by the Committee on Economic, Social and Cultural Rights. A civil society organisation was set up to follow up on the implementation of decisions and recommendations.³⁷ In the Sixth Periodic Report of Spain dating from 2018, the Committee on Economic, Social and Cultural Rights highlighted the measures adopted by Spain for the prevention of evictions due to repossession or rental arrears but denounced the lack of an appropriate legislative framework determining the necessary legal and procedural guarantees. It reiterated its previous recommendation and called on the Spanish government to adopt a legislative framework setting out the requirements and procedures for eviction.³⁸

5. PROVISION OF ALTERNATIVE ACCOMMODATION

Principle

Where persons affected by evictions are unable to provide for themselves, the State in question shall make provision for the adoption of all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement, or access to productive land, as appropriate, is available.

If an eviction can be justified as being in the public interest, States must rehouse or financially support evicted households. Legal safeguards must be in place including the provision

of adequate housing alternatives to ensure that individuals, particularly children, women, and those with illnesses or disability, are not left homeless or vulnerable'.³⁹

Case law

In the above case of *M.B.D. and Others v. Spain*,⁴⁰ the UN Committee on Economic, Social and Cultural Rights found that the eviction of the applicants and their two minor children despite no alternative accommodation constituted a violation of their right to adequate housing. This

decision criticised Spain, recommending that *'the necessary measures to ensure that evictions affecting persons who lack the resources to secure alternative housing are only carried out after (...) has taken all the necessary steps, to the maximum of its available resources, so that the evicted persons have access to an alternative dwelling, especially in those cases involving families, the elderly, children and/or other vulnerable people'*. The burden of proof is therefore on the State to show that it has considered all relevant circumstances and taken all reasonable steps to the maximum of its available resources. The Committee on Economic, Social and Cultural Rights ruled that a heavier burden existed since the best interests of two minor children were at stake.

In the case of *ECHR v. Bulgaria*,⁴¹ the European Committee of Social Rights found that *'the evictions (...) would constitute a violation of the right to housing and its corollary of not making individual[s] homeless'*. It reiterated that *'States parties must ensure that eviction procedures are justified and carried out in conditions that respect the dignity of the persons concerned, and that alternative accommodation is available'*.

In the case of *Yordanova and Others v. Bulgaria*,⁴² the eviction was suspended with an interim measure ordered by the European Court of Human Rights. The government had not demonstrated that alternatives to eviction had been seriously considered, for example, by legalising construction, installing pipes for drinking water and sewage disposal, **and providing assistance in finding housing where necessary**. The authorities also failed to take into account the risk of applicants becoming homeless.

In the recent case of *Faulkner v. Ireland*,⁴³ the Court held that *'if no alternative accommodation is available, the interference is more serious than when it is available. The more suitable the alternative accommodation, the less serious*

the interference constituted by the applicant's removal from his or her current accommodation'. Assessing the suitability of alternative accommodation is a task that involves taking into account the particular circumstances and needs of the people concerned as well as the requirements, rights, and interests of the local community. In this regard, a wide margin of discretion should be given to the national authorities who are clearly better placed to make such an assessment.

In this same case, the European Court of Human Rights recalled the limits of the scope of Article 8 of the European Convention on Human Rights. The Court reiterated that this provision does not recognise the right to be provided with a home - let alone in a particular location or confer a right to have housing problems resolved by the authorities; with the obligation to take positive steps to house the homeless limited in scope (see *Hudorovič and Others v. Slovenia*, nos. 24816/14 and 25140/14, 114, 10 March 2020).⁴⁴

Practices in Member States

In practice, many people are not rehoused after being evicted. *'In Europe, there is evidence that while a large majority of evicted households managed to find accommodation, a quarter remained homeless'* (FEANTSA, 2017). *Benjaminsen and Others (2015)* found that 21% of homeless people in Denmark considered eviction to be a determining factor in their situation. Some 25% of homeless people in Sweden, 7% in Greece, and 54% in Slovenia considered eviction to be a causal factor (Socialstyrelsen 2012; Klimaka 2008; Dekleva and Razpotnik 2007). This Danish study also found that one year after an eviction, 18% of those evicted were not included on the housing register, meaning that they were still experiencing unstable living conditions

(staying with friends or family) or homeless. In Finland, a quarter of evicted people were facing housing exclusion. Some 78% of those evicted were male and 22% were female (Erkkilä and Stenius-Ayoade 2009).⁴⁵

According to a study of 66 evicted households conducted by the Foundation Abbé-Pierre in France, 32% had not found a permanent home within timeframes ranging from one to three years later.⁴⁶

The Spanish government waited several years before starting to enforce the decisions and recommendations of the UN Committee on

Economic, Social and Cultural Rights. A draft law on the right to housing is likely address these issues. According to announcements detailed on the Spanish government's website, there appears to be a willingness to act in several areas, including improving the regulation of the eviction procedure in vulnerable situations or regulating the proposal of housing solutions by the social services to the persons concerned, thus avoiding homelessness following eviction.⁴⁷ Some civil society organisations and parliamentary groups have tabled amendments to ensure that the legislation reflects their demands.⁴⁸

6. SUSPENSION OF EVICTIONS THROUGH INTERIM MEASURES

In cases of serious violations of fundamental rights, some courts provide for emergency mechanisms to suspend eviction proceedings.

Under Rule 39 of its Rules of Procedure, **the European Court of Human Rights** may, recommend interim measures to any State Party to the European Convention on Human Rights. According to established legal practice, interim measures are urgent measures which only apply where there is an **imminent risk of irreparable harm**.

Interim measures are only applied in limited areas, such as threats to life or ill-treatment prohibited by Article 3 of the European Convention on Human Rights (prohibition of torture or inhuman or degrading treatment). More exceptionally, such measures may be recommended in res-

ponse to certain requests concerning the right to respect for private and family life (Article 8 again). The European Court of Human Rights can decide to suspend an eviction where the victim has no alternative accommodation lined up.⁴⁹

In Spain, the European Court of Human Rights ordered the suspension of evictions where no alternative accommodation has been offered under Articles 3 and 8 of the European Convention on Human Rights: *A.M.B. and Others v. Spain*,⁵⁰ *Raji and Others v. Spain*,⁵¹ and *Ceesay Ceesay and Others v. Spain*.⁵² In the latter case, the European Court of Human Rights gave the Spanish government 20 days to explain the measures that the local authorities would implement in order not to violate the Convention, with special reference to children, housing, and social welfare.

In the case of *P.H. and Others v. Italy*,⁵³ the applicants made a request to the European Court of Human Rights for interim measures under Article 39, requesting that the State provide them and their families with adequate accommodation and suspend further evictions. It adjourned a review of the application after asking the parties to provide more information. While it was not clear from the Italian government's response to the European Court of Human Rights questions whether the applicants had been rehoused or not, an interim measure was introduced ordering the provision of temporary accommodation for the minors and their parents without separating them.

In the *Yordanova* case referred to above, the European Court of Human Rights granted an interim measure to stop the eviction of a long-established Roma community after they had exhausted all available remedies in the Bulgarian legal system.

Similarly, the European Committee of Social Rights can also provide for immediate action under Rule 36 of its Rules of Procedure. This occurred in the *European Roma Rights Centre (ERRC) v. Belgium case*⁵⁴, complaint no. 195/2020.

Supplementing the provisions of the European Social Charter above, the European Committee of Social Rights has established that where evictions take place, *'it is the responsibility of the state to ensure that evictions, when carried out, respect the dignity of the persons concerned even when they are illegal occupants, and that alternative accommodation or other compensatory measures are available'*. The European Committee of Social Rights also made a statement in this regard in the case of *FEANTSA v. France*, recalling that evictions *'must be justified, and occur in a way that respects the dignity of the persons concerned, and that alternative accommodation is available'*.⁵⁵

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Photo : ©Yann Levy | Portrait de personnes sans abris à Paris



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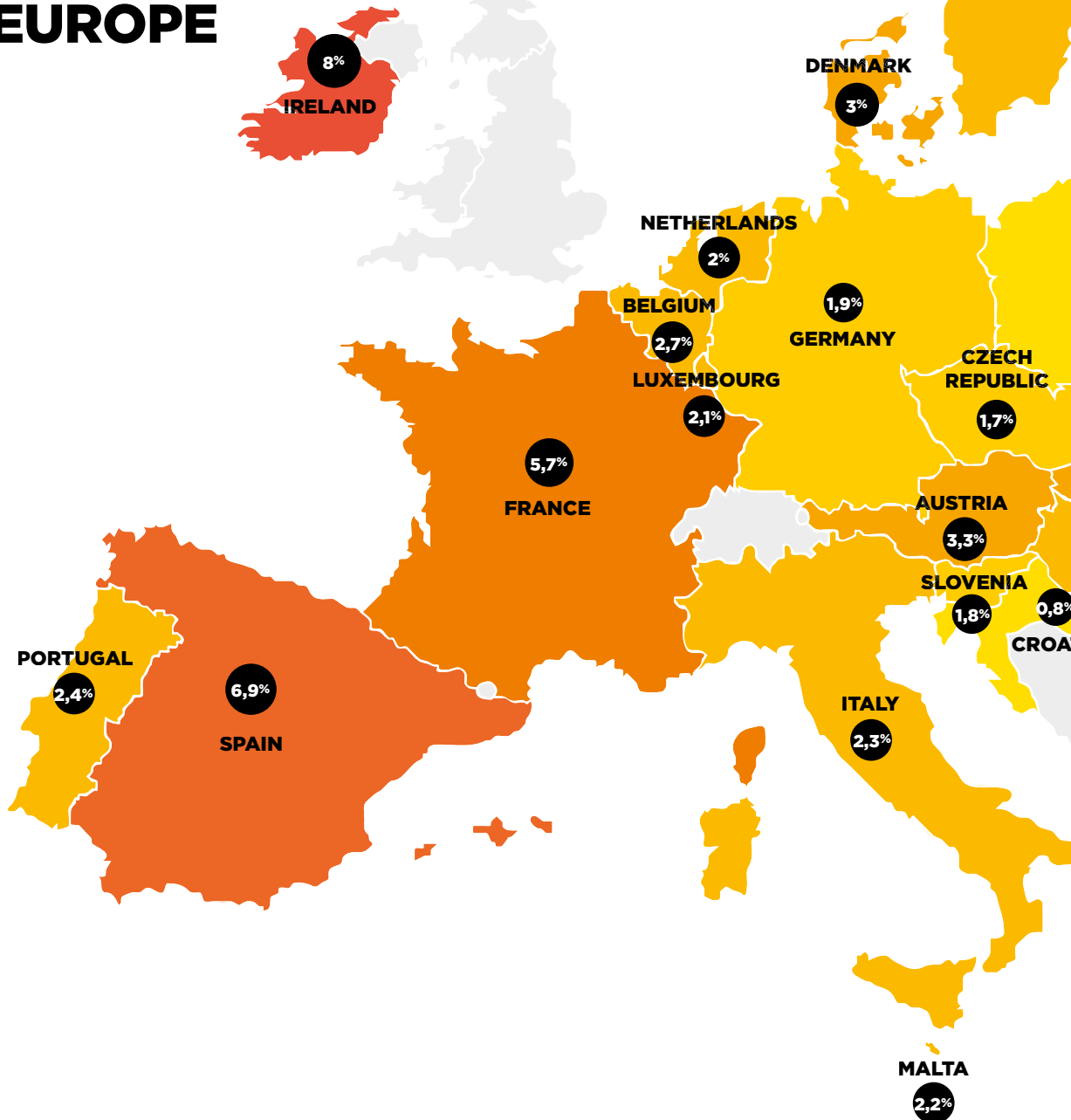
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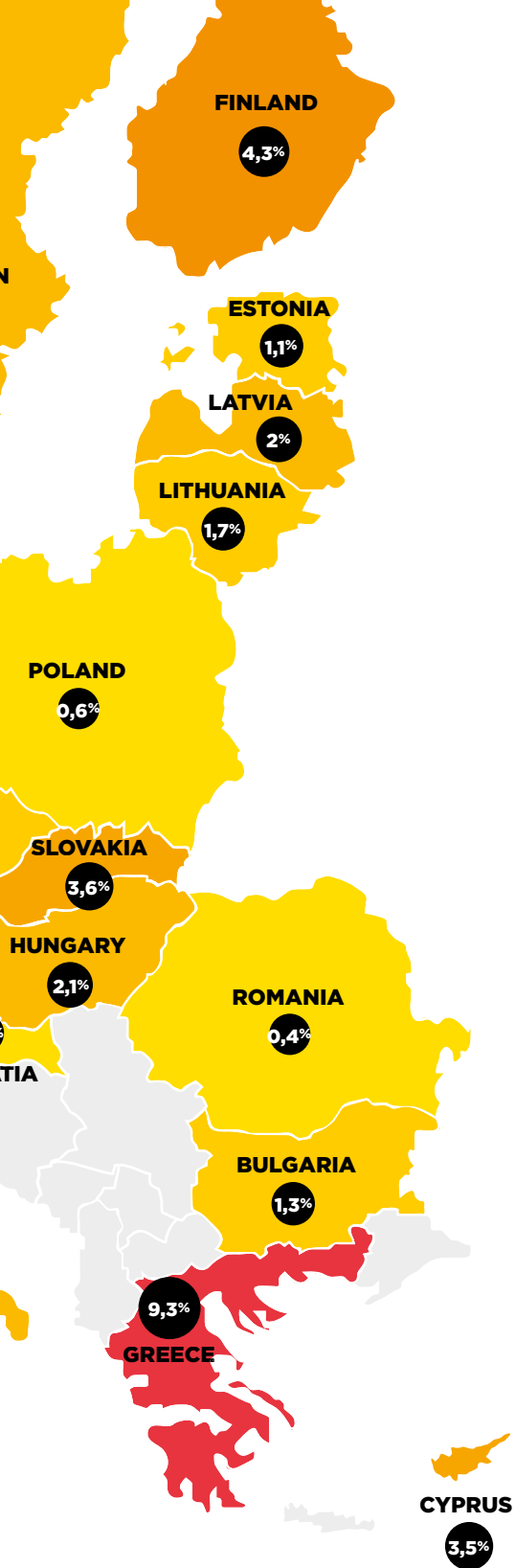
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ARREARS

HOUSEHOLD BUDGETS UNDER INCREASING PRESSURE IN EUROPE





	Total households in arrears on rent or mortgage payments	Evolution from 2019 to 2020
Greece	9,3%	-11% ↓
Ireland*	8,0%	36% ↑
Spain	6,9%	82% ↑
France*	5,7%	16% ↑
Finland	4,3%	-4% ↓
Slovakia	3,6%	-28% ↓
Cyprus	3,5%	-20% ↓
Austria	3,3%	32% ↑
EU27	3,3%	19% ↑
Denmark	3,0%	0% =
Belgium	2,7%	13% ↑
Sweden	2,4%	0% =
Portugal	2,4%	0% =
Italy	2,3%	21% ↑
Malta	2,2%	-8% ↓
Luxembourg*	2,1%	11% ↑
Hungary	2,1%	5% ↑
Netherlands	2,0%	-17% ↓
Latvia	2,0%	11% ↑
Germany*	1,9%	36% ↑
Slovenia	1,8%	-10% ↓
Czech Republic	1,7%	-6% ↓
Lithuania	1,7%	0% =
Bulgaria	1,3%	8% ↑
Estonia	1,1%	-45% ↓
Croatia	0,8%	-11% ↓
Poland	0,6%	-14% ↓
Romania	0,4%	-20% ↓

Source : Eurostat /EU-SILC Survey, data for 2020, last update 16-05-2022.
 * Break in series in 2020 for Germany, Ireland, France, Luxembourg.

OPENING REMARKS

The statistical data presented here are the result of the European Union Survey of Income & Living Conditions (EUSILC) conducted in 2020 in each of the 27 Member States of the European Union, published in 2022 by Eurostat. This index is thus a snapshot of Europe's housing exclusion situation during the first year of the COVID-19 pandemic.¹

In contrast to the 2008 financial crisis, the successive waves of COVID-19 and lockdown measures had no dampening effect on house prices and mortgages in European Union Member States, whilst interest rates have so far remained at historically low levels. While purchase prices, rent, and utilities – particularly for heating and lighting – have been on an upward trajectory on average across the EU27 over the last three years, the gap in household incomes has continued to widen, leading to high levels of indebtedness. While all households are affected by the cost-of-living crisis, it has a particularly negative effect on the living conditions of households subsisting below the poverty threshold. In 2020, 17.1% of the European population were living below the poverty threshold, i.e. more than 75 million people and a 5% increase on 2010. Among the European population, 22% were at risk of poverty or social exclusion² with the highest rates

recorded in Bulgaria (32.1%), Romania (30.4%), Greece (28.8%), Spain (26.4%), and Latvia (26%). While the proportion of the population at risk of poverty or social exclusion fell slightly on average across the EU27 over the previous 10 years (-7%), it increased again by 6% in just one year, from 2019 to 2020, during the pandemic.

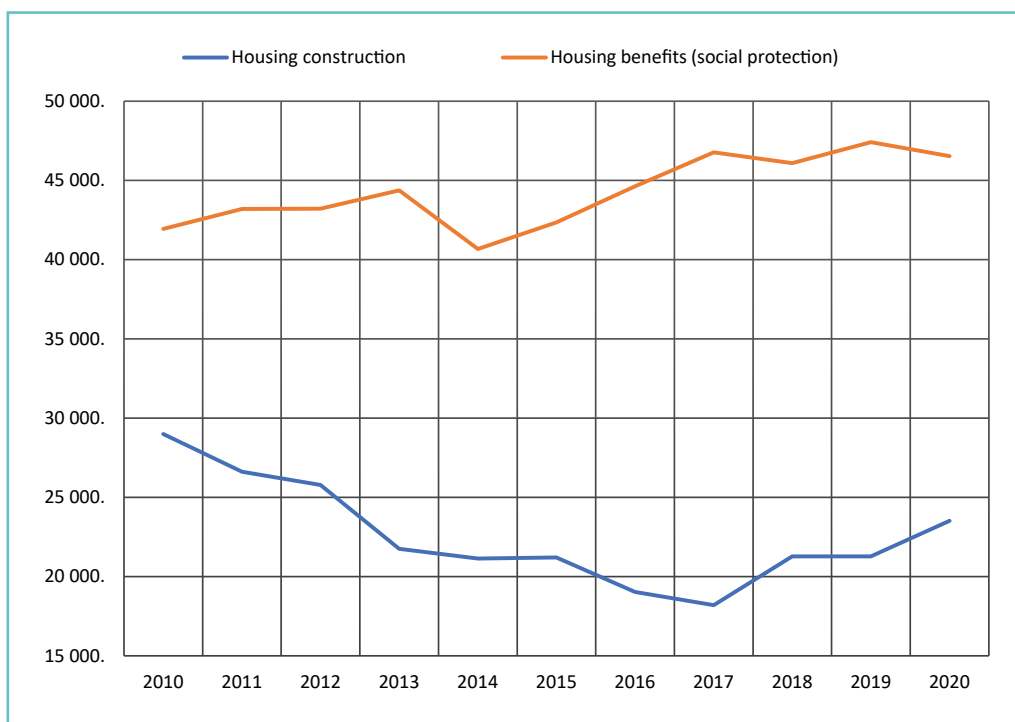
According to a Eurofound study conducted among 180,000 people in the 27 EU Member States,³ **5.4% of Europeans stated in the first half of 2021 that they risked having to leave their current housing within the next three months due to being unable to pay the rent.** As a result, 12 million people, a figure equivalent to the population of a country like Belgium, were living in fear of eviction due to unpaid rent. Uncertainty due to the pandemic and related structural changes will continue to influence the housing market in the coming months. The economic recovery, the use of significant savings accumulated by well-off households, the end of government assistance programmes that underpinned economies and protected vulnerable citizens, and energy price inflation resulting from the Russian invasion of Ukraine are all factors contributing to the explosion in housing and living costs that make access to dignified and affordable housing even more unequal.

1. HOUSEHOLD BUDGETS UNDER INCREASING PRESSURE

All indicators for housing costs, housing cost overburden, indebtedness, and energy prices are in the red. First, it is worth remembering that the supply of affordable housing became increasingly tight due to the continuous withdrawal of public authorities from housing production between 2010 and 2017. It is only since 2017 that there has been a gradual increase in investment in European construction. Between 2010 and 2020, the average expenditure by public autho-

rities in the EU27 on housing construction fell by 19%. The most significant drops in spending were recorded in Slovakia (-49%), Ireland (-47%), Cyprus (-38%), Spain (-36%), Denmark (-28%), Germany (-28%), Austria (-27%), France (-26%), and the Netherlands (-17%). However, in some Eastern European countries such as Hungary, Bulgaria, Croatia, Estonia, and Lithuania, expenditure on housing construction has more than doubled in the last 10 years.

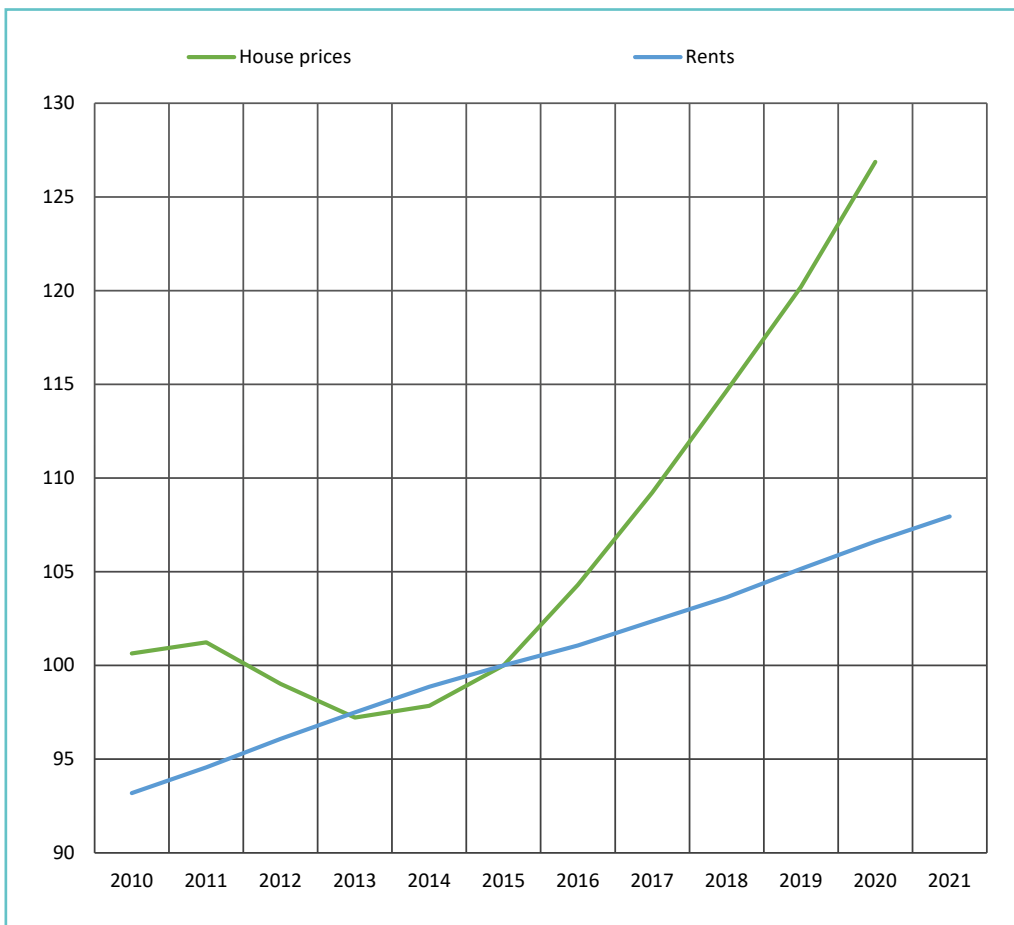
GRAPH 1
CHANGES IN PUBLIC EXPENDITURE ON HOUSING CONSTRUCTION AND
HOUSING SUPPORTS IN THE EU27 (IN MILLION EURO)



Eurostat, COFOG.

HOUSING COSTS RISING STEADILY

GRAPH 2
CHANGES IN HOUSING COSTS FROM 2010 TO 2021
(EU27 INDEX: 2015 = 100, AT CURRENT PRICES)



Source : Eurostat, 2022 [PRC_HPL_A] & [PRC_HICP_AIND]*. Graphique FEANTSA/Fondation Abbé Pierre.

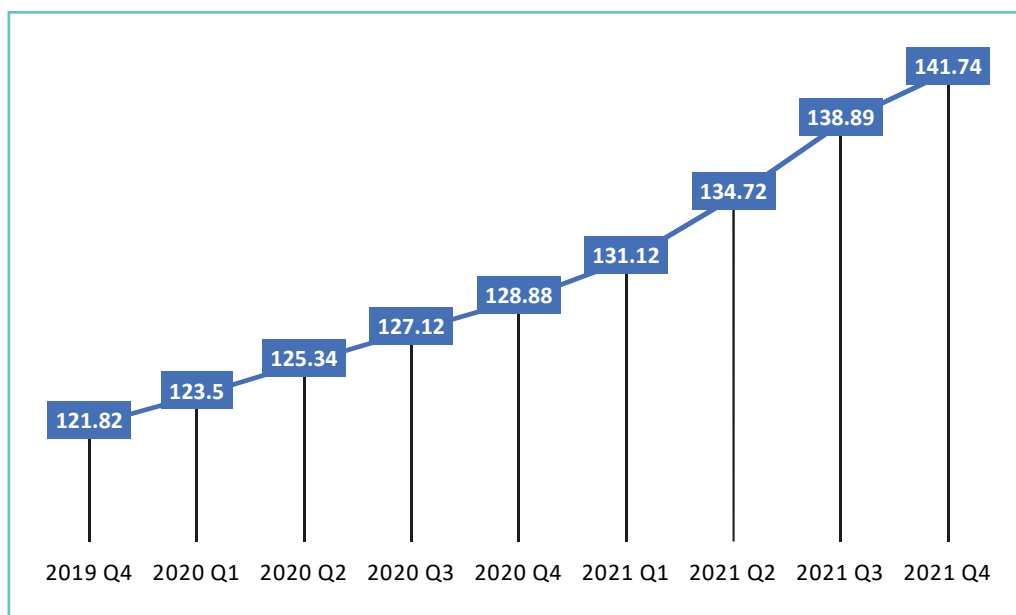
Long-term trends show that the house price index increased by 26% and the rental index increased by 14% between 2010 and 2020 in the European Union. Such trends in no way abated with the onset of the pandemic in February 2020. Yet, household incomes were heavily affected

by numerous industries shutting down, not to mention the successive lockdowns. According to the European Central Bank, between February 2020 and March 2022, the average rent in the EU27 increased slightly (by 3%) but nonetheless consistently.⁵

The increase in residential property prices accelerated during the various waves of the pandemic: on 31 December 2021, the index of residential property prices in the EU27 increased to 141.74 (where 100 represents 2015 levels), an increase of 16% on late 2019. Compared to the reference year (2015), residential property prices increased by more than 50% in 16 Member States, and as much as doubled in the Czech Republic and Hungary. Several factors contributed to increased pres-

sure on housing costs over the last two years: the low impact of lockdowns and restrictions on prices and investment in the housing market; the adoption of emergency budgetary, monetary, and macroprudential policy measures; continuing favourable lending conditions; the growing attraction of housing as an investment vehicle; and a slowdown in construction leading to an ever-scarcer supply of housing stock.⁶

GRAPH 3
CHANGE IN RESIDENTIAL PROPERTY PRICES IN THE EU27 DURING THE PANDEMIC
(INDEX, 2015 = 100, TRANSACTION VALUE, ALL HOUSING TYPES)



Source: European Central Bank⁷

TABLE 1
INDEX OF RESIDENTIAL PROPERTY PRICES
(2015 = 100, TRANSACTION VALUE, ALL HOUSING TYPES)

	Q4 2021
Hungary	213.92
Czech Republic	200.6
Luxembourg	179.36
Portugal	175.96
Lithuania	175.36
The Netherlands	175.04
Latvia	172.32
Estonia	163.78
Slovakia	163.28
Germany	161.9
Austria	160.44
Slovenia	160.18
Slovenia	160.18
Ireland	155.21
Poland	155.15
Bulgaria	154.48
Croatia	144.99
EU27	141.74
Malta	138.99
Sweden	138.87
Romania	137.51
Spain	135.58
Denmark	134.35
Belgium	129.63
France	127.57
Finland	111.87
Italy	104
Cyprus	103.28

SIGNIFICANT HOUSING COST OVERBURDEN

7.8% of households and 31.8% of poor households living in the EU27 were overburdened by housing costs in 2020⁸. In just one year, the proportion of poor households overburdened by housing costs increased in **Germany (+39%), France (+15%), Malta (+7%), Slovenia (+5%), Belgium (+4%), Estonia (+4%), and the Czech Republic (+3%)**. The proportion of the total population overburdened by housing costs increased over the same period in **Germany (+43%), Hungary (+17%), Malta (+8%),**

France (+7%), and Slovenia (+7%). For Germany and France, these changes should be viewed with caution as 2020 saw a series break in EU-SILC data.

Tenants paying market prices are most vulnerable to being overburdened by housing costs: **more than one fifth of private tenants spend more than 40% of their income on housing in the EU27.**



Photo : ©Sebastien Godefroy | *Expulsion permanence ESH*

TABLE 2
**PROPORTION OF POOR HOUSEHOLDS AND TOTAL POPULATION OVERBURDENED
BY HOUSING COSTS IN (2020, %)**

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Greece	83,4	-5%	33,3	-8%
Denmark*	70,2	-5%	14,1	-10%
Germany*	67,2	39%	19,9	43%
Bulgaria	41,7	-13%	14,4	-10%
Czech Republic	38,9	3%	6,5	-6%
Sweden	38,1	-8%	8,3	-12%
Austria	37,1	-9%	6,3	-10%
Luxembourg*	34,3	-9%	8,5	-16%
Belgium	34,0	4%	7,8	-7%
Netherlands	33,3	-16%	8,3	-16%
EU27	31,8	-10%	7,8	-17%
Spain	30,6	-4%	8,2	-4%
Italy	28,6	-18%	7,2	-17%
France*	26,2	15%	5,9	7%
Romania	24,0	-19%	7,1	-17%
Poland*	23,5	-11%	4,9	-18%
Slovenia	23,1	5%	4,4	7%
Slovakia	22,5	-16%	3,2	-44%
Croatia	20,5	-12%	4,2	-11%
Hungary	20,5	-8%	4,9	17%
Latvia	17,4	-10%	4,8	-11%
Finland	17,4	-4%	4,1	2%
Portugal	17,3	-24%	4,1	-28%
Estonia	16,9	4%	4,4	0%
Ireland*	15,1	-21%	3,4	-19%
Lithuania	11,6	-41%	2,7	-44%
Malta	9,8	7%	2,8	8%
Cyprus	7,5	-27%	1,9	-17%

* Denmark, Germany, France, Ireland, Luxembourg, and Poland: series break in 2020.

TABLE 3**HOUSEHOLDS OVERBURDENED BY HOUSING COSTS ACCORDING TO TENURE STATUS
(2020, %)**

	PRIVATE TENANTS		HOMEOWNERS WITH ONGOING LOAN OR MORTGAGE	
	2020	Change since 2019	2020	Change since 2019
Greece	79,2	-5%	19,9	-16%
Hungary	46,4	107%	1,1	-61%
Bulgaria	44,8	9%	6,2	-21%
Romania	41,9	5%	4,3	400%
Estonia	36,5	30%	0,5	-85%
Spain	35,9	-4%	3,0	-19%
Belgium	29,4	-4%	1,1	22%
Italy	28,1	-4%	1,9	-41%
Luxembourg*	26,3	-14%	1,2	-50%
Czech Republic	25,8	7%	2,2	-27%
Denmark*	25,2	-18%	6,1	15%
Germany*	23,5	28%	19,8	120%
Netherlands	22,8	-16%	1,9	-10%
EU27	21,1	-13%	3,6	-10%
Croatia	20,9	-41%	2,8	-3%
France*	20,1	14%	1,3	160%
Poland*	19,7	-27%	2,7	-43%
Portugal	19,7	-25%	2,2	-19%
Lithuania	19,5	-11%	1,4	-71%
Slovenia	18,6	-4%	4,4	42%
Sweden	18,0	-9%	2,4	-11%
Slovakia	15,9	-3%	1,8	-86%
Finland	14,2	8%	0,6	-50%
Latvia	13,5	63%	6,0	-2%
Malta	13,3	-24%	4,4	57%
Ireland*	13,1	-26%	0,9	-25%
Austria	12,7	-14%	2,1	5%
Cyprus	10,5	-15%	0,3	-63%

* Denmark, Germany, France, Ireland, Luxembourg, and Poland: series break in 2020.

GROWING INDEBTEDNESS

In 2020 in the EU27, 8.3% of poor households were in rent or mortgage arrears, a proportion that increased by 20% between 2019 and 2020 – and by 22% for all households. In the space of just a year, there have been extremely worrying increases

in Greece (where 19.6% of poor households are in arrears), Ireland (17.8%), France (17.5%), Spain (16.7%), Austria (10.1%), but also in countries where the rate had previously been very low such as the Czech Republic (6.4%, an increase of 42% in one

year), and Hungary (6.1%, an increase of 85% in one year).

While data on indebtedness is not available across the whole EU27, where they do exist, they show that the gross debt-to-income ratio of households increased in 16 Member States between 2019

and 2020.⁹ This rate exceeds 100% of disposable income in France, Belgium, Ireland, Finland, and Cyprus. It exceeds 170% of disposable income in Sweden, Luxembourg, and the Netherlands. In Denmark, the gross debt-to-income ratio stands at 214% of disposable income.

TABLE 4
HOUSEHOLDS IN RENT OR MORTGAGE ARREARS (2020, %)

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Greece	19,6	24%	9,3	-11%
Ireland*	17,8	32%	8,0	36%
France*	17,5	10%	5,7	16%
Spain	16,7	62%	6,9	82%
Finland	11,3	8%	4,3	-4%
Denmark	10,4	0%	3,0	0%
Austria	10,1	66%	3,3	32%
Sweden	8,8	1%	2,4	0%
Slovakia	8,7	-13%	3,6	-28%
Belgium	8,7	10%	2,7	13%
EU27	8,3	20%	3,3	22%
Luxembourg*	7,0	-1%	2,1	11%
Netherlands	6,8	-24%	2,0	-17%
Malta	6,7	6%	2,2	-8%
Czech Republic	6,4	42%	1,7	-6%
Hungary	6,1	85%	2,1	5%
Italy	6,0	22%	2,3	21%
Cyprus	4,9	-37%	3,5	-20%
Portugal	4,8	-26%	2,4	0%
Germany*	4,0	14%	1,9	36%
Latvia	3,7	48%	2,0	11%
Slovenia	3,6	-10%	1,8	-10%
Lithuania	3,2	60%	1,7	0%
Bulgaria	1,5	-21%	1,3	8%
Estonia	1,5	-42%	1,1	-45%
Croatia	0,8	0%	0,8	-11%
Poland	0,6	-65%	0,6	-14%
Romania	0,6	-25%	0,4	-20%

* Germany, France, Ireland, and Luxembourg: series break in 2020.

TABLE 5
GROSS DEBT-TO-INCOME RATIO OF HOUSEHOLDS (2020, % OF DISPOSABLE INCOME)

	2020	Change in one year (from 2019 to 2020)
Denmark	214.60	0%
The Netherlands	188.98	-1%
Luxembourg	175.33	1%
Sweden	174.33	8%
Cyprus	131.31	2%
Finland	118.81	4%
Ireland	107.03	-10%
Belgium	106.02	2%
France	102.18	3%
Spain	94.93	4%
Portugal	94.39	3%
Germany	87.16	4%
Austria	85.28	3%
Greece	83.26	-1%
Slovakia	72.24	4%
Estonia	70.26	4%
Italy	64.36	4%
Czech Republic	58.94	1%
Poland	55.90	-4%
Croatia	54.12	3%
Slovenia	42.87	-3%
Lithuania	36.34	-1%
Hungary	35.72	12%
Latvia	30.84	-3%

Data not available for Bulgaria, Romania, and Malta. Eurostat.

AN EXPLOSION IN ENERGY COSTS

With the increased cost of housing oneself adequately, energy poverty in housing has gained ground in the European Union. In 2020, 7.4% of the total population of the EU27, and 17.8% of poor households experienced financial difficulty in **maintaining an adequate household temperature**; this indicator had been in decline over the previous decade. The proportion of poor households experiencing this form of energy poverty is particularly worrying in Bulgaria (49.2%), Cyprus (41.6%), Greece (39.2%), Portugal (33.8%), and Lithuania (33.6%).

6.5% of households and 15.8% of poor households were in arrears on their utility bills (water, electricity, gas, and heating) in the EU27 in 2020. Between 2019 and 2020, an increase in the proportion of poor households in arrears on their utility bills was recorded in 12 countries, with particularly high rates occurring in Italy (53%), in Greece (50%), Bulgaria (44.3%), Croatia (26.1%) Hungary (25%), and Spain (24.4%).

TABLE 6
**HOUSEHOLDS EXPERIENCING FINANCIAL DIFFICULTY IN MAINTAINING
 AN ADEQUATE HOUSEHOLD TEMPERATURE (2020, %)**

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Bulgaria	49,2	-4%	27,5	-9%
Cyprus	41,6	-12%	20,9	0%
Greece	39,2	14%	17,1	-4%
Portugal	33,8	-11%	17,5	-7%
Lithuania	33,6	-13%	23,1	-13%
Romania	23,4	18%	10,0	8%
Spain	22,3	14%	10,9	45%
Germany*	20,2	146%	9,0	260%
Slovakia	19,2	-33%	5,7	-27%
EU27	17,8	-2%	7,4	7%
Croatia	17,5	-8%	5,7	-14%
Italy	17,2	-35%	8,3	-25%
France*	15,8	-11%	6,5	5%
Hungary	14,9	6%	4,2	-22%
Malta	14,9	7%	7,2	-8%
Latvia	13,2	-17%	6,0	-25%
Belgium	12,6	-5%	4,1	5%
Denmark	10,9	30%	3,0	7%
Slovenia	9,8	20%	2,8	22%
Poland	8,9	-23%	3,2	-24%
Netherlands	8,8	-22%	2,4	-20%
Sweden	6,9	41%	2,7	42%
Czech Republic	6,8	-24%	2,2	-21%
Ireland*	6,1	-60%	3,4	-31%
Luxembourg*	5,8	29%	3,6	50%
Estonia	5,5	-11%	2,7	8%
Austria	4,2	-14%	1,5	-17%
Finland	2,6	-40%	1,8	0%

* Germany, France, Ireland, and Luxembourg: series break in 2020.

TABLE 7
**HOUSEHOLDS IN ARREARS ON THEIR UTILITY BILLS (WATER, ELECTRICITY, GAS, AND HEATING)
(2020, %)**

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Greece	50,0	-14%	28,2	-13%
Bulgaria	44,3	-5%	22,2	-20%
Croatia	26,1	3%	13,6	-8%
Hungary	25,0	14%	10,4	2%
Spain	24,4	33%	9,6	48%
Ireland*	22,7	-5%	8,7	-2%
Romania	21,3	9%	13,9	1%
Cyprus	18,5	-21%	9,2	-12%
Slovenia	17,4	-5%	9,4	-16%
Finland	16,1	-5%	7,1	-9%
EU27	15,8	6%	6,5	5%
Italy	15,1	53%	6,0	33%
Latvia	14,1	16%	8,3	-5%
France*	13,9	-27%	5,4	-4%
Malta	13,9	9%	6,3	-3%
Slovakia	13,7	-47%	5,2	-38%
Lithuania	12,5	-15%	6,3	-16%
Denmark	12,4	-1%	4,2	17%
Poland	11,5	-8%	4,7	-19%
Belgium	10,2	-22%	3,8	-7%
Austria	9,8	46%	3,1	29%
Luxembourg*	9,7	20%	2,9	21%
Estonia	9,0	-34%	5,0	-31%
Portugal	8,6	-20%	3,5	-19%
Czech Republic	7,6	41%	1,9	6%
Sweden	7,3	-1%	2,4	4%
Germany*	6,8	31%	3,2	45%
Netherlands	5,8	4%	1,5	0%

* Germany, France, Ireland, and Luxembourg: series break in 2020.

The EU-SILC data does not yet include the most recent energy price hikes. According to the Harmonised Indices of Consumer Prices,¹⁰ in all EU27 Member States except Slovakia, the Czech Republic, and Malta, the price of electricity, gas and other fuels as a whole increased between 2020 and 2021. These increases are particularly concerning in Belgium (+26%), Spain (+26%), Estonia (+22%), and the Netherlands (+18%).

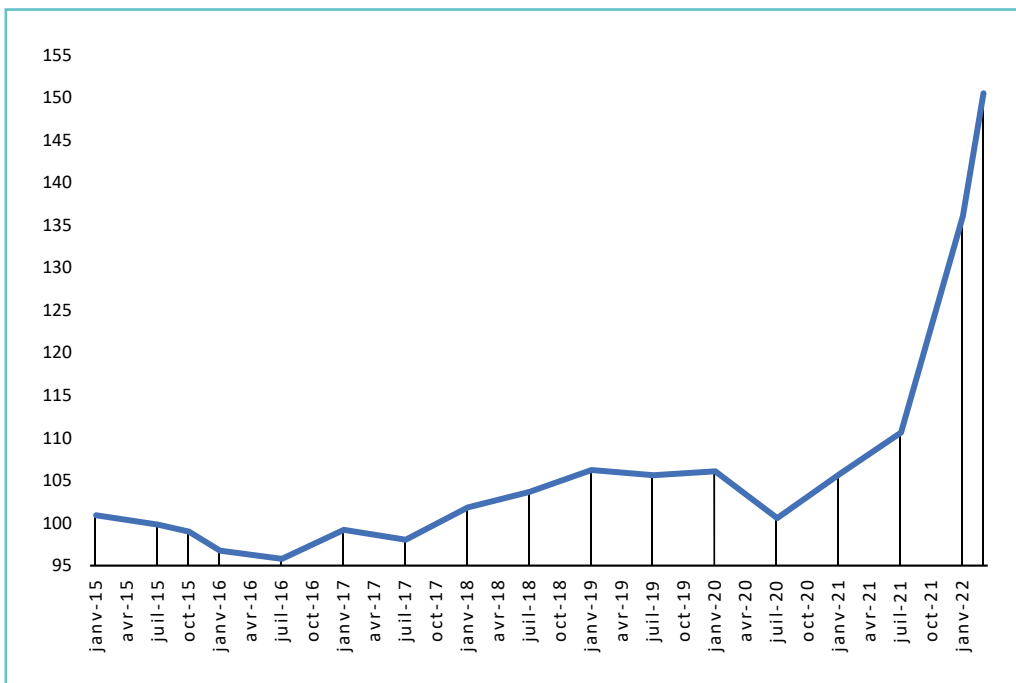
This signals the real crisis in household living expenses coming down the lines, worsened by the economic impact of the Russian invasion of Ukraine. **The price of electricity, gas, and other fuels increased by 43% between February 2020 and March 2022.** This surge in prices has particularly affected liquid fuels (+81%), gas (+48%), and electricity (+39%).

TABLE 8**ANNUAL INDEX OF THE PRICE OF ELECTRICITY, GAS AND OTHER FUELS (2015 = 100)**

	2021	Change over one year (from 2020 to 2021)
Belgium	130.88	26%
Romania	130.52	12%
Sweden	127.57	15%
Netherlands	123.50	18%
Estonia	123.14	22%
France	120.19	9%
Finland	117.35	4%
Bulgaria	116.28	6%
Luxembourg	114.77	16%
Cyprus	114.17	14%
Ireland	113.0	14%
EU27	111.99	10%
Poland	111.6	7%
Italy	111.2	16%
Spain	110.50	26%
Slovenia	109.42	7%
Austria	109.37	7%
Czech Republic	107.5	-3%
Germany	105.7	5%
Greece	105.16	12%
Latvia	104.12	6%
Hungary	103.97	1%
Denmark	103.7	9%
Lithuania	100.18	13%
Slovakia	99.58	-4%
Malta	99.42	0%
Croatia	97.17	5%
Portugal	97.05	1%

Source: Eurostat, HCIP¹¹

GRAPH 4
MONTHLY CHANGE IN THE PRICE OF ELECTRICITY, GAS, AND OTHER LIQUID FUELS IN THE EU27
(INDEX, 2015 = 100)



Source: HCIP, Eurostat & European Central Bank¹²

2. RECENT DEVELOPMENTS IN UNFIT HOUSING

17.5% of the European population and 29% of poor households are living in overcrowded conditions¹³ in the EU27. This figure has remained stable on average in the short term, between 2019 and 2020, apart from in Spain (where the proportion of households living in overcrowded conditions increased by 29% in one year), in the Netherlands (where the proportion of poor households affected increased by 13% in one year), and in other countries such as France, Germany, Luxembourg, and Ireland (although they had series breaks in the statistics in 2020).

The rate of severe housing deprivation represents the percentage of the population living in housing considered overcrowded and also meeting one of the criteria for housing deprivation: a leaky roof, a lack of access to a bath/shower and indoor toilet, and insufficient natural light. Housing deprivation affects 4.3% of the total European population, and 9.9% of poor households. The proportion of poor households experiencing severe housing deprivation increased to an alarming extent between 2019

and 2020 in Greece (+17%), Spain (+100%), France (+12%), the Netherlands (+27%), Ireland (+87%), and Finland (+100%).

14.8% of the total population and 22.8% of poor households are living in damp housing, i.e. in housing with leaking walls or roof, damp flooring, or foundations, or with mould on the window frames or on the floor. While dampness in housing had decreased over the previous decade, clear increases were recorded between 2019 and 2020, with an average of +17% for the total population in the EU27. Poor children were particularly vulnerable to unsanitary housing: 24.6% of poor children were living in unsuitable conditions, with significant increases between 2019 and 2020 in 11 countries including Finland (+128%), Italy (+66%), Ireland (+42%), France (+40%), Spain (+39%), Hungary (+22%), and Romania (+17%).

TABLE 9
HOUSEHOLDS LIVING IN OVERCROWDED CONDITIONS
(2020, %)

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Romania	54,1	-1%	45,1	-2%
Slovakia	47,8	-16%	30,1	-12%
Bulgaria	45,3	-3%	39,5	-4%
Greece	43,9	-4%	29,0	1%
Latvia	42,7	6%	42,5	1%
Poland	42,4	-6%	36,9	-2%
Sweden	39,9	-2%	15,6	0%
Croatia	38,0	-10%	36,2	-6%
Italy	36,1	1%	26,1	-8%
Austria	33,8	2%	14,1	-7%
EU27	29,0	0%	17,5	2%
Denmark	28,3	-7%	9,5	-5%
Czech Republic	27,6	-8%	15,2	-1%
Lithuania	24,5	-10%	21,1	-8%
France*	23,7	5%	9,8	27%
Hungary	22,4	-16%	19,0	-6%
Germany*	21,9	7%	10,3	32%
Finland	20,8	1%	7,6	-1%
Luxembourg*	20,3	4%	8,5	20%
Slovenia	18,1	2%	10,9	-6%
Estonia	16,9	-5%	12,7	-9%
Spain	16,6	14%	7,6	29%
Belgium	15,5	0%	5,7	0%
Netherlands	15,3	13%	4,8	0%
Portugal	14,3	-21%	9,0	-5%
Ireland*	9,3	58%	4,8	50%
Malta	8,5	29%	4,2	14%
Cyprus	4,3	-20%	2,5	14%

* Germany, France, Ireland, Luxembourg: series break in 2020.

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TABLE 10
HOUSEHOLDS EXPERIENCING SEVERE HOUSING DEPRIVATION
(2020, %)

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Romania	35,7	2%	14,3	1%
Bulgaria	20,9	-8%	8,6	-3%
Latvia	16,5	-1%	11,5	-9%
Greece	13,7	17%	5,8	-3%
Hungary	13,0	8%	7,6	-3%
Poland*	13,0	-18%	7,9	-8%
Denmark	11,8	1%	2,8	0%
Slovakia	11,5	-23%	3,2	-11%
Italy	10,0	41%	6,1	22%
EU27	9,9	4%	4,3	8%
Spain	9,2	100%	3,4	100%
Lithuania	9,2	-26%	5,4	-31%
France*	8,2	12%	3,8	65%
Croatia	7,8	-33%	5,1	-14%
Portugal	7,2	-31%	3,9	-5%
Slovenia	6,5	-10%	3,1	-21%
Austria	6,3	5%	3,0	0%
Netherlands	5,6	27%	1,5	0%
Belgium	5,6	-2%	2,3	21%
Sweden	5,4	-33%	2,5	-4%
Czech Republic	5,2	-32%	2,0	5%
Ireland*	4,3	87%	1,7	55%
Luxembourg*	4,3	-38%	1,6	-20%
Estonia	3,7	-18%	2,1	-22%
Finland	3,2	100%	1,0	11%
Cyprus	2,9	-22%	1,6	23%
Germany*	2,3	-58%	1,2	-43%
Malta	1,4	-60%	1,0	-23%

* Poland: 2019 data and 2018-2019 change – data for 2020 not available at the time of writing.

* Germany, France, Ireland, Luxembourg: series break in 2020.

TABLE 11
HOUSEHOLDS LIVING IN UNFIT CONDITIONS
(2020, %)

	POOR HOUSEHOLDS		TOTAL POPULATION	
	2020	Change since 2019	2020	Change since 2019
Cyprus	49,5	16%	39,1	26%
Hungary	38,4	5%	20,4	-9%
Portugal	36,4	0%	25,2	3%
Slovenia	30,2	-10%	20,8	1%
Spain	29,7	43%	19,7	34%
Ireland*	28,6	59%	16,6	33%
Latvia	27,1	-10%	17,5	-9%
France*	26,2	24%	17,9	56%
Netherlands	25,7	5%	14,8	1%
Luxembourg*	25,5	4%	15,4	0%
Italy	24,5	49%	19,6	40%
Romania	24,2	15%	10,0	6%
EU27	22,8	15%	14,8	17%
Denmark	22,3	14%	16,8	13%
Bulgaria	21,4	-12%	11,0	-5%
Belgium	21,1	-11%	15,7	-6%
Greece	20,3	9%	12,5	0%
Lithuania	18,8	-24%	10,9	-22%
Germany*	16,6	-11%	12,0	0%
Croatia	16,5	-16%	9,4	-8%
Estonia	14,3	-38%	10,2	-26%
Slovakia	13,7	-16%	4,9	-14%
Poland	12,3	-32%	6,0	-44%
Sweden	9,8	-2%	7,1	1%
Austria	9,8	-26%	9,1	-3%
Czech Republic	9,3	-34%	6,8	-7%
Finland	8,9	41%	4,5	10%
Malta	7,7	-38%	6,1	-20%

* Germany, France, Ireland, and Luxembourg: series break in 2020.

TABLE 12
POOR CHILDREN (UNDER 18 YEARS) LIVING IN UNFIT HOUSING
(2020, %)

	Children (under 18 years) living in a poor household	
	2020	Change since 2019
Hungary	50,7	22%
Cyprus	49,8	11%
Portugal	38,6	-5%
Denmark	35,9	16%
Latvia	35,8	-8%
Ireland*	32,7	42%
Luxembourg*	32,6	27%
Spain	32,2	39%
France*	28,2	40%
Netherlands	28,2	6%
Romania	28,0	17%
Bulgaria	27,8	-6%
Slovenia	27,6	-23%
EU27	24,6	17%
Belgium	24,2	-11%
Germany*	23,1	-11%
Italy	20,4	66%
Greece	19,5	13%
Lithuania	19,4	-33%
Finland	13,7	128%
Sweden	13,3	1%
Croatia	13,0	-35%
Slovakia	12,3	-10%
Poland	11,4	-19%
Estonia	10,7	-55%
Czech Republic	9,7	-41%
Austria	9,0	-29%
Malta	6,5	-54%

* Germany, France, Ireland, and Luxembourg: series break in 2020.

1

In 2020, series breaks were recorded in Germany, France, Ireland, Poland, Denmark, and Luxembourg. Any changes seen with regard to these countries must therefore be viewed with caution. In Ireland, for example, the data collection period was changed from being the entire year to just the first six months of the year and the same change was made to the income reference period. The definition of 'household' was also modified, and some standardised social variables and national EU-SILC data collection methodologies were revised. To find out more: <https://www.cso.ie/en/releasesandpublications/in/silc/informationnote/silc2020/>

2

The poverty threshold has been established at 60% of equivalised median income after social transfers. People whose disposable income is below this threshold are considered poor. Those at risk of poverty or social exclusion includes poor people but also includes those living in serious material deprivation and/or in households with low work intensity. See: https://ec.europa.eu/eurostat/web/products-datasets/product?code=SDG_01_10

3

Housing insecurity indicator, Eurofound 2021 – Financial situation and security during COVID-19: <https://www.eurofound.europa.eu/data/covid-19/financial-situation>

4

This is not a numerical amount of the prices and rents but an average annual index relative to the base year (2015) = 100.

5

HICP – Actual rents paid for housing, European Central Bank & Eurostat, <https://sdw.ecb.europa.eu/browse.do?node=9691210>.

6

European Central Bank (2021), 'The euro area housing market during the COVID-19 pandemic', *ECB Economic Bulletin, Issue 7/2021*, https://www.ecb.europa.eu/pub/economic-bulletin/articles/2021/html/ecb_ebart202107_03-36493e7b67_en.html

7

<https://sdw.ecb.europa.eu/browse.do?node=9691230>

8

Being overburdened by housing costs means spending more than 40% of one's income on housing.

9

The gross debt-to-income ratio of households is defined as loans and liabilities divided by gross disposable income with the latter being adjusted for the net change in pension entitlements. Eurostat [NASA_10_KI].

10

HICP, Eurostat, <https://ec.europa.eu/eurostat/web/hicp/data/database>. The Harmonised Indices of Consumer Prices has been criticised for not covering the housing costs of owner-occupiers. The European Central Bank has thus announced a plan to include them in future: https://www.ecb.europa.eu/press/key/date/2021/html/ecb.sp211115-6fa9a12cle_en.html

11

HICP – annual data (average index and rate of change) [prc_hicp_aind] <https://ec.europa.eu/eurostat/web/hicp/data/database>

12

<https://sdw.ecb.europa.eu/browse.do?node=9691210>

13

A person is considered to live in overcrowded conditions if they do not have at their disposal a number of rooms corresponding to: one room per household, one room per couple, one room for each single person aged 18 or more, one room per pair of single people of the same gender aged between 12 and 17, one room for each single person aged between 12 and 17 not included in the previous category, and one room per pair of children under 12 years of age.

APPENDICES

RECENT DATA ON HOMELESSNESS IN EU COUNTRIES

These data are neither comparable nor exhaustive. For more information on methodologies, country-specific definitions for tracking the number of homeless people, and data sources, please refer to the first chapter of the 2017 edition of this report: https://www.feantsa.org/download/gb_housing-exclusion-report_complete_20178613899107250251219.pdf

Please refer also to the FEANTSA country profiles <http://www.feantsa.org/en/resources/resources-database?search=&theme=&type=Country+profile&year=>

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
Germany	<p>256,000 homeless people, i.e. an increase of 8% on 2018 figures.</p> <p>Including refugees and asylum seekers in reception centres, 417,000 people in total were considered homeless, a drop of 40% on 2018 figures (in line with the reduction in the number of refugees admitted to Germany during this period).</p>	<p>BAGW</p> <p>There were no official data at national level. The Federal Association for the Support of the Homeless in Germany, BAG W, publishes annual national estimates based on its own monitoring methodologies which rely on regional statistics (for example, the regular and comprehensive data released by North Rhine-Westphalia¹) and surveys by BAG W. Estimates for 2019 relied on a broad definition of housing deprivation, which included all ETHOS light categories and people living with third parties.</p> <p>A new national count was conducted on 31 January 2022 as part of the new strategy and also as part of the aim to eradicate homelessness by 2030. This count covered people housed in emergency accommodation as well as temporary accommodation specifically for homeless people; it did not include people living rough or with third parties.²</p>	Year 2020

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
Germany <i>North Rhine-Westphalia</i>	36,082 people were staying in local authority-run emergency or temporary accommodation (ETHOS 2.1 and 3.2). This represented a 210% increase on 2016 and a 10.6% increase on 2019.	Ministry of Social Affairs, North Rhine-Westphalia	Flash survey on 30 June 2020
Austria	22,038 people were registered as homeless (does not cover all services or people who are not registered as homeless). This represented a 15% increase on 2009 and a 2.9% drop on 2018.	Austrian Ministry of Social Affairs ³	Year 2019
Austria <i>Vienne</i>	12,550 users of homeless services were counted in 2020, i.e. a 53% increase on 2010. This was due not only to a higher number of people in need of these services, but also to an expansion of the services themselves.	Vienna Social Welfare Report ⁴	Year 2020
Austria <i>Salzburg area</i>	1,142 homeless people were counted during a survey conducted locally in October 2020, including 14% who were homeless people sleeping rough, 20% who were homeless, 41% who were experiencing housing insecurity, and 65% who were staying in inadequate or insecure housing. 41.5% of those counted were children and young people (up to 30 years old).	Holzner G., Linhuber P., Schoibl H. (2021), <i>Wohnbedarfserhebung 2020 für das Bundesland Salzburg</i> , p. 3	October 2020
Austria <i>Vorarlberg</i>	1,862 homeless people were counted during a survey conducted locally in October 2020, of which 11% were homeless people sleeping rough, 55% were houseless, 41% were experiencing housing insecurity and 34% were in inadequate or insecure housing. 31% of those counted were children under 18 years of age.	Beiser C., Hämmerle M., Jagschitz E. (2021), <i>ARGE Wohnungslosenerhebung 2020</i> , p. 5-19.	October 2020
Belgium <i>Brussels</i>	5,313 homeless people were counted in one night (eight out of 13 ETHOS categories), of which 17% (933) were children. A 208% increase from 2008 to 2020. Between 2018 and 2020, a 102% increase in people living in emergency accommodation was observed alongside a 323% increase in people living in squats.	Bruss'Help ⁵	One night in November 2020
Belgium <i>Wallonia</i>	4,395 people benefited from the emergency accommodation scheme (Ethos 2.1) organised by partner services of the Relais Sociaux Urbains de Wallonie in 2020.	IWEPS (Walloon Institute for Evaluation, Foresight and Statistics) ⁶ Detailed (unofficial) data are also available for several Belgian cities including Arlon, Liège, Ghent, Charleroi, Namur, the southern part of West Flanders, and Limburg Province. ⁷	Year 2020

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
Belgium <i>Flanders</i>	764 people in winter emergency accommodation (Ethos 2.1), 4,694 homeless people (1,675 of whom were children under 16 years of age) (Ethos 3, 4 & 7) and 599 people at risk of eviction (Ethos 9), counted during a one-month survey conducted in 2014.	Meys E., Hermans K. (2015), <i>Nulmeting dak- en thuisloosheid [Baseline Measurement Homelessness]</i>	One-month survey from 15 January to 15 February 2014
Denmark	6,431 homeless people (majority of ETHOS categories). Fall of 3% between 2017 and 2019. ⁸ One third of homeless people in Denmark were young people aged 18 to 29 years. From 2009 to 2017, the number of homeless young people aged 18 to 24 increased by 102%; this increase stabilised between 2017 (1,278) and 2019 (1,023). A considerable number of people also had complex needs: four out of five homeless people had mental health problems, substance abuse problems, or both.	The Danish National Centre for Social Research ⁹	One week in 2019
Spain	An average of 17,772 people per day were staying in emergency accommodation centres, a drop of 1.3% on 2018 and an increase of 30% on 2010.	Spanish National Institute of Statistics ¹⁰	Year 2020
Spain <i>Barcelona</i>	3,941 people were counted in a flash survey carried out in May 2021, including 895 homeless people sleeping rough (a 36% increase on 2008), and 3,046 accommodated in shelters.	Network of Attention to Homeless People, Barcelona City Council ¹¹	One-night flash survey carried out in May 2021
Finland	4,341 lone people and 201 homeless families, including 721 homeless people sleeping rough or in night shelters (ETHOS 1.1 & 2.1), 489 accommodated in homeless hostels (ETHOS 3.1), 358 in medical institutions (ETHOS 6.2) and 2,773 temporarily accommodated with family or friends (ETHOS 8.1). A continued decline in lone homeless people has been observed since 2012 (20,000 homeless people were counted in Finland in the 1980s).	ARA, Centre for Housing Financing and Development ¹²	One-night flash survey carried out on 15 November 2020

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
France	143,000 people were considered to be homeless, including 81,000 homeless adults accompanied by 30,000 children who used accommodation and catering services at least once in urban areas (with 20,000 or more inhabitants), as well as 8,000 homeless people in rural areas and small towns (with less than 20,000 inhabitants), and another 22,500 people dependent on the national reception centres for foreigners (mainly CADA). This means an increase of more than 50% in the number of people estimated to have been homeless between 2001 and 2012. According to the 2013 housing survey, 5.1 million people have experienced an episode of homelessness in their lifetime.	INSEE ¹³	One-night survey carried out in 2012
	According to the Foundation Abbé Pierre, more than 300,000 people were homeless in 2022, whether sleeping rough, in homeless accommodation, or asylum seeker accommodation, i.e. twice as many as in 2012.	The Foundation Abbé Pierre ¹⁴	2021
Greece	Province of Attica (including Athens): Estimated number of people sleeping rough: 17,000. Estimate of the number of homeless people across all categories in the ETHOS typology: 500,000. 2,279 unaccompanied minors were counted in Greece in November 2021, 1,578 of whom were living in emergency shelters.	INE observatory ¹⁵ National Center for Social Solidarity ¹⁶	Year 2015
Hungary	6,753 people were estimated homeless in a flash survey conducted in several cities, including 1,447 homeless people sleeping rough (ETHOS 1.1) and 5,306 housed in emergency accommodation or hostels (ETHOS 2.1, 3.1).	BMSZKI, Budapest methodological centre of social policy ¹⁷	One night in February 2021
Ireland	9,492 people in emergency accommodation financed by the State (of whom 6,825 adults and 2,667 children). ¹⁸ Following a 151% increase in the number of homeless people and a 300% rise in the number of children in homeless accommodation between February 2015 and February 2018, numbers had been falling since the end of 2019, but a rapid increase of 19% was recorded between May 2021 and February 2022.	Irish Department of Housing, Planning and Local Government ¹⁹	February 2022

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
Italy	<p>50,724 people requested basic assistance (e.g. showering facilities, food, shelter, etc.) from one of the 768 service providers in the 158 cities surveyed.</p> <p>In 2020, 1.9 million people used the services of Caritas Italiana. The number of homeless service users decreased from 20% in 2019 to 16% in 2020 (22,527).</p>	<p>ISTAT²⁰</p> <p>Caritas Italiana²¹</p>	<p>One-month survey between November and December 2014</p> <p>Year 2020</p>
Lithuania	<p>4,015 homeless people counted in 2019, of whom 1,858 staying in emergency and temporary accommodation (ETHOS 2.1 and 3.1) and 2,157 people accommodated in shelters for women and children (ETHOS 4.1).</p>	<p>Statistics Lithuania²²</p>	<p>Year 2019</p>
Luxembourg	<p>2,763 people housed in the accommodation facilities of the 20 adult reception services in the Greater Luxembourg Region. This represented a 107% increase from 2012 to 2017.</p>	<p>Ministry of Family Affairs, Integration and the Greater Region, Luxembourg²³</p>	<p>One-day survey in March 2017</p>
The Netherlands	<p>32,000 people were considered homeless on 1 January 2021. This was 4,000 less than in 2020 but almost double the figure recorded in 2009 (17,800).</p> <p>One in five homeless people had a 'non-western' immigrant background.</p>	<p>CBS - official statistics of the Netherlands.²⁴</p> <p>The statistics do not take into account people over 65 years and undocumented migrants.</p>	<p>1 January 2021</p>
Poland	<p>30,330 homeless people were counted in a flash survey conducted in February 2020, 6,007 of whom were homeless people sleeping rough (ETHOS 1.1) and 24,323 who were housed in emergency or temporary accommodation (ETHOS 2.1 and 3.1).</p> <p>The annual statistics of this ministry's social services estimated that 23,610 homeless people had been accommodated and 37,705 people had received social benefits due to homelessness over the course of 2020. These prevalence data indicate that since the 2013-2014 peak (when over 45,000 people were homeless), the number of homeless people fell slightly (to about 37,705 in 2020).</p> <p>The homeless population in Poland is ageing: the proportion of homeless people over 60 increased from 21.7% in 2013 to 33% in 2019.</p>	<p>Polish Ministry of Family, Labour and Social Policy</p>	<p>One night in February 2020</p> <p>Year 2020</p>
Portugal	<p>8,209 homeless people, 4,786 of whom were located in the Lisbon metropolitan area.</p> <p>Of the total number of homeless people, 3,420 were without shelter (living rough or in public spaces) and 4,789 were housed in emergency or temporary accommodation.</p>	<p>ENIPSSA²⁵ (National Strategy for the Integration of Homeless People, headed up by the Ministry of Labour, Solidarity and Social Security)</p> <p>Methodology for data collection through local services across Portugal: questionnaires distributed to 278 local boards for social action (CLAS). Response rate 98.9%.</p>	<p>31 December 2020</p>

Member State	Data on the number of homeless people and changes over time	Sources & definitions	Reference period
Czech Republic	21,230 homeless people were estimated in a one-week count in spring 2019; 2,600 were minors.	Ministry of Employment and Social Affairs ²⁶ Survey conducted in the emergency reception services for homeless people and the hospital or prison services of 403 municipalities. ²⁷	One week in spring 2019
Sweden	33,250 homeless people (majority of ETHOS categories), including 5,935 homeless people sleeping rough or housed in emergency accommodation.	Swedish Ministry of Health and Social Affairs ²⁸	One week in 2017
United Kingdom	<p>England: 67,820 households were recognised as legally homeless, a fall of 4.4% on 2020. On 30 September 2021, 96,060 people were living in temporary accommodation, a 1.5% increase on 2020 and a 20% increase on 2017.</p> <p>Scotland: 27,571 households were recognised as legally homeless, a fall of 13% on the previous year. This amounts to a total of 42,149 people, 30,345 of whom were adults and 11,804 of whom were children.</p> <p>Wales: 28,833 households were eligible for social benefits for homeless people and identified as having priority needs, a reduction of 8% compared to 2019-2020. 3,729 households were living in temporary accommodation; a 60% increase compared to the same period in 2020.</p>	<p>Housing Ministry²⁹</p> <p>Scottish Government and national statistics³⁰</p> <p>Welsh Government & Office for National Statistics³¹</p>	<p>Three months from July to September 2021</p> <p>One year from April 2020 to March 2021</p> <p>One year 2020-2021</p> <p>From January to March 2021</p>

- 1**
See Country File for Germany, FEANTSA 2016.
- 2**
The results were not yet published at the time of finalizing this report. European Social Policy Network (2019), *Germany: Act on reporting homelessness*, <https://ec.europa.eu/social/BlobServlet?docId=22044&langId=en>
- 3**
<https://www.sozialministerium.at>
- 4**
FSW (2020): Geschäftsbericht 2020 <https://2020.fsw.at/>
- 5**
http://www.brusselpoort.be/images/Deontbrement2020_vdef.pdf
- 6**
<https://www.iwepo.be/indicateur-statistique/hebergement-durgence-caracteristiques-beneficiaires/>
- 7**
https://www.kbs-frb.be/fr/denombrement-sans-abrisme-et-absence-de-chez-soi?hq_e=el&hq_m=6402142&hq_l=2&hq_v=b01e4af583
- 8**
Which is related to the significant drop in responses to the surveys.
- 9**
<https://www.vive.dk/media/pure/14218/3352843>
- 10**
https://www.ine.es/prensa/ecipsh_2020.pdf
- 11**
<https://ajuntament.barcelona.cat/premsa/2021/05/20/el-recompte-2021-visualitza-895-persones-dormint-als-carrers-de-barcelona-i-3-046-allotjades-en-equipaments>
- 12**
[https://www.ara.fi/en-US/Materials/Homelessness_reports/Report_2021_Homelessness_in_Finland_2020\(60242\)](https://www.ara.fi/en-US/Materials/Homelessness_reports/Report_2021_Homelessness_in_Finland_2020(60242))
- 13**
<https://www.insee.fr/en/statistiques/1281325>
- 14**
https://www.fondation-abbe-pierre.fr/documents/pdf/reml_2021_cahier_4_les_chiffres_du_mal_logement.pdf
- 15**
<http://ineobservatory.gr/publication/kinoniki-episfalia-ke-ellipsi-stegis-stin-athina-diadromes-apoklismou-ke-entaxis/>
- 16**
<https://data2.unhcr.org/en/documents/download/66038>
- 17**
<https://www.bmszki.hu/en>
- 18**
In March 2018, the Department of Housing, Planning and Local Government decided to change the definition of homeless people which had been used to compile statistics, leading to the removal of 1,606 people from the statistics who had previously been recognised as homeless. The data from May 2018 are therefore not comparable with the data from the preceding months and years.
- 19**
<http://www.housing.gov.ie/housing/homelessness/other/homelessness-data>
- 20**
Istat (2015), *Le Persone Senza Dimora*, www.fiopds.org
- 21**
http://s2ew.caritasitaliana.it/materiali/Rapporto_Caritas_2021/Rapporto_Caritas_poverta_2021_oltre_ostacolo.pdf
- 22**
<http://osp.stat.gov.lt/>
- 23**
<http://www.gouvernement.lu/>
- 24**
<https://nos.nl/artikel/2404032-cbs-ziet-aantal-daklozen-stabiliseren-maar-branche-ziet-overvolle-opvang>
- 25**
<http://www.enipssa.pt/-/resultados-do-inquerito-de-caracterizacao-das-pessoas-em-situacao-de-sem-abrigo-dez-20-2>
- 26**
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Photo : @Sebastien Godefroy | *Expulsion permanence ESH*

APPENDICES

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

- Questionnaires and interviews with national/local members of FEANTSA and partner organisations
- Direct testimonials from individual supported by FEANTSA members
- Testimonials from sources described in footnotes
- Official FEANTSA publications, Foundation Abbé Pierre and the European Observatory on Homelessness
- Eurostat/EUSILC 2020 database
- Bibliography described below

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HOUSING EXCLU KEY STATISTICS

196,012,400

100 %

HOUSEHOLDS IN THE EUROPEAN UNION

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

15,288,967

HOUSEHOLDS OVERBURDENED BY HOUSING COSTS

MORE THAN 40% OF INCOME SPENT ON HOUSING COSTS.

7,8 %

34,032,170

17,5 %

HOUSEHOLDS LIVING IN OVERCROWDED CONDITIONS

8,428,533

**HOUSEHOLDS FACING SEVERE
HOUSING DEPRIVATION**

4,3 %

!

**NUMBER UNKNOWN
HOMELESS**

SION IN EUROPE

6,468,409

3,3 %

HOUSEHOLDS IN ARREARS
ON THEIR RENT
OR MORTGAGE REPAYMENTS

14,504,918

HOUSEHOLDS EXPERIENCING FINANCIAL
DIFFICULTY IN MAINTAINING
ADEQUATE HOUSING TEMPERATURES

7,4 %

29,009,835

14,8 %

HOUSEHOLDS LIVING
IN DAMP CONDITIONS

26,853,699

HOUSEHOLDS LIVING IN HOUSING
SITUATED IN A PARTICULARLY
POLLUTED AREA

13,7 %

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

%

PERCENTAGE
OF THE EUROPEAN
POPULATION

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

SOURCE: EUROSTAT,
2020 DATA

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