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# Evictions Due to Rent Arrears: A Comparative Analysis of Evictions in Fourteen Countries

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› **Abstract\_** *In an earlier paper, a comparative analysis on evictions in three countries was undertaken (Stenberg et al., 2011). In 2013, I expanded the research to a total of fourteen European countries, taking into account different geographic, economic and political considerations. I examined the differences across nation states in terms of legal dimensions, but also in terms of preventative measures. A key question is: are there national strategies that prevent evictions? As there is an apparent relationship between evictions and the housing market, this data has also been collected. The results show that the problem is very complex and that jumping to conclusions is ill-advised; for example, a high rate of rented dwellings does not necessarily lead to a high rate of evictions; identified best practice does not mean there is a robust national prevention strategy in place; and strong legal protection of tenants and people in need does not necessarily lead to the prevention of evictions. Nevertheless, this overview of fourteen European countries provides some conclusions in terms of measures and strategies that can help in avoiding evictions due to rent arrears.*

› **Keywords\_** *Evictions, rent arrears, prevention of homelessness, comparative study*

## Introduction

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“Typical yet damaging, for the consequences of eviction are many and severe: eviction often increases material hardship, decreases residential security, and brings about prolonged periods of homelessness... ; it can result in job loss, split up families, and drive people to depression and, in extreme cases, even to suicide... ; and it decreases one’s chances of securing decent and affordable housing, of escaping disadvantaged neighbourhoods, and of benefiting from affordable housing programs.” (Desmond, 2012, p.91)

If this statement holds true for countries other than the USA, we need more research examining evictions as a cause of homelessness in Europe. But as Desmond also reminds us, “[e]viction is perhaps the most understudied process affecting the lives of the urban poor” (2012, p.90; cf. Stenberg *et al.*, 2011, p.40 for Europe). Relatively few European countries have data on evictions, and of those with data, most do not know how many of those evicted become homeless (Thorpe, 2008). But we can argue that evictions, alongside family and relationship breakdowns, constitute key pathways into homelessness in Europe (Busch-Geertsema *et al.*, 2010).

In our comparative analysis about evictions in 2011 (Stenberg *et al.*, 2011), we first tried to develop a theoretical framework placing evictions in the intersection between civil and social citizenship. Secondly, we presented and compared legal frameworks, the procedures of evictions and the possibilities of avoiding homelessness due to rent arrears in Germany, the Netherlands and Sweden. Preliminary data on the numbers of evictions were also given. Some striking differences in the processes of dealing with evictions between the three countries were observed, although there was a lack of reliable data on the number of tenants with rent arrears in these countries – apart from Sweden, which had national level statistics on evictions. The processes from rent arrears to eviction also differed significantly between the countries; Germany was identified as the country with strongest tenancy protection.

Evicted households can be considered “the weakest players in the urban housing markets” (Edgar *et al.*, 2002, cited by Teller, 2010, p.91) and it is likely that the most recent economic crisis is a major contributing factor to the increase in evictions in some countries (cf. Boerebach, 2013, p.12 for the Netherlands). As well as this, stigmatisation and discrimination have been associated with eviction processes. In his empirical study in Milwaukee in the US, Desmond (2012) found that racial discrimination affects eviction rates, with a higher proportion of black people and Hispanics experiencing eviction than white people, regardless of personal debts or other ‘objective’ aspects affecting tenancies. His conclusion was that: “the relationship between non-payment of rent and eviction was anything but straightforward” (2012, p.110).

Reliable data on the scale of evictions, the reasons behind evictions, and information on the households threatened by evictions are required urgently across Europe (Busch-Geertsema, 2010). If rent arrears and evictions are identified as triggers of homelessness, successful preventative measures must focus on this problem “and be underpinned by appropriate resources and governance” (FEANTSA, 2013a, p.2). However, most prevention policies are “ad hoc prevention programs and less far-reaching initiatives” (2013a, p.11). The following analysis will show that prevention starts with legal protection for tenants in general and vulnerable people in particular, and ends with individual support for people already threatened by evictions. As rent arrears are the most common cause of evictions (Stenberg *et al.*, 2011), this policy review focuses on evictions due to rent arrears within conventional rented housing. Consequentially, eviction in the context of this article means the process of dispossessing a person from their rented accommodation.<sup>1</sup>

## Research Questions and Research Design

As stated in the introduction, rent arrears are the most common reasons that tenants are evicted. Comparing fourteen European countries, the review poses the following questions: are there differences in the dimensions of the problem? How many people or households lose their flats due to rent arrears? Do we have socio-demographic information about them? In addition, I looked at the legal basis for evictions (tenancy law) and preventative measures in different countries, also posing the question: are there national strategies to prevent evictions and, if yes, are they embedded in a wider strategy to tackle homelessness? The chosen fourteen countries, taking account of different geographic, economic and political contexts, are set out in Table 1.

**Table 1: Countries examined and country codes**

AT	Austria	IE	Ireland
BE	Belgium	NL	The Netherlands
CZ	Czech Republic	PL	Poland
DK	Denmark	PT	Portugal
FI	Finland	ES	Spain
FR	France	SE	Sweden
DE	Germany	UK	United Kingdom

<sup>1</sup> An ongoing research project on evictions in EU-member states (Pilot Project Promoting the Right to Housing: Homelessness Prevention in the Context of Evictions) defines evictions more broadly and includes those from institutional housing and squatting, and evictions due to domestic violence, etc.; it also examines foreclosures. The final report will be presented at the end of 2015.

To answer the above questions, I first conducted a literature search. Apart from articles featured in the European Journal of Homelessness, publications on rent arrears are scarce and my language competencies limited me to literature written in German, English and French. I referred to all country reports and comparative articles provided by FEANTSA and examined hundreds of further articles and reports using key search terms such as 'rent arrears', 'evict...', etc. The results are based on analysis of more than a hundred publications and websites. The findings were then used to compile a standardised questionnaire on various aspects of eviction for each of the fourteen countries.

Secondly, I contacted national experts<sup>2</sup> and requested them to complete this questionnaire. The first page of the questionnaire contained a table for quantitative data about demography, housing market and evictions/rent arrears, where the experts could add missing numbers, including references. The following pages contained questions about, for example, the legal conditions for evictions and national or local strategies to prevent homelessness due to evictions. This is a rather unusual approach but it was necessary due to the lack of third-party funds that would have been needed for traditional face-to-face or telephone interviews. If we consider research methods not as dichotomous (quantitative vs. qualitative), but rather as ranging in a spectrum without clear boundaries, the approach presented can be classified as problem-centred, guideline-based expert interviews in a written form or as questionnaires with open questions (cf. Bortz and Döring, 2003). Besides the statistical analysis of the quantitative data identified, the results have been processed in the form of a qualitative content analysis (Mayring, 1993).

The advantage of this approach is its cost- and time-effectiveness. Using this method, it was possible to gain and check an extensive quantity of information about evictions for the fourteen countries examined in a relatively short period of time. On the other hand, face-to-face or telephone interviews provide more openness and directness. Misunderstandings are less frequent and/or can be clarified immediately, avoiding the delays associated with email correspondence. In addition it may have been easier to find experts who would have agreed to short telephone interviews rather than written questionnaires. But all in all, the systematic collection and analysis of the requested data generated valid results.

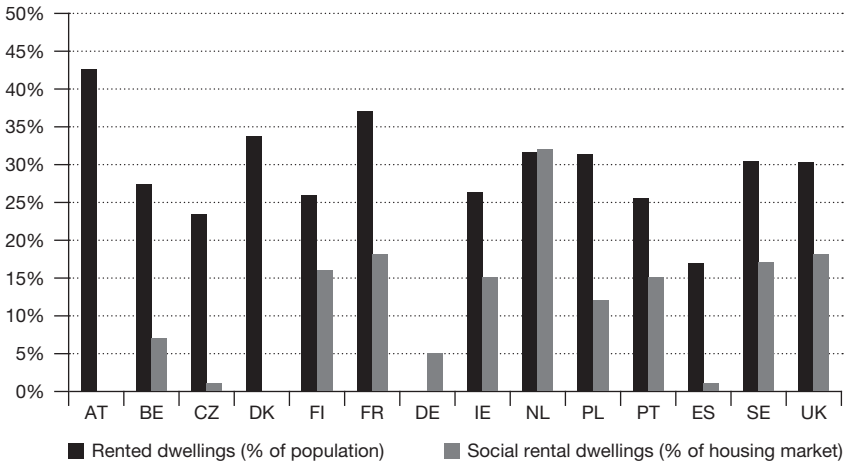
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<sup>2</sup> The list of experts (and other supporters) is located at the end of the article in the section 'Many thanks to'. Comments of the participating experts that are included in this article are cited as follows: Name/Exp.; e.g. Mostowska/Exp. is the Polish expert.

## Housing and Evictions

Evictions are strongly connected to housing policies and housing in general (Stenberg *et al.*, 2011). In order to gain comparative data I mainly used the data collected by Eurostat (2012) and the European Observatory on Homelessness (e.g., Edgar, 2009). Unfortunately the housing data gained by the Census 2011 have not yet been analysed for every country. The numbers on evictions that are presented do not identify reasons for evictions, so we are not able to capture cases where rent arrears are *not* relevant. The percentage of rented dwellings and social rented dwellings in the fourteen countries are presented in Figure 1 below.

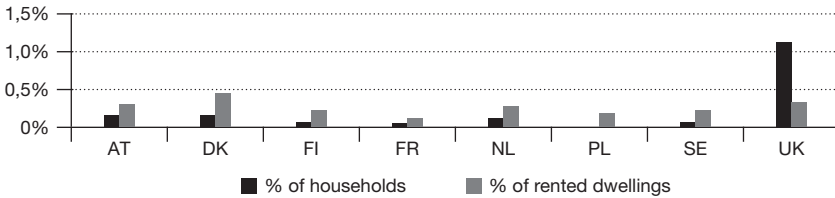
**Figure 1. Percentages of Rented and Social Rented Housing Stock (Eurostat, 2012)<sup>3</sup>**



As the data shows, the percentage of rented dwellings (by percent of population) differs to a great extent. In Spain only 16.8 percent of the population live in rented dwellings, compared to 42.5 percent in Austria. Also, social rental dwellings are unequally distributed; Spain and the Czech Republic, where social housing accounts for only 1.0 percent of the total housing stock, contrast with the Netherlands, where 32.0 percent of the housing market is social rental housing.

Figure 2 shows eviction rates among households and rented dwellings. Data were only available for eight of the fourteen countries examined for the years 2008-2009.

<sup>3</sup> Data from 2009; figures from own data collection

**Figure 2. Eviction Rates of Households and Rented Dwellings by Percent<sup>4</sup>**

In 2011, the numbers of evictions decreased in Austria, Poland and Sweden, but increased in Finland and France.<sup>5</sup> Disregarding the UK, eviction rates seem to be moderate at first glance: 1 in 2 500 households has been evicted in France (an eviction rate of 0.04 percent) in comparison to 1 in 89 in the UK (1.12 percent). Quantified in relation to all rented dwellings, it equates to one eviction in 909 rented dwellings in France (0.11 percent) in comparison to one eviction in 227 rented dwellings in Denmark (0.44 percent).

Underpinning this research has been the assumption that there is a statistical connection between the percentage of rented dwellings and eviction rates. However, statistical computation showed that a high rate of rented dwellings does not lead to a high rate of evictions per households ( $r=0.175$  – very weak correlation). Also, a high percentage of social rental dwellings does not increase the risk of evictions ( $r=0.36$  – weak correlation). From this data, it can be argued that, as clients, the tenants of social rental dwellings are not as risky as they are assumed to be by politicians and housing companies (cf. Stenberg *et al.*, 2011). Of course, the findings must be interpreted with caution because of the few countries providing data about evictions.

## Legal Conditions

Data on evictions do not distinguish between evictions due to rent arrears and evictions due to other violations of tenancy obligations, such as so-called serious ‘anti-social behaviour’. In the following section on legal conditions, however, the focus is exclusively on evictions due to rent arrears. The legal conditions for an application to court and court decisions are very different in the countries under review. In most of the countries, two or three months of rent arrears can lead to an

<sup>4</sup> Edgar (2009) for Denmark, the Netherlands, Poland and the UK; Bundesrechenzentrum and BMJ (2013) for Austria; NAOE (2012) for Finland; Fondation Abbé Pierre (2013) for France; Stenberg *et al.* (2011) for Sweden. Eviction rates are the author’s own calculations.

<sup>5</sup> Bundesrechenzentrum and BMJ (2013) for Austria; Mostowska/Exp. for Poland; Kronofogden, (2013) for Sweden; NAOE (2012) for Finland; and Fondation Abbé Pierre (2013) for France.

instant dismissal of the tenancy. In Poland, the landlord may terminate the contract when the tenant has more than three months of arrears in rent or other payments and has not paid despite being informed of the arrears (Mostowska/Exp.). The extreme cases on either end of the spectrum are Sweden, where six days of arrears are enough to give a landlord the right of instant dismissal, and the Netherlands, where landlords have to wait for 150 days of arrears before they can dismiss a tenant (Stenberg *et al.*, 2011). In some countries the legal procedure depends on the type or length of tenancy. In England, tenants living in social housing provided by municipalities (i.e., local authorities) are currently more secure than those in social housing provided by housing associations (NGOs) or private sector landlords (Pleace/Exp.). As Shelter ('The housing and homelessness charity') warns in an online guidebook, "a landlord doesn't need to give a reason to evict a private tenant [in many cases]" (Shelter, 2013).

The period of time from notice to quit until the actual eviction is also quite different in the fourteen countries. According to Djankow *et al.*, (2003) the duration ranges from 52 days in the Netherlands to 1 080 days in Poland. For most of the countries the period of time is given as between 120 and 330 days (l.c.).<sup>6</sup> One reason for the short period of time in the Netherlands seems to be the fact that housing associations become "more business-minded in their debt collecting policies. This means bringing the cases to court earlier and referring defaulters to the bailiff at an earlier stage." (Stenberg *et al.*, 2011, p.51) In Ireland, the period of time is determined by the length of the tenancy; if the tenancy was for less than six months, a minimum notice period of 28 days must be given, but if the tenancy has lasted for more than four years, 112 days' notice must be given (O'Sullivan/Exp.).

Only a few countries guarantee a so-called 'protection period', where the regulation of rent arrears makes the notice to quit legally void. Such protection was identified in Germany, the Netherlands, Portugal and Sweden. In Portugal this is only possible once per tenancy contract and the arrears have to be paid 30 days after receiving the eviction notice (Baptista/Exp.), whereas in Germany the legal protection does not take effect if, during the previous two years, rent arrears have been paid after a notice to quit (Stenberg *et al.*, 2011). The protection period is two weeks in the Netherlands, three weeks in Sweden and two months in Germany (l.c.). There is no legally determined protection period in Belgium, but tenants can delay or avoid evictions by claiming exceptional circumstances and "judges are allowed a lot of discretion in evaluating the situation" (Thorpe, 2008, p.33).

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<sup>6</sup> Some experts commented that the total administrative duration given by the source was possibly not up-to-date for their country, but there were no up-to-date references on this issue at time of writing.

In most countries the procedure for evictions is regulated by law. Usually present at the eviction are the bailiff, the landlord (or a representative), a locksmith, a removal firm and sometimes the police. Furniture will be stored in most countries, and former tenants can regain it later by covering the storage costs if it is not considered refuse (e.g., Schoibl/Exp. for Austria; Benjaminsen/Exp. for Denmark; Stenberg *et al.*, 2011 for Germany and the Netherlands). In some countries there are special regulations under which evictions are not possible. This is the case in France, for example, where a so-called ‘moratoire hivernal’ prevents evictions in wintertime, depending also on the winter temperatures (Lévy-Vroelant/Exp.). In Poland, also, evictions cannot be carried out during wintertime except in cases of domestic violence, and “the regulations are strict on not allowing eviction to a homeless or night shelter” (Poland – National Report, 2008, p.35). Furthermore in Poland, evictions due to rent arrears are only allowed if substitute accommodation in a ‘gmina’ (community) social housing apartment is provided (l.c.; Mostowska/Exp.). In Sweden, no children should be evicted but the law has not yet been adjusted to reflect this; in the opinion of the Swedish expert it is “more talk than business” (Stenberg/Exp.).

## **Preventative Measures**

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Prevention in general can be defined as primary, secondary and tertiary (or intervening) prevention. Primary prevention is a course of action not targeted at specific people or groups. In the context of homelessness, primary prevention involves the right to housing and measures “reducing the risk of homelessness for the general population, such as effective housing and welfare policy” (FEANTSA, 2013a, p.2). Secondary prevention is tailored to people or groups considered vulnerable where, “interventions focused on people at risk of homelessness” (FEANTSA, 2013a, p.2), while tertiary prevention (or intervening) is addressed to people already known to have housing problems, or people “who have already been affected by homelessness” (FEANTSA, 2013a, p.2). Using these definitions, most of the measures preventing eviction that have been identified are secondary and tertiary preventative measures.

### ***Prevention connected to court procedures***

Secondary and tertiary prevention in cases where eviction is threatened are strongly associated with court procedures. In many countries, it is through the courts that counselling and support for tenants can be arranged. In most of the countries surveyed, this is regulated by law. In Austria, municipalities have to be informed when a case is brought to court and when a date of eviction is announced. However, in rural areas the lines of communication between municipalities and specific



advice agencies do not always work well (Kitzmann/Exp.). In Denmark it is the duty of housing organisations to inform the municipality – at the latest when the case is sent to the bailiff’s court – and in some cases additional support must be provided, especially when there are children under 18 living in the household (Benjaminen/Exp.; Høst *et al.*, 2012). However, an investigation by the Danish Ministry of Social Affairs suggests that “contributions from the municipalities are not in all cases optimal” (Denmark – National Report, 2008, p.3).

In Belgium, following the updated 1998 law, which made eviction procedures more humane, the local social service (LSS) is informed when an eviction proceeding has begun in the courts (de Decker/Exp.), and specific regulations in Flanders dictate a mediation process if a social rental agency wants to end a rental contract with a tenant on a low income (Blow, 2004). In Finland, the Enforcement Code (510) obliges the bailiff to inform local housing and social welfare authorities when people are threatened by evictions and appear in need, but most social housing landlords try to communicate with the tenant as early as possible to avoid an eviction (Hytönen/Exp.). Similarly, in Germany and Sweden the municipalities must be informed when the landlord serves a notice to quit (Sweden) or when court procedures start (Germany), and a second time when the bailiff sets a date for an eviction (Stenberg *et al.*, 2011). In Scotland, all landlords must inform local authorities of planned evictions; the local authorities then try to prevent the eviction or rehouse the individual or household (United Kingdom – National Report, 2008).

Pro-active support was identified in some countries, mostly provided by NGOs. For example, in Austria specialised prevention centres make contact with households threatened by evictions. They offer legal advice, but also support in developing a financial plan and claiming social benefits (Thorpe, 2008; Busch-Geertsema *et al.*, 2010). However, in some Austrian regions there is still no systematic prevention of evictions (Kitzmann/Exp.). In France, there are the ‘commissions de coordination des actions de prévention des expulsions locatives’ (CCAPEX) – coordination commissions for the prevention of evictions. Depending on local actors, however, they often lack sufficient means to carry out their job adequately (Lévy-Vroelant/Exp.; Rapport National France, 2008). In Germany, prevention centres are run by the municipalities. They usually send a letter offering support to households in need; home visits are rare since welfare reform in 2005 and are mainly done when children are involved (Busch-Geertsema *et al.*, 2010; Stenberg *et al.*, 2011). In Belgium, the GWW (Centres for General Welfare Work) is responsible for assistance and support when someone is threatened by eviction (Blow, 2004). In Flanders, tenants in social housing are given preventative guidance in regard to avoiding evictions, but this is not available for tenants in the private renting market (Callens/Exp.). In the Czech Republic there are

no preventative tools for tenants in the private sector and the authorities responsible for the social and legal protection of children will only try to prevent evictions involving households with children in council flats. (Růžička/Exp.)

A specific preventative measure is the regulation of rent arrears to avoid evictions, and this exists in some of the countries examined. In Austria, centres for secure tenancy can advocate on behalf of clients applying for social benefits to address the problem of arrears, but this service is not regulated by law (Schoibl and Kitzmann/Exp.). In France, authorities can cover rent-accrued debts, or part thereof, using specific housing solidarity funds available in every region when other preventative measures such as financial agreements between the tenant and landlord have failed (Rapport National France, 2008; Thorpe, 2008). In Denmark, municipal regulation of rent arrears is possible, but only under specific circumstances under the Law of Active Social Policy (Benjaminsen/Exp.). In Portugal, rent arrears may be regulated by the state when the tenants can prove a lack of material resources (equal or lower to minimum wage or are beneficiaries of Social Insertion Income) or have a disability status of 60 percent or over (Baptista/Exp.).

In Sweden, households can apply for financial assistance to settle their rent arrears. If through social worker investigation it is deemed that the tenant is unable to pay the arrears, economic help may be granted (Stenberg *et al.*, 2011). In Germany there are robust legal regulations for local authorities or job centres to assist with rent arrears. A tenant's entitlement to help should be assumed where this is both justified and necessary, and where there is a risk of homelessness (Books of the Code of Social Law SGB II and SGB XII). However, if the rent is too high, this intervention is not mandated (Benjaminsen and Busch-Geertsema, 2009; Stenberg *et al.*, 2011). Again due to the 2005 social welfare reforms, this is not as effective in practice as it is in theory. In most cases, it was the job centres – with overworked and undertrained staff – who were responsible for decisions on these applications, thus increasing the risk of tenants becoming homeless, particularly among households with long-term unemployed members (Stenberg *et al.*, 2011). In some countries, assistance with rent arrears is only possible in some regions. In the Belgian region of Flanders, the government created a 'guaranteed lease fund', which is still in its initial development phase. It is based on the idea that tenants in need are granted some rent-free months "so that owners (and judges) are more willing to give tenants a second chance" (Callens/Exp.). In some Spanish autonomous communities (the Basque Country and Catalonia), people with rent arrears can get financial assistance to avoid losing their housing. These preventative interventions target families in particular (Garcia, 2008).

### ***National or local strategies to prevent homelessness due to evictions***

If one excludes socio-political strategies and actions relating to housing in general (such as limiting rent levels), primary and secondary prevention measures in the context of evictions and rent arrears are scarce. National and local strategies to prevent homelessness due to evictions can be identified as secondary prevention in a certain kind of way, but the lines are blurred. For seven of the fourteen countries surveyed, such strategies were identified. In Denmark, the government developed a national programme to prevent evictions in 2012 and a state budget to the amount of €5.1 million (38.8 million DKK) over four years was allocated to the programme. This money will be provided to local initiatives to support tenants threatened by eviction (Benjaminsen/Exp.). In France, strategies targeting vulnerable groups in the housing market, including measures to prevent evictions, have existed for a long time (FEANTSA, 2006). Since 2008, people under threat of eviction with no possibility of rehousing can appeal under Right to Housing Act (DALO) (Loison-Leruste and Quilgars, 2009). In Portugal, the national strategy on homelessness defines three specific areas to tackle homelessness, the first of which concentrates on preventative measures “to avoid homelessness situations arising, namely from eviction or from discharge from an institution” (Edgar, 2009, p.36; cf. Baptista, 2009). Across the UK there are national homelessness prevention strategies. Eviction is a key issue, embedded in the wider preventative strategies required of urban municipalities. Although they share similar approaches, England, Wales, Scotland and Northern Ireland have four separate ‘national’ prevention strategies (Pleace/Exp.).

Finland has a long tradition of homelessness prevention. As early as 2003, a specific joint action contract was signed between the state and local authorities to reduce homelessness, which included preventative measures (Weckström, 2004). Extensive government programmes to tackle homelessness followed during 2008-2011 and 2012-2015; these included increasing the provision of housing advice services by the Housing Finance and Development Centre (ARA) (Hytönen/Exp.; Housing First FI, 2013a) For the current period to 2015, the housing advisory services have the capacity to expand through the allocation of central government funding. Another focus in Finland is the cooperation between social services and housing providers in preventing evictions (Hytönen/Exp.; Housing First FI, 2013b). In Spain, prevention strategies exist only at the local level. The Governor of Catalonia signed a National Housing Pact in 2007 that includes preventative measures like personalised assistance, but also involves aid with rent for 20000 homes and aid for avoiding 15 000 evictions (Garcia, 2008). Similarly, Andalusía developed measures to prevent against the evictions of tenants and homeowners; a current decree should protect 200 families by reducing their rents to 25 percent of household income (FEANTSA Flash, 4/13).

Preventative strategies are mostly part of wider strategies against homelessness and aim to decrease the overall number of evictions. This is the case in the Netherlands where the *G4 Homelessness Action Plan 2006-2013* contains the objective of reducing the number of evictions by 30 percent (Hermans, 2012). Sweden has also placed a particular focus on reducing the numbers of evictions (Anderson, 2010). In most of the relevant literature, however, the description of strategies is rather vague and a more valid evaluation would require the comparison of theory and practice, which would require more time and resources than were possible here.

### ***Personal support for people threatened by evictions***

Besides structural and legal regulations, personal support (mostly given by social workers) is listed as a key measure to prevent homelessness in many reports and by national experts. In Austria, the NGO Volkshilfe established FAWOS (Fachstelle für Wohnungssicherung or the Centre for Secure Tenancy) in 1996 and it was given an award for Best Practices by UN Habitat as one out of the 40 best projects in 1998 and 2002. FAWOS emphasises the principle of 'help for self-help': "The goal is to restore as quickly as possible a person's ability to take decisions concerning their personal life and to provide financial help very fast" (Perl, 2008, p.40). In Belgium, the General Welfare Work (GWW) also offers personal help when someone is threatened by eviction. At the end of the process, "the GWW worker evaluates with the tenant if he now has enough tools to get on with his life. If necessary, external services are involved, and sometimes the client is transferred to the regular programme for accompanied housing" (Blow, 2004). In the Czech Republic, the NGO Naděje works with people in danger of being evicted. Its social workers try to find out why rent is not being paid: "It happens quite often than not paying rent is a secondary effect of a problem rooted elsewhere" (Armáda Spásy, 2004, p.2).

In Denmark, municipalities give advice to people in need about repaying debt. In special cases they can place 'weak payers' under financial administration and make sure that rent is being paid (Denmark: National Report on Prevention, 2004). In Finland, the above-mentioned housing advisory services offer counselling and try to "respond[] rapidly to any tenancy problems that arise" (Tainio and Fredriksson, 2009, p.190). Social workers also arrange contact between clients and the housing company as well as other social services and even relatives, in an effort to create a network of co-operation (Weckström, 2004). In Ireland, interventions differ across local authorities; the local authority area office may use its own welfare section or refer people at risk to other services, such as those for addiction problems (Ireland – National Report, 2008). In the Netherlands, prevention takes place at the local level (Hermans, 2012). The NGO *Eropaf! (Let's do it!)* in Amsterdam counsels people at risk and includes an outreach approach (Stenberg *et al.*, 2011). The organisation has developed a guidebook, primarily for social rental agency tenants, which

provides examples of what can be done in the different phases of the eviction process (FEANTSA Flash, 5/13). Some projects like Eropaf! are also funded by social housing organisations because their “aim... is to *house* people, not to *evict* them” (Boerebach, 2013, p.12, emphasis in original). In the UK, some housing providers give debt advice themselves before an eviction case starts (FEANTSA, 2003). In the other countries surveyed, except Poland, social services are also available to advise people who are threatened by eviction.

## Findings and Conclusions

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First of all, court procedures and the process from rent arrears to evictions is usually complicated and often incomprehensible for tenants in the countries surveyed (e.g., Callens/Exp. for Belgium). To make matters worse, this is also true for the responsible local actors in some countries. It is reported in Ireland, for example, that “the differences of practice across local authorities may reflect the lack of clarity around procedures” (Ireland – National Report, 2008, p.34). Similarly in Germany, due to the staff in job centres being overworked, the strong legal protections available for tenants and vulnerable people are not sufficiently used by the administrations responsible for avoiding evictions due to rent arrears (Stenberg *et al.*, 2011).

The legal framework relating to rent arrears and evictions is very different in the fourteen countries examined. Strong legal regulations that protect tenants from immediately losing their housing was identified in only some countries (e.g., Germany and Belgium), and only four countries provide a so-called protection period in which tenants or social welfare services are given the opportunity to clear debts in order to save the tenancy. In some of the countries surveyed a court application can be administered very quickly upon the accruing of arrears (e.g., after six days of rent arrears in Sweden) and the length of the total process from rent arrears to eviction ranges widely from 52 to 1 080 days in the fourteen countries. Furthermore, tenants in the private sector are less well protected than those in social or communal housing in some countries (e.g., in the UK).

Despite these apparent differences, one of the more surprising results of this analysis is that strong legal regulations do not necessarily lead to lower rates of evictions, as exemplified in Germany. Germany provides strong tenancy protection rights to ordinary tenants and also those in particular need, but there is no national strategy tackling homelessness nor are the numbers of evictions fully known. Similarly, Belgium has as yet only developed local strategies and no national strategies (de Decker/Exp.), and the numbers of evictions are also unknown. ‘Good practice’ does not necessarily mean providing legal guarantees to avoid evictions. In Austria, prevention centres for eviction, funded by local or regional authorities,

aim to avoid homelessness, but, as the Austrian expert points out, there is no legal framework for the prevention of evictions (Schoibl/Exp.). Equally, national programmes do not necessarily translate into the prevention of evictions. Although the Danish government is funding preventative support with an allocation of more than €5 million, it is argued that there are limited possibilities for municipalities to assist financially with rent, and therefore very limited possibilities of actually avoiding eviction (Benjaminsen/Exp.). Likewise in Finland and France, national programmes have not necessarily led to reduced numbers of evictions. Thus, an interim conclusion is that differences among the countries surveyed are significant and deriving causal connections is ill-advised. Based on the literature review and expert questionnaires, this paper argues the following central issues:

1. There is a need for valid data on evictions
2. Preventative strategies should include:
  - a. a legal framework protecting tenants and people in need
  - b. a sufficient budget
  - c. housing advisory and counselling services
  - d. available affordable housing
3. Strategies must be coordinated between departments for housing and social affairs
4. Local strategies must be coordinated within a national strategy

Although FEANTSA stated in the current European Research Agenda on Homelessness (FEANTSA, 2013b, p.3) that countries having invested in “primary research and data collection on homelessness, are also to the forefront of advancing coherent and integrated policies that aim to end homelessness”, more research is necessary to understand the connections between general legal regulations, preventative measures and the quantitative and qualitative dimensions of evictions due to rent arrears. Therefore, further research is needed in the following areas:

- the influence of the housing market on evictions;
- informal and illegal evictions;
- conditions and legal frameworks leading to a reduced number of evictions;
- cost-effectiveness of prevention strategies;
- national prevention strategies assuring tenants’ protection independently from the status of the landlord (i.e., whether private or social housing);
- best practices that are also sensitive to national contexts.

In addition we need more evidence and research on the effects of preventative measures, including the question: “what would have happened in the absence of intervention?” (Shinn and Greer, 2011, p.186). Hopefully, the study on evictions in all EU-member states set out in this paper provides some more valid data and information in these important areas.

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