

GERMANY

KEY STATISTICS

There is still no legally required, nationwide data collection on homelessness in Germany. Relatively extensive data exists but does not cover all regions of the country. A nationwide count of the homeless in accommodations was decided by law in 2020. The first results are to be published in spring/summer 2022.

Due to the absence of official statistics, the BAG W (the umbrella organisation of non-profit homeless service providers) presents annual nationwide estimations based on regional data and its own monitoring systems, taking account of developments in the housing market, labour market, migration, social security and BAG W flash surveys. BAG W also lobbies in an ongoing fashion for the improvement of data collection with a legal basis at national level.

According to newest BAG W's estimations¹ for 2018, the (annual prevalence) number of cases of homeless people in Germany is 678,000. This can be broken down into the two following categories:

- Homeless people: 237,000 over the course of a year
- Recognised refugees experiencing homelessness in shelters for asylum seekers: 441,000 over the course of a year

There are comprehensive, regular statistics on homelessness available in North Rhine-Westphalia and Lower Saxony. In North-Rhine Westphalia, the most populous of the 16 *Bundesländer* in Germany, a one-day count on the 30th June 2019 recorded:

- People provided with night shelters and accommodation by the local authorities (part of ETHOS 1.2 and 3.2): 32,623. This represents an increase of 180% over 2016.

- People who had received some support from the voluntary sector for the homeless in the month leading up to the count (parts of ETHOS 1,2,3,7, 8.1 and 11): 13,987

KEY PULL-OUT STATISTICS

2018:
678,000 homeless people
237,000 German and EU
441,000 refugees

INCREASE/DECREASE IN NUMBER OF HOMELESS PEOPLE

According to BAG W estimates, the overall number of homeless people (including recognised homeless refugees) rose by 4.2% from 2017 (651,000) to 2018 (678,000). The number of homeless people (not including recognised homeless refugees) rose by 1.2% between 2017 (234,000) and 2018 (237,000). The estimated number of rough sleepers in 2018 is 41,000.

Due to the installation of a new and more accurate estimation model the total numbers are lower than those published for 2016. However, this is a statistical bias. BAGW assumes a general increase for the last decade.

For the first time, the new estimation model enables statements about key date numbers. Accordingly, on 30/06/2018 overall 542,000 people had no housing in Germany, of which about approximately 140,000 homeless people were sheltered in nongovernmental and governmental homeless accommodations and 402,000 homeless refugees lived in special refugee accommodations.

¹ BAG W (2019): Wohnungslosigkeit: Kein Ende in Sicht. Pressemitteilung vom 11.11.2019. <https://www.bagw.de/de/presse/index~173.html>

PROFILE OF HOMELESS PEOPLE

Approximately 166,000 (70%) of the homeless are single, and 71,000 (30%) live with partners and/or children. The BAG W estimates the number of children and underage adolescents at 8% (19,000) and adults at 92% (218,000). The proportion of adult men is 73% (159,000); the proportion of women is 27% (59,000). (All data are given without consideration of the homeless refugees.)

The larger overall number of single homeless reflects in part a shortage of small flats available to house single homeless people (in 2018 there are 5.4 million 1-2 room flats for 17.3 million single households).

POLICIES & STRATEGIES

National Strategy

There is no national strategy in the sense of a federal programme defined in a strategic document. Nonetheless, service provision for homeless people is relatively extensive and provided for by a legislative framework. National legislation sets out the obligations of municipalities in terms of social service provision. Since the mid-1990s, the Social Code has stipulated that all persons who are at risk of losing their homes are entitled to assistance - either in the form of loans or allowances for rent arrears. Police laws in the *Bundesländer* (regional states) strictly oblige municipalities to provide shelter for roofless people.

In 2013, BAG W laid down principles for a national strategy in a *Call for a National Strategy against Homelessness and Poverty*, published in September 2013. It will follow up this call in the coming years. The Call focuses on specific local, regional and national level programmes. So far, the national government has rejected to take up the proposal (12/2016).

North-Rhine Westphalia, the most populous region, has a regional action plan on homelessness. The budget for the Programme is about 4.85 million Euro in 2019 and 6.85 million Euro in 2020. Its aim is to develop innovative approaches and support municipalities to tackle

homelessness. The main focus is the prevention of homelessness and access to housing. Specific target groups include migrants and older homeless people.

Governance

Competence for homelessness lies largely at local and regional level. At central-state level, a department in the Federal Ministry of Labour and Social Affairs is responsible for policies supporting homeless people. Consultation with stakeholders in the homeless field is mainly carried out by BAG W. There is very little inter-ministerial coordination. Since 2016 this ministry has been operating an 89 million Euro fund in the framework of the new Fund for European Aid to the Most Deprived (FEAD). The majority of about 80 funded projects are directed at the homeless population, especially homeless EU migrants and their children.

BAG W provides guidance on policy orientation that aims to frame policy development at local, regional and national level. Germany's extensive homeless service network has been rapidly growing in the past 20 years. There has been a strong focus on the development of *housing-led approaches* (since 1980), mainly influenced by the policy-orientation work of BAG W. BAG W has also strongly supported the development of *prevention approaches* since 2000.

Targeted Prevention

Homelessness policy in Germany is strongly prevention-orientated. In 1994, Social Code provisions on assistance in the case of rent arrears were converted from powers into duties in cases where households were at imminent risk of becoming homeless. A revised handbook on making administrative prevention efforts more effective was published in 1999, while programmes to reorganise and improve preventative services were developed in many municipalities all over Germany.² Many municipalities run coordinated prevention services focusing on rent arrears. Social 'support in housing' for formerly homeless people and for those who have faced a housing crisis at some stage has also been extended in recent years.

2 Busch-Geertsema, V and Fitzpatrick, S. (2008) 'Effective Homelessness Prevention? Explaining Reductions in Homelessness in Germany and England' in *European Journal of Homelessness "Effectiveness of Policies and Services for Homelessness"*, - Volume 2, December 2008, Brussels
Busch-Geertsema, V; Evers, J., Ruhstrat, E.-U. (2014): *Prävention von Wohnungslosigkeit in Nordrhein-Westfalen* (im Auftrag des Ministeriums

für Arbeit, Integration und Soziales des Landes Nordrhein-Westfalen), Düsseldorf.
Specht, Thomas; Rosenke, Werena; Jordan, Rolf; Giffhorn, Benjamin (2017): *Handbuch der Hilfen in Wohnungsnotfällen. Entwicklung lokaler Hilfesysteme und lebenslagenbezogener Hilfeansätze*. Berlin / Düsseldorf.

Housing-Led Approaches

Long-term housing solutions as the main response to homelessness have been the dominant approach in Germany since 1990, according to official statements. Since 1984, the social laws of the Federal Republic strongly reflect the legal principle that outpatient care has priority over inpatient care.

However, the emphasis on access to housing as early as possible as a response to *all* types of homelessness has limits, especially for single homeless people. The staircase approach is still prevalent in some areas. Overall, BAG W concludes that around 85% of NGO based homeless services use an “outpatient-counselling approach” in the context of housing-led strategies and 15% more “inpatient-institutional” approaches in the context of hostels and special institutions.

A survey³ among 558 ambulant service providers for homeless people, organised by BAGW in 2019, shows that “support in housing” basically fulfils the key principles of the housing first concept as well as the standards of the BAGW published in 1991⁴ and 1997⁵: For example, social support is offered in 98%, but for a majority (64%) of the surveyed services it is not a mandatory requirement. In most cases social support and leasing of apartments is offered by different stakeholders. The living units are in most cases (55%) permanently available to residents (no end defined). One half of the services organise or offer a lease contract with full tenant rights. More than a third of the other half convert limited contracts to regular contracts at a later stage. Most of the apartments (76%) are located peripherally in the city and in conventional apartment buildings. Over a third of the surveyed services do not have any exclusion criteria but the existence of social benefits or other income for paying the rent. The study also shows that strong personal barriers still prevent help grant. These include acute drug addiction (30%), violent behaviour (27%) and acute alcohol addiction (19%). However, the study concludes that the biggest problem for service providers and homeless people is the very low availability of affordable housing.

3 Rosenke: Ambulante Hilfen für Menschen in Wohnungen – Housing First – Versorgung schwer vermittelbarer wohnungsloser Menschen mit Normalwohnraum. Auswertung der BAGW-Online-Befragung (Präsentation zur Bundestagung der BAGW 2019 – AG C03)

4 BAGW (1991): Empfehlung der Bundesarbeitsgemeinschaft für Nichtseßhaftenhilfe e.V. zur Anmietung von Wohnraum durch freie Träger (1991)

Budget Evolution

Funding for social services for homeless people is legally guaranteed in Germany. There have been major decreases in national funding in the field of employment services (30% and more in the context of the crisis).

REMARKS ON KEY POLICY DEVELOPMENTS

Positive

- The Federal Government decided to count the number of homeless people in state-led and non-governmental accommodation. First results are expected in 2022. BAGW was supporting this counting and has issued a recommendation for the development of these nationwide statistics.⁶
- The Federal Government recognises the housing shortage as a major problem and announced in the coalition agreement essential measures and laws.
 - The Federal Government announces the extension of the financial support for social housing until 2020/2/21.
 - The level of the subsistence benefit has been revised slightly upwards (although it is still not enough) after the intervention of the national court in 2010. In addition, the Federal Constitutional Court ruled in 2019 that sanctions against welfare recipients of more than 30% of the monthly rate are not lawful. Thus, the complete retention of rent as a punishment by the *Job Centre* is no longer possible.
 - In recent years some regions (“Bundesländer”) have carried out stock surveys of homelessness, namely Bayern, Niedersachsen and Baden-Württemberg. They have mostly followed the design of homelessness statistics established in

5 BAG W (1997): Zur organisatorischen Gestaltung der ambulanten persönlichen Hilfe nach § 72 BSHG für Menschen in Wohnungen, Empfehlung der BAG Wohnungslosenhilfe e.V.

6 BAG W (2018): Positionen und Empfehlungen Dokumentation & Statistik - Standards einer integrierten Wohnungsnotfallstatistik auf Bundesebene, Empfehlung der BAG Wohnungslosenhilfe e.V. https://www.bagw.de/de/publikationen/pos-pap/position_statistik.html

North-Rhine-Westphalia for years. In Hamburg and Berlin rough sleepers were counted in 2018 and 2020.

Negative

- Rents are rising in many cities (and rural areas). The Federal Government's measures basically focus on individual housing construction through the promotion of property (especially for families), that does not help poor and homeless households.
- The housing summit in September 2018 was criticized by tenants' associations and unions in retrospect as inconclusive. Real improvements are not in sight.
- A rent control regime for new rents was introduced in 2013 but so far it does not show any effect due to several loopholes as several pieces of research have shown. In 2018, a little correction of the law was made. Renter's organisations are still sceptical as to whether or not this will improve the situation of rapidly rising rents.
- There is still no major investment in social housing, but in the face of the housing crisis some larger cities are trying to enlarge their investments into social housing. In fact, the stock and social housing is still declining in Germany as it was from €2.9 million in 1990 to €1.2 million in 2017. The financial support for social housing construction will shrink from €1.5 billion to €1.0 billion per year by 2020/21. Much of the money has not been spent by local communities on social housing in recent years.
- Ceilings of the housing benefit regime are too low in a context of rising rents. Nonetheless, government spending on rental support is increasing annually.
- In 2018, the Federal Supreme Court ruled that a controversial practice of home repossession is lawful. Accordingly, an immediate payment of the outstanding rent arrears cannot cancel the termination of a lease agreement. This enormously hinders the prevention process.
- The growing regulation of public space has led to stricter control of public places, also affecting homeless people, especially EU migrants.
- In December 2016, a new regime for EU migrants was introduced into the social code limiting social aid for unemployed EU migrants without claims to unemployment benefits to a maximum of four weeks. Furthermore, EU migrants could be granted a credit for their travel back to their country of origin. Some legal experts assume that this regulation would violate constitutional article 1 of the German constitution and some high court rulings referring to this article.
- Many municipalities tie their legal obligation to accommodate homeless people to social welfare entitlements. As a result, EU citizens are denied the right to enter homeless shelter accommodation. In some cities, they are even excluded from special life-saving shelters during winter. As a result, EU citizens are increasingly living (and dying) on the streets often in miserable conditions.

