CHAPTER 2

EVICTIONS IN EUROPE
INTRODUCTION ........................................................................................................... 27

1. Hidden evictions with major social impact ........................................................... 31
   Insufficient data ................................................................................................. 31
   A catalyst for poverty and inequality ............................................................... 32
   An expensive reality ......................................................................................... 35

2. The effects of the pandemic on maintaining households in housing .................. 37
   The temporary lull brought on by the emergency protective measures adopted during the crisis ................................................................. 37
   The financial weakening of households and the increase in housing costs................................................................. 40
   The predictable surge in evictions .................................................................. 45

3. Preventive solutions are better than a cure ......................................................... 47
   Financial supports ........................................................................................... 48
   Access to rights and multidisciplinary cooperation ....................................... 49
   Rapid rehousing ............................................................................................. 52
   Systemic measures ......................................................................................... 52

RECOMMENDATIONS .................................................................................. 58
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. 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', 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 sanctioned and, organised by public institutions that pit 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 re-possession 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.).

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/let, no legal address, etc.), 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.

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

**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 report 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. 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).
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, 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 collate 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-Mitte*21

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 Panthéon-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 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. 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.

- 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. Some 60% of those evicted have been convicted of a criminal offence, compared to 14% of the total Swedish population. 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. 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, 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.

- 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, 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.

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. 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. 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.

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 Poland

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. 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. 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. The prevention of evictions was therefore essential to controlling the COVID-19 pandemic. 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. 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.

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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 homeless 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.

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**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](https://www.oecd.org/els/family/HC3-3-Evictions.pdf)
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 security. 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.\(^{54}\)
## EVICTIONS AND MORATORIA IN 10 EUROPEAN UNION COUNTRIES DURING THE PANDEMIC

### GERMANY

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

- **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.

#### 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.64 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.68

### IRELAND

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

- **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

### 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:

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. Increase in housing assistance for families with children from 1 July to 31 December 2021.82

**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 people. 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**

![Graph showing the index of households’ expenditure on housing, 2015 = 100, EU27.](image)

- Housing, water, electricity, gas and other fuels
- Actual rents
- Electricity, gas and other fuels

FEANTSA & Foundation Abbé Pierre graph – Source: Eurostat, HICP (2022)
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. In Spain in 2021, 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. 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. 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.

According to a Eurofound study 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. 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.

An explosion in energy costs

According to the Harmonised Indices of Consumer Prices, 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%). 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.
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 compatible 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

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
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.

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, while repossessions initiated on people’s homes rose spectacularly by 243%. 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. 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.

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.

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, i.e. an average of 81 evictions per day. 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, 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).

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.

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

“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*
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. 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. 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: 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.

PREVENTIVE SOLUTIONS ARE BETTER THAN A CURE
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). 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, 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. 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. 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.

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. 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 France130 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
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. They 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.

“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.


“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.

“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 property 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 ElecEvicting 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, 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. This practice has been strongly condemned by tenant organisations. 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. 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. 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.
‘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, 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, 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. 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. Swedish tenants are therefore opposed in different ways to these renovation plans by domestic housing corporations. Ultimately, renovictions can contribute to gentrification.

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 renovictions during the pandemic, measures that have just been extended.\textsuperscript{161, 162} In \textbf{Montreal}, the renovation permit is conditional upon the landlord committing to not evicting the tenants.

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

In \textbf{France}, the law protects tenants but is not necessarily sufficient to prevent renovictions in practice. Since 2017, rent increases when leases are being renewed cannot exceed the variation in the \textit{IRL} (rent reference index).\textsuperscript{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.\textsuperscript{165}

However, the legislation may not be adequate, as shown by testimonies from those in very high-pressure zones. In \textbf{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.\textsuperscript{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 \textbf{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 renovictions have thus been reported.\textsuperscript{167}

\textbf{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 \textit{EPBD}, \textit{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, 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 renovictions 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.
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 demonstrates 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 homogenous 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 permanent 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 difficulties 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, renovictions 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. 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. 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.

**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, 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’.
EVictions in Europe


2. ‘The home remains the primary basis of life. It is where meals are shared, quartets are 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.


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 and penalties. 60,000 households resorted to the protections offered by this law between 2013 and 2013. A 2014 law also suspended all repossessions on housing units valued at less than EUR 200,000.


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-forzender-huisuitzettingen-huwingscorporaties


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 statistics 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).


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


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.


27 Study carried out in 2021 and 2022 by Masters students at the University of Paris 1 Panthéon-Sorbonne on 66 households, the majority of whom were supported by the network 'Accompagnement aux droits liés à l’habitat' [Support for housing-related rights], or had contacted the Foundation Abbé Pierre’s ‘Allô Prévention Expulsion’ platform. Foundation Abbé Pierre (2022). 'Pour deviennent les menaces expulsées de leur logement ? Des trajectoires de vie fragilisées, available [in French] at: https://www.fondation-abbe-pierre.fr/documents/pdf/synthese_rr.pdf


38 https://www.20minutes.fr/sciences/societe/716839-20210905-nice-more-expulsee-hlm-apres-expulsion


40 Testimony gathered by Shelter. https://assets.ctfassets.net/6sqqfr0k80v1/71RecFXidOL25k6F4j12d128169929241092914990.pdf


65

France’s national energy mediator.

The household must include a minor, a person with a disability, or a victim of domestic violence, and the landlord must own more than ten properties – which excludes a large number of vulnerable households from this temporary protection.

67

PAH (a Spanish organisation created in 2009 to fight evictions).


68

Italian Ministry of the Interior.


69

Italian Tenants Union (Unione Aquilina).

http://www.italiainsidertp.it/?p=node/10762

70


71

https://static.eurofound.europa.eu/ covid19db/cases/IL-2020-13_415. html

72

Ireland’s 2019 Residential Tenancies Act introduced a procedure obliging landlords to send a copy of the notice of termination to the RTB (Residential Tenancies Board) in cases where a lease has lasted more than six months. https://www.rtb.ie/ data-hub/notice-of-termination- received-by-rtb

73

Ireland’s Residential Tenancies Board.

https://www.rtb.ie/data-hub/ notice-of-termination-received- by-rtb

74

https://static.eurofound.europa.eu/ covid19db/cases/AT-2020-14_576. html

75

Statistik Austria.

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A moratorium was debated in the Swedish Parliament, but the government refused it on the grounds that the national social protection system would be sufficient to protect especially vulnerable communities.

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84

AEDES (Dutch association of housing corporations).


85

The data available on evictions in these countries date back to 2012 unfortunately (EUSILC module on housing conditions).

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89


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91 Compared to 7.8% of the total population and 3.1% of non-poor households. Housing cost overburden rate by age, gender, and poverty status - EU-SILC [ilc_vh007a].

92 Eurostat, https://ec.europa.eu/eurostat/web/hicp/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.sp211115~6fa9a12c1e.html

93 See chapter 2 of this report, European Index of Housing Exclusion.

94 In the EU27, Eurostat EUSILC, 2022.


98 Examples of households undergoing eviction procedures welcomed by the Espace Solidarité Habitat for eviction prevention in autumn 2021 (Paris, France).


124 https://static.eurofound.europa.eu/covid19db/cases/PT-2020-21-4_2022.html

125 https://static.eurofound.europa.eu/covid19db/cases/FR-2021-15_617.html


127 Pension payments were excluded from social transfers. If pension payments are included in social transfers, the poverty rate before transfers rises to 43.7% of the European population. EU-SILC and ECHP surveys, 2022, [ilc_li02] and [ilc_li10].


129 Country file for Poland, FEANTSA, 2022.

130 Cour des Comptes (2021), La conception et la mise en œuvre du dispositif de réduction de loyer de solidarité (RLS), https://www.ccomptes.fr/fr/publications/la-conception-et-la-mise-en-oeuvre-du-dispositif-de-reduction-de-loyer-de-solidarite


134 Anti-eviction Front, Fair face aux expulsions légales d’un logement ? In Brussels https://fi.calameo.com/read/00656291032236276ab41


137 Testimony gathered by FEANTSA in March 2022.


142 See the legal chapter of this report.


146 https://www.sfd.de/nachrichten/panorama/zwangsaeraumung-europa-wohnungsnot-miete-100.html


150 Irish Central: https://www.irishcentral.com/opinion/irish-central-being-a-landlord-housing-discussion-irish-central;

151 CATU Ireland: https://catuireland.org/stop-the-vulture-eviction/

152 https://tribunemag.co.uk/2021/02/turning-homes-into-profit


Radical Housing: https://radicalhousingjournal.org/2021/resisting-renovictions/


Radio Canada: https://ici.radio-canada.ca/nouvelle/1886795/rentier-bail-residential-renovation-province-prolongation


Decree n° 2017-1198 of 27 July 2017 on the progression of certain rent in the event of a new rental or lease renewal, on the basis of article 18 of law n° 89-462 of 6 July 1989, Article 3: https://www.legifrance.gouv.fr/affichTexteJORF.do?oldAction=list&texteId=JORFTEXT0000031529

Ibid 8 – Article 4


Greens/EFA (2022), op. cit.
CHAP. 2
EVICTIONS IN EUROPE