

for
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trolls
innocents
stoics
quick-thinkers



BAWO
Housing
for All

BAWO
Housing
for All

affordable
permanent
inclusive

























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Housing

for All

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Leilani Farha,
United Nations Special Rapporteur
on the Right to Housing

Housing is the
new gold.
Gold is not a
human right,
but housing is.

The treatment of housing as an extractive industry like gas, oil or gold, is resulting in a global human rights crisis. Around the world rents are sky-rocketing, people on low incomes are being forced out of their homes and cities, and homelessness is on the rise.

The right to housing in international human rights law means having access to housing that is adequate, affordable and that provides security of tenure. Being evicted so that a landlord can maximise profits; living in grossly inadequate housing that lacks basic services like safe drinking water and toilets; living rough on the streets in homelessness — while all of these are realities for 1.8 billion people worldwide — they are equally all contraventions of the right to housing. The Sustainable Development Goals challenge States to get back on the human rights course, committing governments to ensuring access to adequate, safe, and affordable housing and basic services for all, and thus ending homelessness, by 2030.

It is unlikely that any government will be able to meet this daunting challenge through a series of piecemeal policies and programmes. What is required is for States to adopt human-rights-based housing strategies so that structural barriers to adequate housing are identified and addressed. These strategies must:

- 1 Set measurable goals and timelines.
- 2 Recognise people who are homeless as rights holders and not beneficiaries of charity.
- 3 Coordinate and provide universal and coherent norms across laws, policies and programmes.
- 4 Address gaps and inequalities to ensure that no one is left behind.
- 5 Hold governments to account through public transparency measures and recourse mechanisms for systemic claims to the right to housing.

Moreover, eliminating homelessness and addressing inadequate housing conditions by 2030 will require a paradigmatic shift, whereby housing is understood as a social good and a human right that cannot be realized without

the active participation of governments either directly through housing provision or through regulations of the private sector.

Austria has implemented policies and programmes that are clearly in line with this. For example, in Austria tenants can have open-ended rental contracts, the profit earned through private rentals can be capped, and there are a multitude of players in social housing. Limited-profit housing associations throughout the country ensure that a large segment of the population has access to affordable housing.

However, with increasing threats to Austria's welfare state, more efforts will be needed to secure the enjoyment of the right to housing.

I would like to congratulate all those involved in the drafting of this policy paper which successfully outlines concrete strategies and measures to secure the right to housing while laying the foundations for the elimination of homelessness by 2030. This policy paper will be a useful instrument that will assist all levels of government in Austria with the development and implementation of human-rights-based housing strategies.

This policy paper was developed as a result of collaborations amongst a strong network of individuals and organisations fighting to secure the human right to housing for all in Austria. Networks of diverse experts, with on-the-ground expertise, an understanding of root causes of housing distress and realistic solutions, are well placed to inform policies and programmes that will ensure an effective human-rights-based housing strategy.

Together we
can do more.
Preventing
homelessness
and positively
promoting
“Housing
for All”.

At the beginning of this project, the aim was to show that homeless assistance services – despite their essential contributions in supporting homeless people – cannot solve the housing problem structurally and sustainably for homeless people or for other groups in need of housing.

Austria has a complex system of different housing and socio-political measures to ensure the population is adequately housed. Although this system has been cited as a best-practice example internationally and housing quality has improved substantially over the years, indicators such as cost increases, availability and (over)use of homeless assistance services over time clearly show that housing in Austria has once again become a socio-political challenge.

The first tangible results, which have been available since November 2017, are based on input from numerous experts in the fields of housing construction, housing law, housing policy and homeless assistance services.

These experts have shared their knowledge in three public workshops (which increased to seven in all), among other things, and have substantially supported and strengthened BAWO through their active participation.

At the end of the project, it was apparent that BAWO is part of a broader alliance of players that can promote “Housing for All” from their respective locations and with a particular focus on those with low incomes. Successfully bridging the gap between housing and socio-political players as part of the project contributed to positively advancing “Housing for All” as the central social challenge of the future.

It quickly became clear that we had to know more about what we’re talking about. One way to achieve this led to the matter of recording homelessness, and to a fruitful cooperation with Statistics Austria.

The next logical step in implementing this project is down to you. This is a policy paper written by BAWO but it is also much more than that. It is a paper that builds on the wide-ranging expertise offered by people from

different fields, yet whose concerns are the same: Housing for All. Affordable. Permanent. Inclusive.

In this paper, we make very concrete demands relating to housing, income and social participation. Demands that meet the requirements of what people need to enjoy a successful life. Demands that have a big aim: to prevent homelessness, not mask it.

However, this paper is not intended to be the endpoint of this process. Rather, it is a mandate to keep talking and to keep building bridges between social policy and housing policy, between players in the housing industry and homeless assistance services, between town planners and architects; simply between all people from the most diverse fields of action whose common goal is Housing for All.

In this spirit, I am looking forward to further cooperation and would also like to express my sincere thanks for the work that has been done so far.

Housing for All – or:

Ending homelessness

Housing for All means changing basic housing and socio-political conditions in such a way that fewer people are affected by homelessness.

Homelessness is a human rights violation and the harshest, most visible form of poverty: those affected sleep in parks, on the streets, or – if they have a right to do so – in emergency accommodation.¹ In addition to having no home, homeless people experience systematic discrimination and exclusion. “The homeless” therefore become a stigmatised social group.²

As a visible form of poverty, homelessness is a seismograph reflecting social inequality. It makes it clear that Austrian housing and social policy has hurdles to overcome and gaps to fill. The rise in homelessness seen in Austria over the past 10 years indicates that social and housing policy problems are continuously increasing.

In Austria, as in other European countries, there is a tendency to subject homeless people to repressive measures. However, expulsion from parks, banning begging, limiting

benefit claims and similar regulations are not solution strategies. They further intensify the situation for those affected, without implementing overlooked housing and social policy measures.³

In order to develop sustainable solution strategies, we need a broad understanding that homelessness is an extreme result of social inequality. This can be averted if insufficient housing and housing exclusion are taken into consideration.

BAWO aims to develop both an overarching strategy⁴ and, working alongside experts from the network, specific measures in the field of social and housing policy. Special attention should be paid to those who are most excluded. This particularly includes those affected by homelessness. In addition, there are many other needs, such as old age, disability or expulsion from a home country.

The specific measures proposed by BAWO go beyond building homes or temporary accommodation. While hostels and shelters make homelessness less visible, they do not constitute adequate, long-term housing provision. Rather, the people who are currently housed in hostels and shelters are another group of “homeless people” who need to be taken into account when developing strategies and specific measures.

Shelters for homeless people have been further expanded in some cases (especially in Vienna).⁵ Although this socio-political commitment improves the individual situation, it does not offer a permanent housing prospect bound by tenancy law. Shelters operated by homeless assistance services alleviate the effects of a lack of or inadequate housing supply, but they are not an adequate and sustainable strategy for eliminating it. Generally speaking, housing standards are inadequate and it is not possible to have privacy or a family life.

Moreover, the purpose of transitional housing is not usually to help involve residents in the local community or to build up a network.⁶

To effectively end homelessness, housing and social policies need to overlap more, and measures need to be more closely linked at an individual and structural level. In this way, access to long-term, permanent and inclusive housing – supplemented by mobile social care depending on individual needs – can be achieved.

With a broad understanding of the problem, an overarching strategy and specific measures derived from it, we can end homelessness, act preventively and promote social cohesion.

Affordable – or:

Having a
disposable
income

Affordability means that there is enough money left over to live on after housing costs have been paid.⁷ In concrete terms, this means that an individual in Austria needs EUR 875 after deducting housing costs to earn a living. For couples with two children, this amount is around EUR 2,650. In 2017, 22% of one-person households had less money than that at their disposal. In households with two adults and two children, 30% were below this threshold.⁸

Leases that were agreed a long time ago — especially in the private rental sector — are cheaper, meaning that people whose lease agreement has only just lapsed or those who are currently looking for a home are, on average, more affected by a lack of affordability.

To demonstrate the problems regarding the affordability of new leases we can highlight the fact that 39% of one-bedroom properties cost less than EUR 300. However, if we only consider contracts drawn up since 2015, this figure drops to 17%. 21% of three-bedroom properties cost less than EUR 400, but only 8% of leases agreed since 2015 fall below this figure.⁹

In addition to day-to-day costs, the initial costs associated with a new tenancy are significant for affordability. In particular, the initial outlay involved in taking out a new lease represents a major hurdle for many people searching for an affordable home. As a rule, a deposit – or in the case of social housing, a financial contribution – and the first month's rent must be paid before moving in, not to mention buying one or two items of furniture. In addition, there may be contract set-up costs and/or brokerage fees owed to an estate agent. Before moving into a new property, tenants therefore have to pay four to seven times their monthly rent. Moreover, two rental payments must sometimes be made since a new property can often be moved into quite quickly, while the previous property is usually subject to a three-month notice period.

In order to improve affordability on a socio-political level, we either need measures to reduce housing costs or to increase incomes. It is essential that housing policy AND social policy work to improve the affordability of housing, pursue common strategies and coordinate measures.

In order to improve affordability, it is also important that access to high-quality social support services is guaranteed, without having to overcome hurdles or face discrimination. Where there are insufficient funds available to cover housing costs, living needs and social participation, this can result in a personal crisis – such as separation, illness, redundancy or delays in receiving benefits from the Austrian Public Employment Service or social welfare. That in turn may mean housing costs can no longer be covered.

In these cases, rapid action is necessary, such as contacting landlords or applying for social security or social welfare benefits. Low-threshold access to high-quality social support services (e.g. preventing eviction/housing security) ensures that those concerned receive support at an early stage if the affordability of housing is at risk. Ideally, this support has a preventive effect and can avert a crisis or a threat to housing.

Permanent – or:

Having
stable living
conditions
and time to
settle down

A permanent tenancy means that tenants have long-term housing prospects. This is important for stability and to overcome challenges and crises. Having your own home gives your life stability. At the same time, it is a starting point for social participation, integrating yourself in your local community and establishing networks.

A permanent and independent tenancy also means that tenants meet their obligations under the tenancy agreement on a long-term basis. Experiences in Austria and internationally show that psychosocial support services significantly foster housing stability. Mobile housing care services are of particular importance here in securing the long-term future of a home. In addition to measures promoting neighbourliness and good coexistence, they are important starting points for effectively preventing eviction.

If people affected by acute crisis situations, e.g. homelessness, are given unlimited access to a permanent, tenant-secured property and additional mobile support from a professional team, this has a positive effect, among other things, on property retention.

This approach of supporting homeless people is known as Housing First and has been successfully implemented in Europe for around two decades and in Austria since 2012.¹⁰ Housing First services support tenants as they move into their own homes and then provide mobile support in line with their individual needs. The support is available for as long as necessary and can be resumed if required.

Housing First's success rate can be measured, among other things, by housing stability. In relation to European Housing First services, in eight out of ten cases tenants have succeeded in keeping their home. This makes Housing First much more effective than previous approaches.¹¹

Housing First services also support tenants to build networks in their new communities as well as extend individual courses of action, if required. This includes information on contact persons and services for housing-specific issues, as well as support when establishing contact and authorising communication.

The attitudes and goals pursued are similar to comparable services for older people (usually designated “assisted living” or “sheltered housing”) or for people with disabilities (different terminology is used across each Federal state; in Vienna, the term “partially sheltered housing” is used).

The Housing First approach and other concepts that enable people to have direct access to their own home while caring for them on the move are a key element in ensuring affordable, permanent and inclusive Housing for All. They have a destigmatising effect and promote independent living.

Inclusive – or:

Participating
in society
despite
difficult life
situations

Inclusion means creating conditions that enable all people to participate in society. In order to actually reach all people, the most excluded people or those with a significant need for support must be given special consideration. Significant needs may arise as a result of homelessness, old age, expulsion from a home country or disability, for example.

Where someone lives plays a central role in inclusion. In terms of a place of residence, inclusion means, for example, that people with different needs can live together in a property or residential area; and do not have to live in a residential home.

Austria's mix of residential buildings and neighbourhoods is not usually discussed using the term "inclusion", but instead using the term "social mixing". Socially mixed houses and residential areas are synonymous with diversity, tolerance, stability, safety, integration and quality of life.¹²

However, the demand for (more) social mixing is difficult. It carries the risk of only being considered from one angle whereby those most excluded are regarded as problematic.

Facilitating access to social mixing for high-income households is presented as a means of inclusion. However, this does not result in access or opportunities for engagement being extended to the most excluded groups.

Inclusive housing needs measures that work in the opposite direction: it is about expanding the choices, accesses and opportunities for engagement afforded to the most excluded. This particularly means making hard-to-reach housing sectors and privileged residential areas more accessible to them.

In addition, support services that promote good coexistence and the social participation of people with special needs make sense.

Policies and demands

By exchanging ideas with experts, it is BAWO's aim to formulate an overarching strategy and specific measures relating to social and housing policy for affordable, permanent and inclusive housing, to introduce these in discussions with decision-makers and to promote their implementation. The demands are interdependent and multi-agency cooperation is indispensable.

1. Housing

1.1. Implementing the human right to housing

In the international declarations on human rights and fundamental freedoms, the right to housing (closely linked to the right to protection from poverty and exclusion) is a recognised guideline for policy-makers.

The International Covenant on Economic, Social and Cultural Rights, adopted by the United Nations in 1966, enshrines in Article 11 the right to an adequate standard of living for an individual and their family. This includes adequate food, clothing and housing.

In addition, the right to housing is guaranteed by the revised European Social Charter. Most EU countries, including Austria (2011), ratified the Social Charter. However, Austria excluded paragraphs 30 and 31, which refer to poverty, social exclusion and housing.

In the explanatory memorandum, the government highlighted that the social housing system in Austria already included a right to housing. Although this implicitly suggests that the Republic is committed to the right to

housing, the lack of ratification does not establish an individually enforceable right to housing.

Specific demands from BAWO:

- Right to protection from homelessness, poverty and exclusion: the National Assembly shall approve the ratification of paragraphs 30 and 31 of the Social Charter – and thus offer protection from poverty, exclusion and homelessness.
- Individually enforceable right to housing: The National Assembly shall adopt Article 1 of the Additional Protocol on Collective Complaints of 9 November 1995.
- Enshrine the right to housing in the constitution: The National Assembly shall guarantee the right to housing by means of inclusion in the Federal Constitution.

1.2. Strengthening the rental sector

People on low incomes are dependent on a strong rental housing sector; under the current fiscal framework conditions, acquiring property is not a viable option for them.

Specific demands from BAWO:

- Strongly promote the rental sector. When publicly promoting new housing construction and refurbishment, and administrating the subsidised housing stock, the focus should be on maintaining the overall rental housing stock and increasing the proportion of subsidised rental housing.
- Extend housing supply beyond market logic and profit maximisation. Housing policy instruments that provide housing beyond market logic or profit maximisation – e.g. non-profit and municipal housing sectors – are to be strengthened.
- Making law enforcement simple and cost-effective. All rights and obligations associated with housing law should be enforced in out-of-court proceedings without posing a cost risk.

1.3. Lowering housing costs and effectively limiting profits earned through letting residential properties

All providers of housing – the private, non-profit and municipal rental sectors – are responsible for providing affordable, permanent and inclusive housing.

In the private rental sector, there have been particularly challenging developments in terms of affordability. Housing costs have risen particularly sharply over the past 19 years. Increasing rents are also made possible by the fact that more and more people in the private rental sector are living on fixed-term leases, which means that rental costs can rise at shorter intervals. In addition to the Austrian General Civil Code, the private rental sector is regulated by the Austrian Tenancy Law Act. The Tenancy Law Act aims to compensate for the weaker position of those seeking housing and limits the profits that can be made by renting out residential space.¹³

Specific demands from BAWO relating to the

Tenancy Law Act (Federal responsibility):

- Amend the Tenancy Law Act and formulate it more clearly and comprehensibly. This enables all parties involved to know their own rights and to legally conclude a contract.
- Make the Tenancy Law Act effective for the benefit of tenants and establish a comprehensive scope of application. A possible exception to the limit on rental rates for “new builds” must be defined dynamically.¹⁴ In this way, it can be ensured that the scope of application grows with it.
- Effectively limit rental rates. In future, rental rates should be calculated based on a standard price per square metre, less deductions and plus supplements. The supplements and deductions are to be enumerated exhaustively in the Tenancy Law Act. Supplements and deductions must be stated in the rental agreement.
- Lower running costs. In future, the running costs should only consist of the costs actually incurred by the tenants; other costs

(property tax, liability insurance and landlords' house insurance) should no longer be passed on to tenants. Parking management is to be separated from housing construction (parking space ordinance).

- Abolish location premiums. Location premiums result in people on low incomes being displaced and should therefore be abolished altogether.
- Lower rental costs. Brokers' fees should be paid by the client ("commissioning principle"). By limiting the deposit to a maximum of two gross monthly rental payments, rental costs can be further reduced.

In the non-profit housing sector (in particular cooperatives), rental rates are based on the costs incurred. The "capital formation principle" represents a central pillar and prevents profits from being skimmed off or the associated property owned by non-profit building associations ending up in private hands or general budget pots. This prevents speculation and promotes long-term and sustainable

housing construction. The Community Housing Benefits Act, which sets out the legal framework for this housing sector, therefore provides only limited possibilities for generating profits. In addition, there is an obligation to reinvest these profits.

Specific demands from BAWO relating to the Community Housing Benefits Act (Federal responsibility):

- Abolish the legally stipulated and binding purchase option for subsidised rental properties.

Substantiation of title makes it possible to sublet or sell a subsidised dwelling for profit outside of the Austrian Standard Value Act and must therefore be rejected. It is crucial that non-profit housing is not sold but remains part of the rental sector in the long term.

In the municipal residential sector, tenancies lie with the respective municipality. The Tenancy Law Act may be applicable as a maximum; more favourable tenancy agreements are possible as in the private housing sector.

Specific demands from BAWO aimed at municipalities:

- Cities and municipalities that rent out their own properties “community housing” are to be bound by the fee provisions and maintenance obligations of the Community Housing Benefits Act. As a result, rents are significantly lower, especially for fully financed properties.

Specific demands from BAWO relating to housing subsidies:

- Reintroduce the purpose of housing subsidies.
- Prioritise the rental sector. Funds from housing subsidies are to be used primarily for constructing rental properties (instead of owner-occupied homes).
- Prioritise non-profit housing construction in housing subsidies. Housing subsidies must first and foremost provide the funds required for non-profit housing construction, whereas subsidies for private housing construction should be second-tier.
- Extend housing subsidy support without financial contributions.

1.4. Strengthening the legal framework for sustainable housing

A permanent tenancy means that tenants have long-term housing prospects. Here, too, demands are made on all three rental sectors.

Specific demands from BAWO:

- Supplementary measures in the Community Housing Benefits Act and housing subsidy laws. Fixed terms should also be outlawed in housing subsidy laws; in addition to robust protection for existing tenants in the Tenancy Law Act.
- Strengthen the protection afforded to existing tenants. Reduce and clearly regulate fixed-term options. The Tenancy Law Act is only fully effective if leases are agreed for an unlimited period. Rental agreements are therefore generally – apart from a few well-founded exceptions – to be concluded for an indefinite period. It should still only be possible for tenants to terminate without reason.

1.5. Ensuring non-discriminatory and inclusive access

Access to housing is arranged by a variety of players. The legal framework is shaped both by Federal legislation (e.g. Community Housing Benefits Act, Equal Treatment Act), State legislation (e.g. housing subsidy laws, award criteria) and Municipal legislation (e.g. awarding community housing). In addition, the respective landlords and property managers play a central role.

Specific demands from BAWO:

- Promote non-discriminatory access through anti-discrimination work.

Anti-discrimination work is effective across all areas of society. Those affected by discrimination are also disadvantaged in terms of access to affordable, permanent and inclusive housing.

- Revoke discriminating regulations in the Community Housing Benefits Act.

Citizenship, residence or registration period, as well as knowledge of German or similar, must not be used as criteria for access.

The access restrictions introduced in 2019 for non-Austrian citizens and those of equal status (Section 8(3) of the Community Housing Benefits Act) must therefore be removed.

- Create an obligation to award contracts to particularly disadvantaged people.

Non-profit property developers are to be obliged by a provision in the Community Housing Benefits Act, in cooperation with social organisations, to demonstrably make a certain proportion of their newly rented or re-rented properties available to members of particularly disadvantaged groups on the housing market.

- Revoke discriminatory regulations when awarding subsidised and municipal housing.

Awarding criteria should be revised to ensure non-discriminatory access. People with significant needs should be given special consideration. Citizenship, residence or registration period, as well as knowledge of German or similar, should not be used as criteria for access.

- Safeguard and support property managers as key players. Property management staff are key players who can enable or prevent the implementation of “Housing for All”. In their function as an interface between societal and political demands, operational requirements and other interests (e.g. complaint management), they are exposed to particular challenges and burdens. Where they do not have the instruments, knowledge or skills to solve new tasks, there is a danger that exclusion barriers will arise or be reinforced. In addition, there are particular burdens for employees who are increasingly confronted by people in difficult situations. In addition to removing formal access barriers, measures are needed to ensure that social inclusion can also be shaped by civil-society players.

- Improve access for people with significant needs. Significant needs may arise as a result of poverty, homelessness, old age, expulsion from a home country or disability, for example. In order to improve access for these households, there should be a right to access social institutions and homeless assistance services at local level. In many regions, the current situation in the housing industry makes it necessary to award special contracts to people who are looked after by social organisations (especially homeless assistance services, assistance for the disabled and refugees). It seems more sustainable to make general procurement more transparent and to take better account of special needs.

1.6. Creating more affordable, permanent and inclusive housing

It is difficult to forecast future housing demands. It is related, among other things, to population growth, declining average household size, rising vacancy rates and consumer behaviour (e.g. rising demands for housing standards, second homes, housing as an investment).

There are currently large gaps in supply in metropolitan areas, where there is a particular lack of affordable housing. A stronger focus on regional needs and on the needs of people with low incomes is essential.

Specific demands from BAWO:

- Use town planning instruments to establish affordable housing: Town planning should aim to strengthen affordable housing. The Town Planning Act is to be supplemented – as far as it does not yet exist – by dedications for subsidisable housing construction. Possibilities afforded by town planning agreements, special dedication and reservation areas are to be used more.

Dedication earnings are to be skimmed off. Measures to mobilise building land should be taken. The Land Procurement Law of 1974 should be applied.

- Improve the provision of land for non-profit housing construction. In addition to preventing land speculation, former industrial sites and commercial sites must be converted in suitable locations to make them available for subsidised housing construction. When revising zoning and development plans, it is necessary to take greater account of non-profit rental housing construction. Local authorities should be able to deviate from the highest-bidder principle when selling public real estate if affordable social housing is built for this purpose.
- Protect the centre from improper dedication. Settlement areas and city districts close to the centre should be designated as residential areas as part of town planning and should be protected from dedications not related to their purpose (e.g. for tourist use, use of second homes or vacancy).

- Ensure the quality of the living environment. In locations close to the centre, precautions must be taken to ensure that the quality of the living environment (green spaces, local facilities, play areas and traffic-calmed zones, etc.) is adequately developed and specifically identified.
- Maintain and expand municipal housing construction.
- Extend housing support programmes for people on low incomes. Compact floor plans, low costs per square-metre and low initial outlay are particularly important to this target group. An option that enables tenants to make proportional financial contributions for a limited period of time makes sense.
- Encourage the use of vacant dwellings. Guidelines on vacancy surveys should be provided, accountability increased and innovative concepts for capitalising on vacancies promoted.

2.

Income

2.1. Establishing measures for a living wage
Income level is essential for housing provision and social participation. In order to implement Housing for All, measures that ensure a living wage are needed. When negotiating collective agreements, social partners are key players when determining incomes. Federal legislation can stipulate a minimum wage or a minimum standard in collective agreements to ensure a living wage.

Access to housing is also determined by the type of income. People in precarious employment or in receipt of social security or social assistance benefits are sometimes disadvantaged because of their income type. These precarious employment relationships include temporary employment relationships, marginal employment, involuntary part-time work and freelance service contracts, in particular.

Specific demands from BAWO:

- Higher wages, especially in the low-wage sector. Wages must be adjusted to match the increased cost of living.
- Combat precarious employment and the problems faced by the “Working Poor”. Low wages, insecure working conditions and workers’ low bargaining power make it difficult to earn a living.
- Reduce non-wage labour costs by restructuring the tax and social security systems. The impact of wage-related taxes should be minimised by shifting to asset-based and ecological taxes. Social security obligations for incomes without benefits should be taken into account gradually.

2.2. Strengthening the social security system through social security funds

Over the course of the last century, Austria has created a comprehensive social security net. The number of beneficiaries has increased and gaps have reduced over the decades. It is important to preserve this system and to continue working on a sustainable system

that also promotes participation in society in cases of illness, old age and unemployment.

Specific demands from BAWO:

- Increase the net replacement rate of unemployment benefits.
At 55%, this rate is much lower in Austria than in most other EU countries.
- Maintain the emergency assistance system in its current form and improve existing standards. Cuts to the social security system – similar to those seen as part of the German Hartz IV reforms – would negatively affect the housing supply for the people concerned, among other things. Cuts arise as a result of it being possible to access assets or to take a partner's income into account, for example.
- Revise the algorithms recently introduced by the Austrian Public Employment Service. It must be ensured that there is no discrimination. If this cannot be guaranteed, the algorithms should no longer be used.

2.3. Implementing vital social assistance benefits at Federal and State level

In the Austrian welfare system, demand-oriented minimum benefits or social welfare (NEW) are the minimum benefits that every entitled person is due. It is therefore central to the realisation of affordable, permanent and inclusive housing.

With the Fundamental Social Welfare Act, which came into force in June 2019, the Federal Legislator has made use of the possibility of regulating social assistance at Federal level for the first time. Although standardised nationwide regulations would be desirable, the adopted Fundamental Social Welfare Act significantly hampers the Austrian fight against poverty. This is already evident from the fact that the term “social welfare” has been reintroduced and the 2010/11 reforms have been reversed. In contrast with demand-oriented minimum benefits, the legislator has also set maximum rather than minimum standards for reference rates. In the current Fundamental Social Welfare Act, there is no objective formulated to fight against or prevent poverty and social exclusion.

Access is made more difficult for certain groups of persons, in particular beneficiaries of subsidiary protection. Declining children's rates worsen the situation, especially for single parents and large families who are already at above-average risk of poverty. Despite the stipulated objective of (re)integration into the employment market, the legal text does not include any explicit link to measures from the Austrian Public Employment Service or the current employment market policy.

Above all, however, incorporating the current Fundamental Social Welfare Act into the States' implementation legislation would lead to a significant deterioration in Austria's fight against poverty. Despite the significant differences between Federal States and their budgets, the existing security level would be significantly to seriously undercut in many cases.

Specific demands from BAWO:

- Revoke discriminatory regulations in the demand-oriented minimum benefits/social welfare system. Citizenship, residence or registration period, as well as knowledge of German or similar, should not be used as criteria for submitting a claim.
- Increase minimum benefits/social welfare to a poverty-proof level. Reference budgets published by the debt counselling service can primarily be used for the calculation.
- Amend the Fundamental Social Welfare Act by the Federal Government. The Fundamental Social Welfare Act is intended to formulate the primary objective of fighting and preventing poverty and social exclusion. Accordingly, poverty-proof minimum standards must be defined nationwide.
- Corresponding implementation legislation from the States.
- Legal entitlement to “assistance in particular circumstances”. The “assistance in particular circumstances” service is an important element in ensuring housing provisions and preventing eviction,

such as in the event of falling into rent arrears or paying rental deposits and purchasing items of furniture needed for new rentals, etc.

- Avoid reference gaps and cut lengthy procedures.

2.4. Standardising and increasing monetary benefits for housing

Expenditure on residential transfer payments is increasing. However, the existing system cannot be described as poverty-proof: Despite subsidies, high rents are often not affordable and must therefore be paid using funds that are actually needed to cover living expenses or other life needs, e.g. for education, health and/or social participation. In addition, the incompatibility of housing and rent subsidies means much-needed improvements are urgently necessary.

An increase in monetary benefits for housing is to be implemented as part of an overall strategy for affordable, sustainable and inclusive housing; in particular by implementing measures that lower housing costs and effectively limit profits earned through letting residential properties.

Specific demands from BAWO:

- Base subsidies on the actual cost of living. Monetary benefits must be based on actual housing costs in order to secure housing. In this context, an effective Tenancy Law Act is also essential, particularly with regard to the scope of application and limiting rental amounts. There shall be no shift from cash benefits to benefits in kind.
- Interlink and harmonise housing and social-policy services. In future, distinct monetary housing benefits will be merged into a single housing benefit under the joint responsibility of the housing and social services departments. Budgetary responsibility lies with the housing department while operational responsibility lies with the social department.

- Remove barriers to claiming. Monetary housing benefits are designed to ensure housing is provided for all. In this regard, country-specific access barriers such as length of stay, (full) employment, main tenancy agreement or subsidised rental housing must be removed.
- Ensure legal entitlement to monetary housing benefits.

3. Social participation

3.1. Improving stability and quality of life through a good home environment

In addition to affordability and living quality in the narrower sense (neither overcrowding nor health problems; energy-saving heating, washing and showering facilities), a good home environment with appropriate infrastructural and social facilities is of great importance to ensure a successful everyday life.

Especially for people on low incomes, infrastructural offers such as children's playgrounds, open spaces and meeting places for young people, shopping facilities and well-developed public transport are particularly important.

This requires social offers that enable participation, create opportunities for meeting people and help to avoid or deal with conflicts. Positive experiences can be drawn from pilot projects such as "Promoting good neighbourliness" or "Housing dialogue".¹⁵

Specific demands from BAWO:

- Pay attention to the home environment as part of town planning and construction law.

New housing developments are to be planned where there is a strong connection

to public transport or where there are plans to establish such a connection. As part of development plans or during the construction process, provisions for the social infrastructure, e.g. open spaces, children's playgrounds, local facilities, medical care, cultural facilities and common areas, are to be defined beyond the legal minimum standard.

— Make public transport more attractive.

Timetables should be timed better, taking into account connections at the beginning and end of the day, and covered and accessible stops should be considered.

— Make public spaces welcoming and attractive for various social groups.

Children's playgrounds, as well as meeting places and open spaces for young people, spaces for parents and senior citizens, etc., are to be created.

— Promote living arrangements where several tenants share facilities to counteract isolation.

Opportunities to participate actively should be made available and made more attractive, e.g. with regard to common rooms, community gardens, co-housing projects, etc.

- Extend social services. If necessary, new tenants are to be provided with at least six months' support after moving in and work in the community is to be strengthened in such a way that it will fulfil a preventive role. If required, such services should refer onwards to professional support services in relation to care, conflict resolution, child and youth welfare, preventing eviction, etc.

3.2. Expanding Housing First and other mobile support services

Pan-Austria and international projects have demonstrated that having direct access to affordable, permanent and inclusive housing combined with mobile psychosocial support is successful. These services are to be expanded – supplemented by better access to housing.

Specific demands from BAWO:

- Expand Housing First and other mobile support services.
- Do more to prevent eviction.
- Promote services for dealing with and avoiding conflicts in the neighbourhood.

Voices from the network

The network supporting BAWO – Housing for All consists of experts working in the fields of housing construction, housing law, housing industry, social affairs, homeless assistance and science. The network aims to improve housing provision in Austria.

Through workshops and preparing policy papers, BAWO gives all participants an opportunity to develop a common language, a common awareness of problems and jointly supported suggestions for improvement.

“As an essential pillar of the Austrian welfare state, community housing is open to broad sections of the population. Community housing is Housing for All. For this reason, we also cooperate with social organisations and look for ways and solutions when it comes to providing the homeless with housing.”

Michael Gehbauer,
Verein für Wohnbauförderung
(The Association for Housing Subsidies)

“Wages and the cost of housing have been diverging for several years, leading to steadily increasing burdens and restrictions, especially for low and middle incomes – the oft-cited housing-market crisis has long since arrived in Austria and there is a great need for action. Discussions within the Housing for All network revealed an array of measures that could also be taken beyond mere housing policy. Now it’s a matter of finding alliances to implement it, to make housing affordable again.”

Simon Güntner,
Vienna University of Technology

“Affordable housing is an important issue for the Vienna Social Fund and the Viennese Advisory Service for Homeless Assistance. To achieve this, we need to work together across the various interfaces. The aim of the Viennese Advisory Service for Homeless Assistance is for our clients to live autonomously under their own roof again. The provision of individual, affordable and long-term housing not only contributes to the autonomy of those affected, but also to social security in our city.”

Kurt Gutleiderer, Vienna Social Fund,
Viennese Advisory Service for Homeless
Assistance

“Time limits, harassment, fantasy rents: our day-to-day work as tenant protectors shows how greatly imbalanced the ‘housing market’ has become. The fearful question of how and whether we can afford housing in the future has long been posed at the centre of our society. The expert network ‘Housing for All’ has developed solutions and is making politics responsible. This is a good thing since time is of the essence.”

Elke Hanel-Torsch, Tenants’ Association of
Austria

“When it comes to living, the unfair distribution of space is very direct, almost existentially so. While some buy investment properties without ever living in them, others cannot even afford a room of their own. There are many instruments to change that: we need the political courage to prioritise the right to housing as a public matter over the right to property.”

Gabu Heindl,

Architect, Town Planner and Activist

“Due to the development of housing costs, ‘Housing for All’ requires a certain element of ‘privileged treatment’ and a service for socio-economically disadvantaged people, who I currently only see living in in non-profit housing. The latest amendments to the Community Housing Benefits Act – restricting the target group and imposing an obligatory purchase offer after five years, as well as putting pressure on to further expand this service to the ‘middle classes’ – require counter-strategies from Federal States. Through funding regulations and new housing-allocation guidelines for municipalities, as well as the proven cooperation across

institutions run by homeless assistance services within the Housing Social Network, the ‘urgent need for housing’ should come to the fore, thus ensuring nobody who really needs a home is excluded from ‘Housing for All’. In addition, there is still hope that the ‘market failure’ will be corrected by means of an amendment to the housing law, thereby making the private housing market affordable for *all*.”

Karl Ladenhauf,
Vorarlberg State Government Office

“It’s never simply enough to provide support for the basic need for housing. Vienna’s housing policy is exemplary, but it is important that housing and social policy are closely interlinked. This is why Wohnservice Wien is glad to be part of the ‘Housing for All’ network.”

Peter Neundlinger,
Wohnservice Wien
(Vienna Housing Service)

“BAWO offers a platform for committed people who want to enforce and make enforceable the human right to housing and resolve homelessness – I support these concerns alongside many others as best I can. Beyond that, for me it is important to establish a connection with the non-profit housing sector and to raise the sector’s social profile.”

Martin Orner, EBG

“Housing is a central element of our social coexistence and is regarded as a prerequisite for social security, equal opportunities, quality of life and public participation. Good housing is a core concern of the welfare state. Accordingly, it is important that housing is affordable and that homelessness is combated effectively.”

Marc Pointecker and Manfred Zauner,
Federal Ministry of Labour, Social Affairs,
Health and Consumer Protection

“‘Affordable, permanent, inclusive.’ This applies to the subject of housing and is, as it were, a collective appeal for almost all forms of social security. Housing is a challenging issue for all the people we come across at the Austrian Anti Poverty Network: unaffordable rents, long journeys to potential jobs and unstable housing situations limit people’s options. Precarious housing situations severely restrict the social participation of those affected. ‘Housing for All’ is therefore also a central demand for us.”

Judith Pühringer,
Austrian Anti Poverty Network

“I unreservedly support BAWO’s housing policy positions. And yet we must be more precise: Who do we mean by ‘All’? Who are we addressing, who are we not? Those seeking housing could be market participants, benefit claimants (social sector), those provided for (having a greater reliance on the social sector). What potential do approaches have beyond these logics of supply and market (keyword ‘common housing’)? Today – perhaps more than ever – living is measured by the ideas and norms of the privileged. Is now perhaps the time to combine the struggle for affordable,

inclusive housing with the issue of the power to define what good housing is? After all, we correctly define housing as a (human) right; how can we ensure that this right is also concretely enforceable?”

Christoph Reinprecht, University of Vienna

“Limited-Profit Housing Associations (GBVs) build affordable housing for ALL population groups – that is our raison d’être. Thanks to our 185 companies that work throughout Austria, we are able to support homeless people across the country with a wide variety of projects. For example, most Housing First properties are provided by GBVs – seven out of nine active Housing First programmes are implemented with GBVs predominantly or even exclusively involved on the landlord’s side. However, GBVs are also partners in the field of housing security, eviction prevention and offering support when returning to your own home.”

Bernd Rießland, Austrian Federation of Limited-Profit Housing Associations (GBVs)

“Affordable housing and a desire for living space represent one of the most fundamental basic human needs. However, developments on the property markets are also particularly important for the economy as a whole and, in particular, for financial market stability.

Analyses of the property market, such as this report, are therefore important not only from a social perspective, but also in the interests of central banks responsible for financial market stability.”

Helene Schuberth, Central Bank of Austria

“BAWO calls for ‘Housing for All’ and for specific attention for the most excluded people, such as homeless people. That is not the same as calling for ‘Social housing for all and not only the most excluded’ — a slogan we hear louder and louder in Europe. I believe the social housing and homeless sectors should join forces in their efforts to get more public support for affordable housing, and I am sure this paper is a good basis for such cooperation. Together we can also call more forcibly for private landlords to be more responsible and effectively denounce the increasing financialisation of housing.”

Freek Spinnewijn, FEANTSA

“BAWO has established its housing and socio-political demands in an impressively broad process: with stakeholders from all areas of the housing system and with experts from science and research. It has substance and can no longer be swept under the political carpet. Those who are concerned about social cohesion must work on restructuring Austrian housing law.”

Barbara Ruhsman,
Forum Wohn-Bau-Politik
(Housing-Construction-Policy Forum)

“Representatives from homeless assistance services, researchers with appropriate expertise and persons affected by homelessness should be involved in the relevant social planning, the evaluation of relevant legislative proposals and in all decision-making processes concerning them.”

Christian Stark,
University of Applied Sciences
Upper Austria,
Social Work

“Analyses of men’s life expectancy show, for example, that people without a home have a much shorter life span than people with a home – by up to 20 years. This applies to all causes of death and especially to psychological causes. If that’s not reason enough to worry about everyone having a home, then what is?”

Matthias Till, Statistics Austria

“Ongoing income controls in municipal and non-profit housing are a Trojan horse. Instead, measures are needed to strengthen subsidised housing construction and tenant protection. On the other hand, it is necessary that particularly cheap rental properties are made more accessible for homeless people.”

Lukas Tockner, Vienna Chamber of Labour

“Europe is in a deep housing crisis. Creating affordable living space for all people is the order of the day now more than ever. All social forces working for the common good in Europe and for human rights are called upon to raise their voices for the fundamental right to housing. This policy paper makes a great contribution to this.”

Karin Zauner-Lohmeyer,
European Citizens' Initiative
“Housing for All”

Endnotes

- 1 BAWO uses the European typology of homelessness and housing exclusion. See:ETHOS — European typology of homelessness and housing exclusion. Available online:

<https://www.feantsa.org/download/en-16822651433655843804.pdf>
[04/09/2019]

- 2 Leilani Farha explicitly refers to this dimension of homelessness in her 2016 report, for example. All reports are available online:

<https://www.ohchr.org/EN/Issues/Housing/Pages/AnnualReports.aspx>
[05/09/2019]

- 3 See for example:Feantsa / Housing Rights Watch / Fondation Abbé Pierre(2013):Mean Streets. A Report on Criminalisation of Homelessness in Europe.Available online:

<http://www.housingrightswatch.org/sites/default/files/Mean%20Streets%20-%20Full.pdf>

- 4 Strategies to end homelessness operate one level higher than concrete measures. They are based on a vision that structural change is necessary. A strategy coordinates a large number of laws, programmes and decisions.

See: Leilani Farha (2018):Report by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context.Available online:

<https://www.ohchr.org/EN/Issues/Housing/Pages/AnnualReports.aspx>
[05/09/2019]

- 5 MA 24 (2016).
Vienna Social Report 2015.
p. 156.

- 6 Publications on the Housing First approach and evaluations of Housing First projects deal comprehensively with the criticism of step-by-step plans and institutions, e.g.: FSW (2012):

Housing First — The Viennese model. Technical standards and framework conditions for implementation. Final report;Pleace, Nicholas (2016):Housing First Guide Europe;German version published by neunerhaus, Vienna.

- 7 BAWO uses the residual-income approach, which makes people more likely to be affected by the problem of low incomes. On the other hand, when debating affordability, an expenditure-share approach is usually used, according to which affordability lies at < 25 or < 40 percent of income, for example. An indicator based on this approach makes sense only if people on low incomes are taken into account.

- Affordability calculations are based on reference budgets. Calculation example relating to housing affordability for an individual: EUR 1416 total expenditure — EUR 541 living costs (EUR 495 rent and running costs, EUR 31 electricity, EUR 46 heating) = EUR 875. See: *ASB state-approved debt counselling*(2019): Reference budgets (budget examples).
- 8 EU SILC 2017, based on a presentation given by Dr Michael Klien (WIFO) on 30/01/2019 to the “Housing for All” network
- 9 EU SILC 2017, based on a presentation given by Dr Michael Klien (WIFO) on 30/01/2019 to the “Housing for All” network
- 10 See: *Housing First Europe Hub*(2019):*Housing First in Europe. An overview of Implementation, Strategy and Fidelity*. Available online: https://housingfirsteurope.eu/assets/files/2019/10/2019-10-10-HFinEurope_Full-Report2019_final.pdf
- 11 See: Pleace, Nicholas (2016): *Housing First Guide Europe*; German version published by neunerhaus, Vienna. p. 24.
- 12 See for example: Harner, Roswitha (2019): *Verdrängung von Menschen mit niedrigem Einkommen: Der Diskurs zu sozialer Durchmischung aus Perspektive der Wiener Wohnungslosenhilfe* (*Suppression of people on low incomes: the discourse on social mixing from the perspective of the Viennese Advisory Service for Homeless Assistance*). In: Kadi, Justin / Verlic, Mara (Ed.): *Gentrifizierung in Wien. Perspektiven aus Wissenschaft, Politik und Praxis*. (*Gentrification in Vienna. Perspectives from science, politics and practice.*) Position no. 27. Vienna Chamber of Labour; Musterd, Sako/Andersson, Roger (2005): *Housing Mix, Social Mix and Social Opportunities*. In: *Urban Affairs Review*, 40, pp. 761–789; Zychlinski, Jan/Frischknecht, Sanna/Franklin-Habermatz, Ulrike/von Büren, Christian (2015): *Soziale Durchmischung: Mythos oder Realität. Eine empirische Untersuchung eines städtebaulichen Leitbildes am Beispiel der Stadt Bern* (*Social mixing: myth or reality. An empirical study of an urban development model using the city of Bern as an example.*)
- 13 See also: BAWO (2017): *Housing for All. Affordable. Permanent. Inclusive*. Long version.
- 14 The MRG currently stipulates deadlines. A dynamic definition would be possible by defining a period. The period length can, for example, be based on the average duration for financing the construction work.
- 15 See: OÖ Homeless Assistance Services (2018): *Housing for All in Upper Austria*.

Thank you

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