

Analysis of the French's policy against Substandard Housing

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FEANTSA is the European Federation of National Organisations working with the Homeless. It was established in 1989 as a European non-governmental organisation (in French, FEANTSA stands for la Fédération Européenne d'Associations Nationales Travaillant avec les Sans-Abri). The some 100 member organisations of FEANTSA come from about 30 European countries, including 25 EU Member States. Members are non-governmental organisations that provide a wide range of services to homeless people including accommodation and social support. Most of them are national or regional umbrella organisations of service providers. They often work in close co-operation with public authorities, social housing providers and other relevant actors. FEANTSA is the only major European network that focuses exclusively on homelessness at European level.

FEANTSA recognises the interest and pertinence of the policy against substandard housing, which adopts a pro-active approach towards situations, which concern both tenants and home occupiers. If the problem of very old housing stock and the distinction between decent and sub-standard housing are not necessarily shared across Europe, the above mentioned policy implies coordinated and quick action aimed at vulnerable groups, which can be transposed in other countries. Below, FEANTSA raises several questions proposed for discussion at the review.

1. Power of local authorities to act

1.1 Political initiatives

The powers to act under this policy are divided between the mayors and the prefects. We have noted that the political will to act in this area is not always shared by all actors concerned. Priorities differ. There is encouragement from – but no obligation imposed by -- the central government to act. It is worth wondering whether the central government should try to require that all other levels of action produce results.

Other actors are exploring other means with which to exert pressure on the mayors and prefects. The Abbé Pierre Foundation, for instance, has created its own mechanism for detecting unhealthy or dangerous housing, relying on the cooperation of other local associations to do so. Known as SOS-Taudis [SOS-Slum], it consists of keeping a record of poorly housed people reported by associations or welfare workers, and then of conducting a technical and legal diagnosis and organising mediation with the landlord. The Foundation then informs the public authority in case of danger or health hazard situation. If no solution is found, the Foundation can contact the media and authorise a competent association to provide legal advice and support for the tenants to take court action.

This type of initiative shows that cooperation with local associations must be enhanced, so that such NGOs can be counted upon to intervene in the field, in particular for detection purposes.

Furthermore, insofar as the responsibility of mayors and prefects is recognised when it comes to intervening in inadequate housing situations, it should be punishable by law when these political actors are aware of these situations and fail to intervene. Better coordination is needed with justice, so that the latter is aware of this policy and can take it into consideration.

1.2 Means and resources

The powers vested in mayors regarding dangerous and health hazard housing means that they can intervene at a scale close to the actual needs. Nevertheless, mayors must have the capacity and for that they must have the necessary information on financial aid. The mayors of small municipalities in particular are not always familiar with complex financial packages. Furthermore, financing must be easily available for small sums.

1.3 Scope of the task - priorities

The fight against inadequate housing has a very broad meaning and its implementation appears to be ambitious. Inadequate housing situations cover various types of housing, ranging from the house, to caravan, garden shed, hut, or squat. Against this background, it is difficult to imagine that mayors and prefects can intervene for all these types of housing. What are the pragmatic objectives of this policy? Why has it been charted?

If an effective policy is needed, one that does not depend solely on the political will of the mayor, shouldn't the federal government define priorities?

What are the criteria, which allow the mayor and the prefect to set priorities? Won't there be disparities between the cities and, depending on the priorities, cities that will attract people?

Have prefects been vested with powers to fight against health hazards of buildings and blocks in order to avoid a reasoned decision through the ballot box?

Beyond the need for rapid response to an emergency situation, how can strategies be designed, for instance for a whole neighbourhood?

2. Legal domain

FEANTSA has developed a typology of homelessness and housing exclusion called ETHOS. The ETHOS typology begins with the conceptual understanding that there are three domains which constitute a "home", the absence of which can be taken to delineate homelessness. Having a home can be understood as: having an adequate dwelling (or space) over a person and his/her family can exercise exclusive possession (physical domain); being able to maintain privacy and enjoy relation (social domain) and having a legal title to occupation (legal domain).

2.1 The legal dimension

The French policy monitors housing conditions and tries to protect the most vulnerable people from unscrupulous landlords. How do the authorities analyse the legal situation of the occupants? What is the protection for tenants, who do not have a legal tenure, if one of the elements considered by this policy is to allow tenants/home occupiers to stay in their dwelling? What are the measures taken by the State in favour or against occupiers ?

2.2 Should people or dwellings be targeted?

Current policy on inadequate housing is geared more to people than to buildings in that it focuses more on the inhabitant's situation rather than only on the state of their accommodation. Could the opposite not be envisaged?

3. Ownership

French policy is intended to fight against health hazard and dangerous situations, but is not geared to a specific group. Thus, both rented dwellings and those occupied by their owners are targeted. This means that ownership is not always synonymous with good quality, and a person is not protected from health hazards. Nevertheless, the current policy of the French central government is to give priority to ownership through a State subsidy, so as to reduce the borrowing rates. A growing awareness of the health hazards of some dwellings occupied by their owners in France must draw attention to the need for ownership on the long term. It is necessary to introduce advice and guidance mechanisms so that the poorer households that wish to buy a home have the means to maintain their dwelling.

4. Rise in the price of housing

The policy on the fight against inadequate housing raises the inevitable dilemma concerning the housing supply and access. Renovation and improvement of the supply as a whole entails a rise in selling prices or rents – to the detriment of the dwellings concerned, whose quality of life was to be improved from the operation. Social desegregation can no longer be guaranteed either.

In France, when the central government contributes financially to the renovation of dwellings, the rents must be kept for the term of the lease or for a period that can go up to 10 years (convention). Other mechanisms relating to selling are foreseen. No long-term solution has been found however.

5. Furnished hotels and accommodation centres

This policy in France came as a response to the fires that broke out in furnished hotels in 1998. Can the managers of these hotels be required to keep prices down after the renovations? Does the policy on inadequate housing concerns also the accommodation centres for the homeless and buildings used by the social services because of lack of room?

6. Lead poisoning / saturnism

Thanks to a public health law, lead poisoning can be treated by emergency measures in France, thereby enabling the prefect to undertake works and remove minors. Could any other measures be considered when health hazards entail other serious risks?

Opportunities/ positive points	Challenges/ negative points
<ul style="list-style-type: none"> - Prevention policy: Focus concentrated on unhealthy and dangerous dwellings to prevent further deterioration and loss of the dwelling. Link between housing and homelessness. - Will to renovate dwellings and enable occupants to stay in them: social desegregation. - Observation that the dwellings occupied by owners are also affected by health hazards and deterioration. - This approach makes it possible to improve the living conditions of the poorest members of society: the elderly, persons living alone, migrants. - Inadequate housing detection mechanisms: pro-active policy (poor and vulnerable occupants will not take the initiative to renovate). - Means and resources to fight against owners who take advantage of the vulnerability of occupants to rent unhealthy and dangerous dwellings. - Strict rules and coercive means to force owners to carry out renovation works. - Existence of a national unit in charge of the coordination between actors (health and housing ministries), communication and training - Not all housing qualified as inadequate is declared uninhabitable or illegal. 	<ul style="list-style-type: none"> - Problems of coordination between the central government and the local authorities: the mayors and local authorities are often not aware of the basic tools. - Inaction on the part of mayors - People often do not know their rights and obligations regarding the renovation of their home. - Financial mechanisms help owners to carry out works, but poorer people do not have the means to contribute to the financing. - Lack of coordination with justice: very few judgements delivered against the owners. - Finding and coordinating financial resources requires mobilisation, qualification and the will to act. - Shortage of re-housing and accommodation supply; difficult to rehouse people during the works; - Need for local partners to mobilise more. - The amount of financial resources is too high for isolated cases of small dwellings.