

RENTERS' RIGHTS IN EUROPE



RENTERS'
RIGHTS
LONDON



DID YOU KNOW...

...THAT IN DENMARK YOU CAN STAY IN YOUR HOME INDEFINITELY? **3**

...THAT IN FRANCE YOU CAN'T BE EVICTED IN WINTER? **4**

...THAT IN GERMANY LANDLORDS COMMIT AN OFFENCE IF THEY CHARGE 20% MORE THAN THE AVERAGE RENT FOR THE AREA (10% IN BERLIN)? **6**

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RENTERS' RIGHTS IN DENMARK



PROSPECTIVE TENANTS

Just like in the UK, landlords in Denmark are free to choose their tenants, as long as rejections are not discriminatory. But in practice, it's hard to prove that you have been discriminated against (for example, on the basis of gender, sexuality, or race). Screening tenants based on lifestyle is not common, but landlords can ask you for financial information, so it's your own risk to refuse to give it. Sharing information about current or former tenants is illegal; on the other hand there are no registries of bad landlords either.



THE RENTAL AGREEMENT

Just like in the UK, in Denmark you have certain rights regardless of whether or not you have a written contract. But there are some big differences: for example, if your landlord sells your home you still have the right to live there and the new owner has to stick to the old contract. Tenancies last indefinitely unless the landlord gives a valid reason for a fixed term, for example if he can prove that he is selling it.



DURING THE TENANCY

Landlords are obliged to keep their properties in good repair both inside and outside. They also have to ensure peace and order, but it's open to interpretation whether this includes things outside the house. If a landlord refuses to do repairs, you can take him to a Rent Tribunal, although this might take some time as the Danish legal system can be frustrating. If the landlord fails to repair any material defect or has acted fraudulently, you can also end the contract without notice or claim rent reductions.

All types of rented homes are subject to rent regulation. There are four different categories and each category has a maximum rent. In general, the rules on rent control are very difficult to understand. There is no set formula for calculating rents. Instead, you can go to a Rent Tribunal if you think the rent is too high.

The landlord can also put the rent up if he can show that his costs have increased and if you disagree with the increase you can go to a Rent Tribunal.

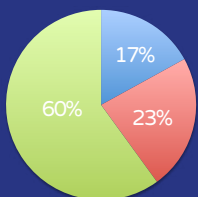


ENDING THE TENANCY

You have to give your landlord three months' notice when you want to move out. If you're on a fixed-term tenancy your landlord has to agree, but most tenancies are not fixed-term anyway.

The landlord can only make you move out if you have done something wrong or in a few other cases, for example if the property has to be demolished. He has to give you three months notice. If he wants to live in the home himself, he has to give you one year's notice. If there is a dispute, a special Housing Court decides whose housing needs are the greatest; the landlord's or yours.

CONTEXT



- Private rental
- Social rental
- Home ownership

Finding high quality and affordable housing is often a struggle for tenants in Denmark.

Housing legislation is difficult to understand because of many contradictory statutes.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
- EUROSTAT database

More information:

www.rentersrightslondon.org



RENTERS' RIGHTS LONDON

RENTERS' RIGHTS IN FRANCE



PROSPECTIVE TENANTS

The French law does not say anything about the landlord's choice of tenants. They cannot discriminate against you, but it might be difficult to prove that they do.

Landlords have to respect your privacy and there are strict rules about how much they can know about your private life. Unlike in the UK, they CAN'T ask you for documents such as identity pictures, bank statements and criminal record extracts.

Your landlord is allowed to blacklist you, but only if they tell you first.



THE RENTAL AGREEMENT

Tenancies in France are always fixed-term. If the landlord is a corporate body, the contract's length is six years. If the landlord is an individual, the duration is three years. If you're a student and your home is furnished, then the length is either one year or nine months. However, it is not easy for landlords to end the contract after the fixed period (see ending the tenancy).

Just like in the UK, you have to pay bills separately from rent.



DURING THE TENANCY

The law on repairs is quite strict in France. If the repairs are serious, a judge can force the landlord to do them or impose rent reductions. If the landlord refuses to do them, you can end the contract without notice. Just like in the UK, the landlord also has to give you peaceful enjoyment of your home.

France does have rent regulation, but it only applies to about 40 per cent of the population in 38 cities. In practice, these are cities with more than 50,000 inhabitants. In these areas, rent increases are pegged to inflation. It is normal to put the rent up each year or when you sign a new agreement. In non-rent controlled areas, rent is determined by the market.

Just like in the UK, landlords may only enter your home with your permission. Without your permission, the landlord might have to pay a fine or even go to prison for a year.



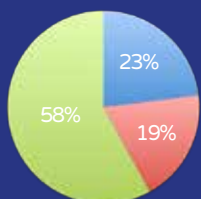
ENDING THE TENANCY

You have to give your landlord three months' notice if you want to move out. In certain cases, for example if you get a new job in another area, you can give one month's notice. If there is a serious disrepair, you can leave without notice.

Your landlord can only make you move out for one of three reasons: if he needs the home for himself or a relative, if he is selling the home or if you have done something wrong such as not paying rent. No eviction is allowed during the winter period from 1 November to 31 March.

There are extra protections for specific groups, for example over-65-year-olds on low incomes.

CONTEXT



- Private rental
- Social rental
- Home ownership

One of the biggest problems in the national rental market is what the French call "marchand de sommeil", which literally means "people who sell sleeps". Because the poorest often have difficulties to access the rental market, some landlords take advantage of them.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
- EUROSTAT database

More information:

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RENTERS' RIGHTS LONDON

RENTERS' RIGHTS IN GERMANY



PROSPECTIVE TENANTS

Just like in the UK, landlords can't discriminate against particular types of tenants, but it is difficult to prove if they do. Landlords can only ask for information about your finances and your identity. Landlords can interview you, your employer or your last landlord. They can also ask to see your payslips. They can't ask you about things like your sexual orientation or health.

Tenant blacklists are legal, but there are some limits about what information can go on them. Landlords have to pay blacklisting companies for the information.



THE RENTAL AGREEMENT

Most tenancies last indefinitely. Fixed-term tenancies are allowed, but the landlord must give one of three reasons for them: if they need to use the home themselves, if they need to do extensive renovation or if they need to rent the home out to one of their own employees. Tenancy agreements don't have to be in writing, unless they are fixed-term and longer than a year.

Bills and maintenance are sometimes included in the rent and sometimes not; this is for you and the landlord to decide.



DURING THE TENANCY

The landlord is responsible for repairs, but you must tell him about them immediately, otherwise you could become liable for the costs. If the landlord refuses to do them, you can demand a rent reduction or exemption.

On 5 March 2015, the Federal Government passed a new law which introduced a new rent control system. In certain areas with high housing pressure, rents may not exceed 10% of the average rent in that area. The law came into force on 1 June 2015.

Even in other areas, where this new rule does not apply, there is still some rent control if there is a limited supply of housing in an area. For example, landlords cannot demand rent that is more than 20% of the local average. If they demand more than 50% in of the local average, it is a criminal offence.

Your landlord can increase your rent, but only if they have improved your home and only in line with inflation.

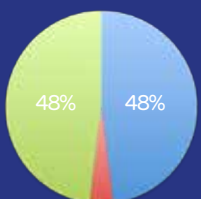


ENDING THE TENANCY

Most tenancies in Germany are indefinite and you have to give your landlord three months notice if you want to move out. If your tenancy is fixed-term, you have to have a valid reason for ending the tenancy, for example serious disrepair. The same applies to landlords.

Unlike in the UK, your landlord cannot make you move out unless they have a good reason, for example if you have stopped paying your rent. They have to give you between three and nine months notice. You can go to court if you object to the ending of your tenancy. Courts are often sympathetic to tenants.

CONTEXT



- Private rental
- Social rental
- Home ownership

Affordability is increasingly becoming an issue in the bigger cities, partly because there is a huge shortage of social housing.

Letting agents in the bigger cities increasingly ask high fees of their tenants.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
- EUROSTAT database

More information:

www.rentersrightslondon.org



RENTERS' RIGHTS LONDON

RENTERS' RIGHTS IN THE NETHERLANDS



PROSPECTIVE TENANTS

In the private rented sector, landlords can freely choose their tenants. Just like in the UK, selection in the social rented sector is based on need.

Commercial providers can provide both social and private rentals. The same applies to housing associations.

Institutional landlords are allowed to blacklist tenants, but individual landlords can't access this list. Some organisations, such as student unions, keep lists of bad landlords, but there is no statutory requirement.



THE RENTAL AGREEMENT

Just like in the UK, you don't need a written agreement: if you have proof of paying rent, it is assumed that there is a contract.

Most tenancies last indefinitely, but exceptions are possible, such as student contracts. If you're on a fixed-term contract, you must give a minimum period, for example one year, but your landlord can't make you move out without good reason.

Just like in the UK, bills and local taxes are sometimes included in the rent and sometimes not.



DURING THE TENANCY

Landlords are responsible for repairs. If they refuse to do so, you can go to court to get a rent reduction and it is up to the judge's discretion.

Rent levels are based on a points system. The points system determines the maximum price according to characteristics of the home, for example whether it has a garden, a bath, or how energy efficient it is. If the points add up to more than € 710,68 per month, landlords are free to set the rental price themselves. This also includes housing associations.

Rent increases can only happen once a year and it's quite common for increases to be pegged to inflation.



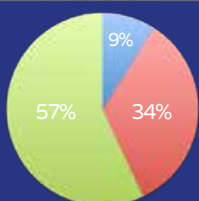
ENDING THE TENANCY

If you want to move out, you usually have to give your landlord 1 month's notice, unless you're on a fixed tenancy.

Unlike in the UK, your landlord can't make you move out if you don't want to, apart from in certain cases, for example if you have done something wrong or if he can prove that he needs the house himself. The landlord has to give you one month's notice for every year that you have lived in your home, apart from in fixed-term tenancies.

Just like in the UK, landlords can't evict you without a court order. Unlike in the UK, the court will weigh the tenant's needs against the landlord's needs.

CONTEXT



■ Private rental
■ Social rental
■ Home ownership

The Dutch system is unusual, because the difference between social renting and private renting is only based on rent: homes that cost more than €710,68 are considered privately rented and homes with a rent under this amount are considered socially rented, regardless of who owns them.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
 - EUROSTAT database

More information:

www.rentersrightslondon.org

RENTERS' RIGHTS IN SPAIN

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PROSPECTIVE TENANTS

Just like in the UK, landlords can't discriminate against particular types of tenants, but it is difficult to prove if they do. Landlords can ask for your personal and financial information, but you only have to tell them things that are relevant to your tenancy; for example how many children you have, but not your sexual orientation.

There are no accessible blacklists of bad tenants or landlords, but landlords can carry out checks, for example credit checks or use court registers to see if you have a conviction.



THE RENTAL AGREEMENT

Tenancy agreements may be either verbal or in writing. You have the right to stay in your home for at least 3 years, but you usually have to commit to a year at a time. If you want to stay after your 3 years is up and your landlord agrees, your contract rolls on year by year (unlike in the UK where a contract rolls on every 2 months).

You have to pay for bills like water or electricity, but local taxes and services are paid for by the landlord, unless you agree something different in the tenancy agreement.



DURING THE TENANCY

During the first six months, if you find something wrong with your home that you didn't know about when you moved in, you can go to court to end your contract or request a rent reduction. Just like in the UK, landlords are responsible for serious disrepair like mould or broken boilers. If repairs aren't carried out you can go to court to leave your contract or claim a compensation.

There is currently no rent control in Spain. Your landlord is free to set any rent he likes. Just like in the UK, rent can only be increased once a year, but by any amount. Since 2013, rent increases no longer have to be linked to inflation.

Just like in the UK, your landlord can't come into your home without your permission or a court order. If he does, he can be charged with trespassing.

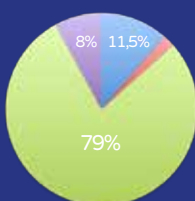


ENDING THE TENANCY

You can leave at the end of each year by giving 30 days' notice. If you want to leave sooner, you can do so after six months, but only if you pay one month rent for every year left on the contract - and this 'break clause' has to be in your contract. If your landlord fails to meet his obligations, you can leave.

During your first three years, your landlord can only ask you to leave after every year if he can prove that he wants to move in himself, for example in the case of a divorce. If he doesn't move in within three months, then your contract is reinstated or you can get compensation. Otherwise, he can only make you leave if you have stopped paying rent or caused damage. This is in line with most of Europe, apart from the UK.

CONTEXT



- Private rental
- Social rental
- Home ownership
- Other

Nearly 14% of homes in Spain are empty, but they're often not in the right area or they're used as second homes.

Affordability is a big problem for lower income households as workers on minimum wage are likely to spend more than 85% of their income on rent in the private rental sector.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
- EUROSTAT database

More information:

www.rentersrightslondon.org



RENTERS' RIGHTS LONDON

RENTERS' RIGHTS IN SWEDEN

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PROSPECTIVE TENANTS

Just like in the UK, landlords can't discriminate against particular types of tenants, but it is difficult to prove if they do. Usually landlords carry out a credit check on you and ask for employment or income guarantees.

The Swedish Union of Tenants has a blacklist of landlords which they publish in their magazine. It's likely that landlords have some blacklists of tenants, but given the powerful Swedish Personal Data Act these may only be shared from person to person and must be in writing.

Tenures in Sweden are different from many other European countries. See 'context' below for more information.



THE RENTAL AGREEMENT

Tenancy lengths are open-ended, so you can stay in your home as long as you like.

Usually heating and water bills are included in your rent, but electricity bills often aren't. If you're in a housing co-op, rent levels are usually agreed on through collective bargaining.



DURING THE TENANCY

Just like in the UK, your landlord is obliged to carry out repairs, but unlike in the UK if he fails to do so, you can claim compensation, a rent reduction or leave your fixed-term contract.

Unlike the UK, Sweden has rent control. Rent tribunals decide what's a reasonable rent based on the utility value of the home, rather than on demand. So in practice, social rents set the norm for private rents. Social tenants have a say in social rent levels, so indirectly they also affect private rents. This means it is difficult for private landlords to make huge profits, so sometimes they cut their costs or services instead.

Usually landlords have to agree rent increases with the Swedish Union of Tenants and the rent tribunal deals with cases where parties cannot agree. Rent increases are only possible every six months.

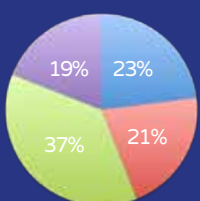


ENDING THE TENANCY

You can leave your home at any time, even if you're on a fixed-term tenancy. You have to give three months' notice. Even if your contract states otherwise you have the right to stick to this period if you want to.

Unlike in the UK, landlords in Sweden can only make you move out if you have stopped paying rent or failed to tell him about serious damage. The landlord has to go to a rent tribunal or a district court to evict you.

CONTEXT



- Private rental
- Social rental
- Home ownership
- Co-operatives

Tenures in Sweden are a bit different from what we're used to here. The "municipality-owned housing companies" basically function the same as our housing associations but there are no income limits. Housing co-operatives are associations which collectively own a building, of which you can then buy a share, your home. You have a similar ownership right as here, but you can't use it as capital investment.

Sources:

- TENLAW Report "My Rights as Tenant in Europe"
- EUROSTAT database

More information:

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