

25/5/2016



Renting out your residence to a refugee.

*Many asylum seekers who have received a residence permit are looking for a rental home.
You would like to rent out a residence, but you have some questions about the operational steps?
This brochure will tell you all about it.*

INHOUD

1.	Terminology explained.....	3
1.1.	What is an asylum seeker?.....	3
1.2.	What is a refugee?	3
1.3.	What is a war refugee or beneficiary of subsidiary protection?.....	3
2.	Living necessity in belgium.....	3
3.	Accommodation – a challenge for recognised refugees.....	3
4.	Practical.....	4
4.1.	A refugee as a tenant	4
4.2.	The rental deposit	4
4.3.	Renting out to a ocmw-client.....	4
4.4.	Do recognised refugees receive support?.....	4
4.5.	What support is there for you as a landlord?	4
5.	Am I allowed to rent out to a non-accompagnied foreign minor?	5
6.	Cohousing.....	5
7.	Good to know.....	5
8.	Any questions?.....	6

1. TERMINOLOGY EXPLAINED

1.1.WHAT IS AN ASYLUM SEEKER?

People fleeing war, violence and prosecution can apply for protection (asylum) in our country. In that case they have to submit a request for asylum at the Immigration Office (Dienst Vreemdelingenzaken). The Commissioner-General for Refugees and Stateless will investigate their application. During the asylum procedure, the applicants are called 'asylum seekers'. They have the right to accommodation and counseling and reside in collective shelters or individual residences.

1.2.WHAT IS A REFUGEE?

Asylum seekers who meet the criteria of the Geneva Convention will be recognized as refugees. They will get a special residence permit under refugee status. That way they can not be sent back to their native country. Refugees used to receive a residence permit for an unlimited period of time. Recently however, Parliament authorized a legislative change, limiting residence permits to five years. If after five years, the reasons why a person was granted refugee status are still valid, this permit will then become a residence permit for an indefinite stay. This change will take effect from the moment it is published in the Belgian Office Journal.

1.3.WHAT IS A WAR REFUGEE OR BENEFICIARY OF SUBSIDIARY PROTECTION?

People fleeing war usually don't fit the definition of the Refugee Convention (Geneva Convention). Their lives are in danger nonetheless. Because of this they can acquire subsidiary protection. Beneficiaries of subsidiary protection get a one year residence permit, twice renewable for a period of two years. The permit will be renewed if the conditions in their home country remain problematic. After five years they will receive a residence permit for an indefinite period of time¹.

2. LIVING NECESSITY IN BELGIUM

For years, Civil Society organizations have been sounding the alarm bell about the shortage of affordable homes. This is problematic for all tenants in a precarious situation.

In 2015, in Belgium, the number of asylum requests, and correspondingly the recognition rates, increased significantly. In 2016, this led to an increase of recognized refugees and beneficiaries of subsidiary protection that had to leave the asylum shelters. This means they have to go looking for a place to rent. As a result, the strain on the more affordable part of the rental market grows even bigger.

3. ACCOMODATION – A CHALLENGE FOR RECOGNISED REFUGEES

Most refugees led a life very similar to that of you and me: they went to work, owned a house, had children that went to school... Fearing for their lives, they abandoned everything and fled their home country perforce.

Those who receive a residence permit after going through an asylum procedure will get the opportunity and the responsibility to build a new life here. Within two months they are expected to leave the asylum shelter and find a place to live on the private housing market. They will have to do this without a social network, with limited knowledge of the housing market and a limited income.

¹ You can find more information on residence permits on <http://www.kruispuntmi.be/thema/vreemdelingenrecht-internationaal-privaatrecht/verblijfsrecht-uitwijzing-reizen/asiel/verblijfsrecht-en-asiel>

Finding a home is the first step in the process of integration. Without housing it is as good as impossible to enroll in a language course, to call on the OCMW for counseling, to have their children attend school, etc. As a landlord you will be able to help them get a fresh start in life.

4. PRACTICAL

4.1.A REFUGEE AS TENANT

A refugee or beneficiary of subsidiary protection generally possesses the same rights and obligations as a tenant who has been living in Belgium for a longer period of time. They are allowed to work, go to school, etc.

The road to a job is a rocky one. Recognized refugees who have just left the asylum shelter are, in most cases, still learning the language. They will not have had the chance to homologate their degree. People who haven't found a job yet, can apply to the OCMW for guidance and welfare benefits.

Depending on the client's demand, the OCMW can support them for the most part. If you like, you can go to the OCMW together with the candidate-tenant, where a staff member can explain what guidance can be provided. They can also be helpful in drawing up a clear rental agreement.

4.2.THE RENTAL DEPOSIT

If a potential tenant is unable to pay the deposit himself, the OCMW can intervene. Every OCMW has its own way of operating, but usually the deposit will be put in an escrow account or the OCMW provides a letter that they stand guarantor ('borgbrief'). This has to be approved first. Some OCMW can accelerate the approval of rental deposits, others can take a while longer.

4.3.RENTING OUT TO AN OCMW-CLIENT

An OCMW social worker will guide the clients, this is advantageous for you as a landlord . In case of tardy payments or other worries, you are able to consult the OCMW together.

The OCMW requires time to grant all rights to a possible tenant. A recognized refugee who has found a home has to consult the local OCMW for social welfare and/or a rental deposit, after which the OCMW will undertake a social investigation. It could take up to a few weeks before the tenant will be able to actually rent the home.

4.4.DO RECOGNISED REFUGEES RECEIVE SUPPORT?

New arrivals in our country are not yet well-informed about all the written and unwritten rules of Belgium. Support by social services and volunteers could help people to find their way more easily. How do we recycle? When is garbage collection day? At what time should it be quiet in a residential area? Are there specific maintenance requirements for a home? How do you communicate with your new neighbors?

Those who receive social welfare automatically get assigned to an OCMW social worker.

With other services, people can request support on a voluntary basis, if offered in their region. Therefore multiple CAW offer living support. This means they support people, who have found a home, during their stay. This can go from explaining how recycling works to mediating in housing issues.

4.5.WHAT SUPPORT IS THERE FOR ME AS LANDLORD?

As a landlord you can join the non-profit Verenigde Eigenaars (Unified Owners) for support, information and legal assistance (www.ve-pr.be). At the same time local housing shops offer information and support to owners (www.wonenvlaanderen.be/huren/u-zoekt-een-betaalbare-huurwoning).

The CAW can help in answering possible questions as well. Either they will be able to help you in finding your answers or they will refer you to the right agency. The housing counseling can, if necessary, mediate between you and the tenant (www.caw.be/caw-in-je-buurt).

When the tenant gets OCMW counseling you can apply for mediation. OCMW-employees have professional confidentiality and are not allowed to share information about their clients, but they can contact them. If there is a good line of communication with the tenant, you and s/he can go to the OCMW together and talk about the living situation and anything that comes along with renting a home. This usually facilitates the process.

5. AM I ALLOWED TO RENT TO A NON-ACCOMPANIED FOREIGN MINOR?

Yes, this is allowed. The lease will be signed by the minor and his guardian. With regard to further questions about renting out to non-accompanied minors it is best to contact the Platform Children on the run (www.kinderenopdevlucht.be).

6. COHOUSING

Are you living in community housing, a cohousing project or another form of cohousing and you would like to rent out part of the residence to a recognized refugee? That is possible. Mind you, a recognized refugee has to be able to register his legal domicile. In case multiple people are domiciled at the address, and one of the residents receives (complementary) social welfare, this could alter this person's social benefits.

7. GOOD TO KNOW

Are you familiar with the **rent's guarantee foundation**? This foundation (mostly) guarantees rent payment in case of overdue payment. Therefore it also prevents eviction of the tenant. The rent's guarantee foundation is little known. You can find more information about this foundation on www.wonenvlaanderen.be/premies/het-vlaams-huurgarantiefonds-bescherm-uzelf-tegen-huurachterstand.

Prevent misunderstandings and frustrations by explaining everything beforehand. How does recycling work? Where can garbage be stored? When and from what time on are garbage bags allowed to be put outside? Are there special requirements for cleaning (like cleaning a parquet floor or porous tiles)?

Is it hard to communicate because of a difference in language? Consult the **CAW** to see if they are able to help with mediation and interpreting.

You can also decide to rent out your property through **a social rental office**. This has some benefits. Every month the rent will be paid promptly. You will have less paperwork to fill out. You might receive special funding and the tenants are guided by the social rental office itself. In return, the rental office expects a few things from the landlord, such as affordable rent and a long rental period. You can find more information on these websites:

<https://www.vmsw.be/Home/ik-ben-particulier/Verhuren-aan-een-sociaal-verhuurkantoor>

<https://www.wonenvlaanderen.be/verhuren/verhuren-aan-een-sociaal-verhuurkantoor-svk>

8. ANY QUESTIONS?

Take a look at these organizations:

Vluchtelingenwerk Vlaanderen (Refugee Action Flanders): www.vluchtelingenwerk.be/huisvesting

Orbit vzw – project Woning gezocht – buren gevonden (Orbit non-profit – project Home wanted – neighbours found): www.woninggezocht.be

Platform kinderen op de vlucht (Platform children on the run): www.kinderenopdevlucht.be

Centrum Algemeen Welzijnswerk (Centre General Social welfare): www.caw.be/caw-in-je-buurt

Wonen Vlaanderen (Housing Flanders): www.wonenvlaanderen.be

Verenigde Eigenaars (Unified Owners): www.ve-pr.be

This brochure has been made possible with the support of Fedasil and the Agentschap Jongerenwelzijn

fedasil
FEDERAAL AGENTSCHAP VOOR
DE OPVANG VAN ASIELZOEKERS

jongerenwelzijn
JONG LEVEN RICHTING GEVEN