

# Lacunae in the prevention of PRS evictions: the perspective of social service providers

Bart Put, Emma Hens & Inge Pasteels

European Research Conference on Homelessness – Budapest, Hungary

12 September 2024



**UNIVERSITY OF APPLIED  
SCIENCES AND ARTS**



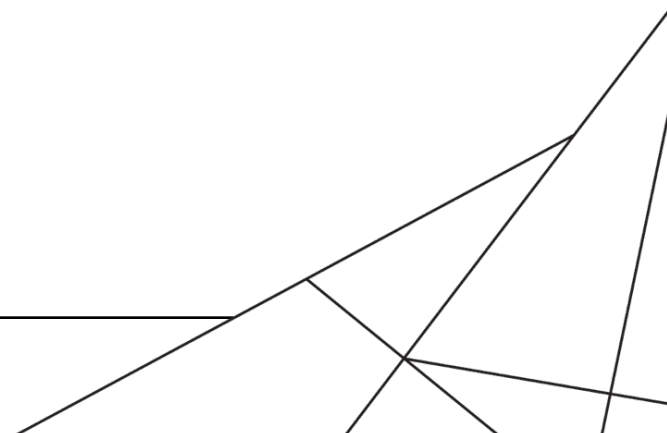
Elfde-Liniestraat 24, 3500 Hasselt, [www.pxl.be](http://www.pxl.be)

# Outline

# Outline

- Context: Flanders
- Research question
- Methodology
- Preliminary results
- Conclusions

# Context: Flanders



# Context: Flanders

- Northern, dutch-speaking part of Belgium
- Approx. 6,8 million inhabitants
- ‘Homeowner’ society (Heylen & Verstraete, 2019):
  - Approx. 72% homeowner households
  - Approx. 19% private rental households (PRS)
  - Approx. 7% social rental households (SRS)

# Context: Flanders

- Increasing pressure on SRS (Wonen in Vlaanderen, 2023):
  - number of candidates: from 154k in 2018 to 176k in 2022
  - average waiting time: from 3,5 years in 2018 to 4,1 years in 2022
- Affordability indicators PRS (Heylen & Vanderstraeten, 2019):
  - Approx. 52% PRS households above the 30% housing cost ratio
  - Lowest income quintile PRS: approx. 80% above the 30% housing cost ratio

# Context: Flanders

- Number of (judicial) evictions:
  - Court procedures initiated: 10.072 in 2020 (Debast, 2021)
  - Eviction orders processed by bailiffs: 1906 in 2022 (Veys, 2023)
  - Estimated 80% are PRS (Meys & Hermans, 2014; Godart et al. 2023)
- Caution: 'eviction' vs 'judicial eviction' (e.g. Hartman & Robinson, 2003):
  - Legal ways to end contracts
  - Non-renewal of short-term contracts
  - Cash-for-keys
  - Illegal practices

# Context: Flanders

- Local Courts of Justice of the Peace (CJP's):
  - Power to dissolve rental agreements through official legal procedures
  - Mediation hearings (agreements have power of a verdict)
- Local Public Centres for Societal Wellbeing (PCSW's):
  - Notified by CJP of pending cases (close to introductory hearing) (Verstraete et al., 2018)
  - Offer legal, financial and administrative support
  - Including access to 'Fund Against Evictions' (FAE) to help clear rent arrears (Vermeir, 2022)
- Regional Centres for General Welfare (CGW's):
  - Preventive (outreaching) housing support teams
  - Main expertise: behavioural issues (maintenance, nuisance,...)
- Tenant Unions



# Research question

# Research question

*What are the experiences of social service providers working to prevent evictions in the private rental sector?*

# Methodology

# Methodology

- Qualitative study: 37 in-depth interviews, 2 additional focus group discussions
- Semi-structured interviews, using a flexible protocol including questions on:
  - professional and organizational background
  - nature of experiences with evictions
  - experiences with private landlords
  - type of actions taken
  - experiences with collaboration with/referral to and from other service providers
  - main lacunae, main factors of success
- Analysis: thematic coding of conversation transcripts

# Methodology

Type of organization	Number of participants
PCSW	Int.: 19 - FG1: 3 - FG2: 1
CGW	Int.: 5 - FG1: 1 - /
Tenant union	Int.: 1 - / - /
Community work	Int.: 3 - / - FG2: 1
Sheltered housing	Int.: 2 - / - /
Poverty organization	Int.: 1 - / - /
Social housing	Int.: 5 - FG1: 1 - FG2: 2
Mobile crisis intervention (EKWO)	Int.: 1 - / - FG2: 2

# Preliminary results

# Preliminary results

1. The big gap with the PRS
2. Limits to action:
  - Time
  - Information
  - Role concept
  - Professional ethics
3. Knowledge gaps

# Preliminary results: 1. The big gap with PRS

- While structurally well-connected to SRS actors, PRS is more difficult
- PCSW's:

*I: Are there actors that can report problems, but who you never receive any signals from?*

*R: Yes, that PRS part then I think.*

*I: Yeah so from landlords?*

*R: Landlords yes [PCSW 1]*



# Preliminary results: 1. The big gap with PRS

- PCSW's (ctd.):

*R: I also think that especially landlords and real estate agents are not always aware of our services and what we can do. I think there should be a bit more knowledge about social services. [...] Most often, now, when problems arise, they hire a lawyer. Maybe it is a good idea that they would consider other options, like the FAE, an option which can be asked for by a landlord as well. [...] Maybe this is something that can be worked on. There's a lot of preventive work out there focused on tenants, but not on landlords. [PCSW 12]*

# Preliminary results: 1. The big gap with PRS

- CGW preventive housing support team:

*R: We don't see that many referrals from the PRS at the moment, also because I have the feeling that our services still aren't very well known. Often, we receive reports by the PCSW, but very rarely it is the tenant itself that gets in touch with us. [CGW 4]*

*R: It is mainly focused on the SRS, because in the PRS, there are different 'supply lines' you see. It works with registrations. The social housing companies still have links with PCSW's for example, structural links with smooth-running communication. In the PRS, we have had a project in preventive housing support, but you actually need to put a number of structures in place, towards which people can find their way. [CGW 1]*

# Preliminary results: 1. The big gap with PRS

- CJP remains main link with (potential) PRS evictions for many social services:
  - PCSW: CJP has the legal obligation to notify PCSW of pending cases
  - CGW: either mobilised through PCSW (if rental issues are behavioural in nature), or by the judge based on the introductory court hearing

➔ Social service providers mostly enter only in the legal stage

# Preliminary results: 2. Limits to action

- Limits related to the time frame:

*R: Some landlords simply wait too long to signal the issue. And then it is not possible anymore for the tenant to come to some sort of solution. Also with regard to maintenance, sometimes the property is already in such a state that it is really serious. [PCSW 9]*

*R: If I look at what I've been doing today, so if a petition has been made on the 14th of november, we get the notification [by the CJP] on the 16th, and the hearing is already scheduled for the 25th. So in fact I need to have my letter sent today (with urgency) if you want the tenant to have it tomorrow, to have him informed quickly enough and give him the chance to have a meeting with us prior to this hearing next week. [PCSW 9]*

# Preliminary results: 2. Limits to action

- Limits related to the time frame (ctd.):

*R: If we receive a verdict or a notification of the CJP, then we will always try to get in touch. [...] If we have space and the people cannot be reached by phone, we will also pay a house visit. I am convinced you can reach people much better that way. If you really go out and ring the doorbell, leave a card in the mailbox. Really the outreaching type of work. What we may have lost a bit in today's rush. [PCSW 13]*

*R: I am convinced that paying house visits in an active manner, again and again and again, is a better way [than sending letters]. But we don't really have the staff to do that in a very intensive way. [PCSW 17]*

# Preliminary results: 2. Limits to action

- Limits related to information:

*R: If people are known by our social services, then it is the social assistant of that client that picks up on it and looks into it. [...] If the person is not known by the social services of the PCSW yet, then a standard letter is sent, because you can... because we only have an address. [PCSW 1]*

*R: The PCSW is informed automatically [by the CJP] when there are financial issues. But when there are different types of problems, such as pollution, nuisance and so on, then nothing is done with that really, and that's a pity, which lies with the CJP. [CGW 4]*

# Preliminary results: 2. Limits to action

- Limits related to information (ctd.):

*R: Generally, it is about rent arrears. It is less about nuisance, and if it is, it is often in combination with rent arrears. The reason why this is so, I believe, is because it is much more difficult for the landlord to prove there is nuisance. To be able to break a rental contract on this basis, there really have to be official police reports, repeat complaints, and even then it is 'word against word', and the court will seldomly judge in favour of the landlord, unless it is really clearly proven. [PCSW 12]*

# Preliminary results: 2. Limits to action

- Limits related to information (ctd.):

*R: Sometimes it would be interesting to have the verdict for example. Because we do get the petition, but we don't know to what it will lead in the end. Is there going to be an eviction or not?*

*I: You don't get to know that?*

*R: No, unless the bailiff actually sends a letter saying I have serviced the judgment and I'm going to evict them in a month. But not every bailiff does that, I believe. [PCSW 2]*



# Preliminary results: 2. Limits to action

- Limits related to the role (concept):

*R: If people don't have enough money, if there's a loss of income, if they can't manage their finances very well, we can enter them into a budget management program, budget counseling, put a CGW buddy on it, ... But with regard to housekeeping, the behaviour as a 'good housefather', we can't do much as a PCSW. [...] With a lot of complaints, we can't do much. You may call as a neighbour of... that there is an argument going on... we can talk to that client about it, but we cannot stand next to him like a concierge all the time and say... And also, what people say here, and what they actually happens at home might be a different story. [...] Do I need to say to my client: you cannot have visitors at three a.m. in the morning? [PCSW 2]*

# Preliminary results: 2. Limits to action

- Limits related to the role (concept) (ctd.):

*R: If it is only about rent arrears [...], then we refer to the PCSW. It happens that people are registered for our services only because of rent arrears, and the philosophy of the CGW is that we are in fact not a debt collection agency, so we're not going to do that. Maybe financial issues are part of the problem, but there always have to be multiple issues. So if financial issues are the only problem, we don't enter the client into our support program.  
[CGW 4]*

# Preliminary results: 2. Limits to action

- Limits related to the role (concept) (ctd.):

*R: It is a bit difficult, those people [landlords] expect a lot of you once you get involved, while you are there for your client in the first place. So then you have to be clear and explain your role, that you are there for your client in the first place. [PCSW 10]*

*R: You are in a double chair, right, you understand the landlord of course, but you're also the voice of your clients. And that is difficult as well, because you need the landlord to be on good terms with you, because if he would have bad experiences with the PCSW, it can be negative for rental agreements in the future. [PCSW 5]*

# Preliminary results: 2. Limits to action

- Limits related to the role (concept) (ctd.):

*R: If you interpret it [landlord complaint concerning rent arrears] as a request for help, then it is somebody who actually says: I can't sort it out myself. I can't exhaust my rights. And of course you will support the requester from that point of view and say 'look, from two months arrears onwards, you have the right to go to court' or 'you can try and ask for mediation' [...]. Sometimes the situation is very sad for them. So, at the moment a landlord asks a question, I think you have to handle it as a request for help. [PCSW 14]*

# Preliminary results: 2. Limits to action

- Limits related to the role (concept) (ctd.):

*R: We have started to build on that [contact with landlords]. [...] The majority of the colleagues are legal specialists, people with a training in law, who look at things in a very legal way, and before they know it actually always work in a zone of conflict. [...] We are reversing that now, because I have sent a number of employees to a mediation course last year to see 'can we solve things ourselves that way'. [...] There's a very delicate layer. If we can get this vulnerable group to us, then they give us their trust. [...] So we need to watch carefully what we do. But we want to, because we are convinced that this dialogue [...] helps. [Tenant Union 1]*

# Preliminary results: 2. Limits to action

- Limits related to professional ethics and secrecy:

*R: We are bound by professional secrecy. In principle I cannot go and tell the landlord yes my client has financial problems or this or that. [...] We sometimes try to warn the client: the fact that your landlord called us means that he is still open to look for a solution. But we have professional secrecy, so it's not that evident. Moreover, a PCSW can make promises, but it is the client that needs to pull it off. [...] It is not because people are in a budget management program, that we can be 100% sure that they will pay the rent. [PCSW 6]*

*R: It depends, I have files where I do have contact with the landlord, to whom I say oh, I'm going to phone [the tenant] to ask what has happened. But for example yesterday someone called, and I haven't seen that client in three years [...]. So then we have to say to the landlord look ik can only say to you: ask him to contact us. [...] because in fact I can't even say to the landlord that we know this person. [PCSW 2]*

# Preliminary results: 2. Limits to action

- Limits related to professional ethics and secrecy (ctd.):

*R: There could be better communication [between organizations] in the sense that... OK we have done this and this in this case. I don't always have a clear view on what has been happening in a case, and then my client for example says I have been to the Tenant Union and they have said this and this. But what my client says to me and what the Tenant Union has said to me is slightly different. So... But is all of that allowed in the context of GDPR? I cannot really say. [PCSW 2]*

# Preliminary results: 3. Knowledge gaps

- ‘Not always clear what can be asked of whom’ [e.g. PCSW 2]
- Services of CGW’s:
  - not always very well known even to PCSW’s [CGW 4]
  - mistaken assumption that preventive housing support teams have long waiting lists [Focus group 1]
- FAE: not always known [PCSW 4, PCSW 8, PCSW 16] or, when known, not always used by PCSW’s
- Need for protocols in eviction (risk) cases: clear and consistent guidelines of what to do, what instruments to use in what circumstances



# Conclusions

# Conclusions

- Need to bridge the gap:
  - Continue efforts to get services locally known (incl. among other services, legal actors, tenants and private landlords)
  - Publicly visible reporting point with a mandate to process and act upon reports of rental issues by PRS actors
- Need to extend/optimize the framework for outreaching intervention possibilities
  - More (personal) details in legal petitions
  - Organizational breathing space for house calls
- Need for space to work constructively with private landlords (e.g. mediation)
- Need for protocols (instruments, organizations, possible steps) to support social workers active in eviction prevention

# References

- Balzarini, J., & Boyd, M.L. (2020). Working with them: small-scale landlord strategies for avoiding evictions. *Housing Policy Debate*. <https://doi.org/10.1080/10511482.2020.1800779>
- Debast, N. (2021). *In 2020 dreigden wekelijks 200 huishoudens hun huurwoning te verliezen*. VVSG. <https://www.vvsg.be/nieuws/2020-wekelijks-dreigden-bijna-200-huishoudens-hun-huurwoning-te-verliezen>
- Godart, P., Swyngedouw, E., Van Crieelingen, M., & van Heur, B. (2023). Housing evictions in Brussels: how many, who and where? *Brussels Studies*, 176. <https://doi.org/10.4000/brussels.6513>
- Hartman, C., & Robinson, D. (2003). Evictions: the hidden housing problem. *Housing Policy Debate*, 14(4), 461-501. <https://doi.org/10.1080/10511482.2003.9521483>
- Heylen, K., & Vanderstraeten, L. (2019). Wonen in Vlaanderen anno 2018. Steunpunt Wonen. [https://archieff.steunpuntwonen.be/Documenten\\_2016-2020/Onderzoek\\_Werkpakketten/WP\\_1\\_Nieuwe\\_woonsurvey\\_en\\_woningschouwing/WP1-2\\_RAPPORT](https://archieff.steunpuntwonen.be/Documenten_2016-2020/Onderzoek_Werkpakketten/WP_1_Nieuwe_woonsurvey_en_woningschouwing/WP1-2_RAPPORT)
- Meys, E., & Hermans, K. (2014). *Nulmeting dak- en thuisloosheid*. Steunpunt Welzijn, Volksgezondheid en Gezin. <https://lirias.kuleuven.be/retrieve/294093>
- Put, B., & Pasteels, I. (2022). *Avoiding evictions: support needs of private landlords in Belgium*. Paper presented at the 34th Conference of the European Network for Housing Research: the struggle for the right to housing, 1 September 2022, Barcelona, Spain.
- Vermeir, D. (2022). *Evaluatiestudie Fonds ter bestrijding van de uithuiszettingen*. Steunpunt Wonen. [https://steunpuntwonen.be/wp-content/uploads/2022/06/WP02\\_Evaluatiestudie-Fonds-bestrijding-uithuiszettingen\\_EIND.pdf](https://steunpuntwonen.be/wp-content/uploads/2022/06/WP02_Evaluatiestudie-Fonds-bestrijding-uithuiszettingen_EIND.pdf)
- Verstraete, J., De Decker, P., & Vermeir, D. (2018). Evictions in Belgium, a neglected yet pressing issue. In P. Kenna, S. Nasarre-Aznar, P. Sparkes, & C. Schmid (Eds.), *Loss of homes and evictions across Europe: a comparative legal and policy examination* (pp. 66-94). Edward Elgar. <https://doi.org/10.4337/9781788116992.00008>
- Wonen in Vlaanderen. (2023). Kandidaat-huurders: statistisch bulletin 2022 versie 1.0. [https://assets.vlaanderen.be/image/upload/v1688440686/Wonen\\_-\\_Statistische\\_bulletin\\_kandidaat-huurders\\_31122022\\_acxtqp.pdf](https://assets.vlaanderen.be/image/upload/v1688440686/Wonen_-_Statistische_bulletin_kandidaat-huurders_31122022_acxtqp.pdf)

# Thank you very much!

[bart.put@pxl.be](mailto:bart.put@pxl.be)

[emma.hens@pxl.be](mailto:emma.hens@pxl.be)

[inge.pasteels@pxl.be](mailto:inge.pasteels@pxl.be)



**UNIVERSITY OF APPLIED  
SCIENCES AND ARTS**

Elfde-Liniestraat 24, 3500 Hasselt, [www.pxl.be](http://www.pxl.be)