



Submission to the UN Universal Periodic Review

on

**Socio-economic rights: Right to Adequate Housing**

March 2021  
Hungary

**By:**

**Utcáról Lakásba! Egyesület (ULE / From Streets to Homes Association)**

Since 2014 From Streets to Homes Association has been working on pilot programs that can be upscaled and be part of the way out of the current Hungarian housing crisis. We have also been raising awareness among the public and among decision makers. We are managing a **social housing agency** and a **housing first program**, we provide housing for people in need, without a possibility to rent an apartment on the market prices. We include privately owned and municipally owned apartments to decrease the housing crisis. By now we manage 31 apartments with 72 tenants, most of them elderly people, disabled people and families with children. We are working on showing decision makers that these programs can be used on the government level to decrease housing poverty.

Website: <https://utcarollakasba.hu/about-us/>

Contact: [info@utcarollakasba.hu](mailto:info@utcarollakasba.hu)

Postal address: Hungary, 1082 Budapest, Baross Street 112. I/4.

**A Város Mindenkié (AVM / The City for All Movement)**

The City is For All is an informal activist group, founded in August 2009, standing up for the dignity of homeless people and people facing housing difficulties and fighting for the right to housing in Hungary. The mission of the group is to organize a housing movement where homeless people, people living in housing poverty and middle-class allies fight together to create a just and equal Hungary where housing is a resource available to everyone. They use a variety of methods to achieve their goals including long-term campaigns for policy reform, legal aid, community organizing, nonviolent direct action and mutual support.

Website: <https://avarosmindenkie.blog.hu/>

Contact: [avarosmindenkie@gmail.com](mailto:avarosmindenkie@gmail.com)

## Introduction

Hungary's constitution called the Fundamental Law, and the country's regulatory framework, do not explicitly discriminate Hungarian citizens on the basis of age, ethnicity, language or religion. However, a number of regulations and policies implicitly discriminate against specific groups. Others are regressive to the extent they discriminate on a socio-economic basis, jeopardizing fundamental socio-economic rights, especially the right to housing and the right to adequate living standards of Hungarian citizens. Hungary's regulatory framework is questionable regarding implicit discriminatory measures against homeless people and the Roma specifically, often concealed in legislation which in itself is implicitly anti-poor.

Anti-poor social policy is evident by checking the numbers: in 2020 the amount of not socially targeted support on housing from the central budget was 11 times more than the socially targeted.<sup>1</sup>

Previous Universal Periodic Reviews did not include submissions focusing on the right to adequate housing. (Although submissions on the situation of the Roma minority in Hungary has touched upon the importance of the lack of adequate housing among members of the Roma community<sup>2</sup> and suggestions about increasing the availability of affordable housing were added to the topic of the right to social security.<sup>3</sup>)

### I. Criminalization of homelessness

In October 2018 the Hungarian Parliament adopted an amendment, submitted by the Government, to the Fundamental Law<sup>4,5</sup> (the constitution) and has added a paragraph, stating that "using a public space as a habitual dwelling shall be prohibited." Act II of 2012 on Misdemeanors<sup>6</sup> has also been supplemented with a new section<sup>7</sup>, according to which people residing in public premises will be issued a notice by the Police, and have to leave or go to a shelter. If they are given notice 3 times within 90 days, the next time the Police has to start a petty offense procedure, after which homeless people face enrollment in a compulsory work program or sentenced to jail, and their property can be confiscated.

Six judges who had to adjudicate in such cases turned to the Hungarian Constitutional Court to ask for supervision of the law, but this was rejected by the Constitutional Court in 2019.<sup>8</sup>

<sup>1</sup> Habitat for Humanity Hungary: <https://habitat.hu/sites/lakhatasi-jelentes-2020/koltsegvetes/>

<sup>2</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/029/98/PDF/G1602998.pdf?OpenElement> I./2.

<sup>3</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/029/98/PDF/G1602998.pdf?OpenElement> 62. JS7, p. 11.

<sup>4</sup> [https://hunconcourt.hu/uploads/sites/3/2021/01/thefundamentallawofhungary\\_20201223\\_fin.pdf](https://hunconcourt.hu/uploads/sites/3/2021/01/thefundamentallawofhungary_20201223_fin.pdf) (Article XXII (3))

<sup>5</sup> Hungarian Civil Liberties Union: Inhuman Decision from Hungarian Constitutional Court. <https://hclu.hu/en/articles/inhuman-decision-from-the-hungarian-constitutional-court>

<sup>6</sup>

<sup>7</sup> 133/B. Életvitelszerű közterületi tartózkodás szabályainak megsértése. 178/B. § (1)-(21) (In Hungarian)

<sup>8</sup> AZ ALKOTMÁNYBÍRÓSÁG 19/2019. (VI. 18.) AB HATÁROZATA [http://public.mkab.hu/dev/dontesek.nsf/0/2ba8668e09472db8c1258337004bc40a/%24FILE/19\\_2019%20AB%20hat%C3%A1rozat.pdf](http://public.mkab.hu/dev/dontesek.nsf/0/2ba8668e09472db8c1258337004bc40a/%24FILE/19_2019%20AB%20hat%C3%A1rozat.pdf) (in Hungarian)

The first 10 days 193 warnings were issued against homeless people. During the first procedures at court, the defendants were not allowed to be present at their own hearing. They had to stay in detention, connected to the courtroom through video calls. There were altogether about 50 procedures, most of them shortly after the law was introduced, however the law is still in force.

### **Critique**

According to the UN Special Rapporteur on adequate housing ‘laws that criminalize homelessness, vagrancy or sleeping rough, along with street cleaning operations to remove homeless people from the streets, have a direct impact on their physical and psychological integrity.’<sup>9</sup> As we saw in the first months following the adoption of the new law, if people living in homelessness have to hide from the Police, it will also become hard to keep in touch with social workers. The freedom of movement is also not guaranteed if the state obliges people to go to night shelters against their will. The law makes possible the threatening and humiliating of homeless people, and strengthen growing prejudice against them.

### **Recommendations**

Homelessness should not be treated as a crime, but needs intervention on the government policy level by strengthening the social security net.

- Immediately abolish the criminalization of homelessness.
- In order to end homelessness, the Government shall adopt a national housing strategy to ensure safe and adequate housing for most vulnerable groups.
- Improve conditions in night shelters and provisional shelters, increase capacity and decrease the number of people staying in the same room.

## **II. Regressive and discriminatory social policy (*‘Family Protection Action Plan’*)**

### **II/1. Family Housing Allowance**

The current Family Housing Allowance (FHA) scheme was introduced in 2015, and modified multiple times since then. It replaced previously existing social policy schemes, which provided financial support for families with children for purchasing their own home. Unlike previous schemes, the current FHA scheme does not have any social targeting; and it also aims to boost the housing market and new construction.

The currently (March 2021) available subsidy amounts are:

No. of children	New construction <sup>10</sup>	Used dwelling
-----------------	--------------------------------	---------------

<sup>9</sup> Human Rights Fact Sheet. No. 21 The Right to Adequate Housing (Rev.1) United Nations High Commissioner for Human Rights.

<sup>10</sup> From Gov’t. Decree 16/2016, <https://net.jogtar.hu/jogszabaly?docid=A1600016.KOR> in Hungarian

(actual/ planned)	HUF	cca. EUR	HUF	cca. EUR
1	600,000	1,630	600,000	1,630
2	2,600,000	7,070	1,430,000	3,900
3	10,000,000	27,200	2,200,000	6,000
4 or more			2,750,000	7,500

Average house prices in Budapest ranged from HUF 26 to 51 million in Budapest in 2020, HUF 16 to 26 million in county seats (with huge regional variation), and HUF 9 to 16 million in small towns.<sup>11</sup> In agglomerations, prices are close to the capital or county seat, depending on additional aspects (like ease of commuting). This includes both new construction and used dwellings. New constructions and larger homes for more children are more expensive.

In practice, this means that for the vast majority of cases, FHA is a significant support for families who already have (nearly) sufficient savings to construct a house or buy a newly constructed dwelling; and can be meaningful for families with (nearly) enough savings for a used home. Alternatively, the family has to have significant savings for down payment and be creditworthy, and take on the risk of mortgage debt.

Not-socially-targeted support forms have been the largest share of housing related support from the central budget, and became even more dominant since 2015, after the introduction of FHA. In 2020, the central budget allocated cca. HUF 28 billion (cca. EUR 76 million) for socially targeted housing support, and almost HUF 297 billion (or cca. EUR 808 million) for non-targeted support forms. The largest share of the latter, FHA, is much more easily available for families with significant savings, practically enough to buy their own home without the subsidy. Additional credit interest rate and tax benefit schemes also favour families with better creditworthiness or higher incomes.

Aside from an implicit preference for higher income applicants, eligibility criteria with regards to legal and marital status further narrow the scope of beneficiaries. Applicants must be married, with the wife being between 18 and 40. At least one of the couple must have paid social contributions in the last 3 years; of which at least 180 days consecutively in Hungary. Only heterosexual marriage is legal in Hungary. The current regulation of FHA reaffirms gender differences and discriminates sexual minorities, but also disqualifies the poor or the informally employed.

## II/2. Housing Maintenance Support

<sup>11</sup> Hungarians Central Statistical Office: Housing prices, house price index Q3 2020 (incl. comparison with previous years), <https://www.ksh.hu/docs/eng/xftp/stattukor/elakaspiaacar/20203/index.html>

In contrast, the Housing Maintenance Support, targeted directly at households in need, is allocated at the municipal level. Central budget funding for this and other socially targeted support forms was cut significantly in the 2015 reform of social benefits, after which much of the socially targeted benefit forms were also reallocated directly into municipal scope. The number of families eligible for the benefit dropped massively after 2010; and the average monthly amount of the benefit varied between HUF 3,080 and 3,936 in the late 2010s (cca. EUR 8,4 to 10,7).<sup>12</sup> The amount itself shows a striking difference between central budget funded support for persons in need, and persons with significant savings, and illustrates the level of regressiveness of housing support forms in Hungary.

### Critique

Redistribution in Hungary is not only regressive on the redistribution side, but also on the taxation side. A progressive Personal Income Tax was replaced by a flat 16% PIT rate in 2011, and then later decreased to 15%.<sup>13</sup> This was expected to be offset by minimum wage raises; but the offsetting effect was never seriously examined by the government, and impact on informal work has been ignored by policy makers. At the same time, the 27% Value Added Tax rate for most consumer goods is the highest permissible level in the EU; practically, even the poorest who purchase standard consumer goods like food are likely to spend a quarter of their income in taxes.

In summary, the central budget spends generously on the housing support of families in a good socio-economic status; while persons in need have comparably high taxes and meager benefits.

### II/3. Home Renovation Support

A new type of housing support was introduced by the Hungarian Government in 2021<sup>14</sup>. The non-refundable support is for the reimbursement of 50 percent of renovation costs for families with at least one child up to HUF 3 million (about EUR 8000). People working in public work scheme are not eligible for this support. (In Hungary the unemployment benefits can be requested only for three months. After that people can enroll in so-called public work scheme where they are paid less than the minimum wage.)

### Critique

---

<sup>12</sup> Missetics, B. 2019. Kevesebbet, kevesebbeknek: A lakásfenntartás önkormányzati szintű támogatása 2015 után (*“Less for less: Municipal home maintenance allowance after 2015”*), *Esély* 2019/1, pp. 3-41.

[http://esely.org/kiadvanyok/2019\\_1/esely\\_2019-1\\_1-1\\_mitlesics\\_kevesebbet\\_kevesebbeknek.pdf](http://esely.org/kiadvanyok/2019_1/esely_2019-1_1-1_mitlesics_kevesebbet_kevesebbeknek.pdf)

<sup>13</sup> § 8, Act CXVII of 1995 on personal income tax, in Hungarian:

<https://net.jogtar.hu/jogszabaly?docid=99500117.TV>

<sup>14</sup>

[http://www.allamkincstar.gov.hu/files/Lakoss%C3%A1gi%20%C3%BCgyfelek/Otthonfel%C3%BAj%C3%ADt%C3%A1si%20%C3%A1mogat%C3%A1s/518\\_2020\\_korm\\_rendelet\\_20210201.pdf](http://www.allamkincstar.gov.hu/files/Lakoss%C3%A1gi%20%C3%BCgyfelek/Otthonfel%C3%BAj%C3%ADt%C3%A1si%20%C3%A1mogat%C3%A1s/518_2020_korm_rendelet_20210201.pdf) (in Hungarian)

The support is designed for families that can invest in renovation of their homes, with no ceiling of income or wealth. If a family is able to invest HUF 6 million (about EUR 16,000), it can reclaim the full support. The less a family is able to invest, the less the support from the state will be. Families in the most vulnerable groups are not able to collect the money needed to renovate their apartments. At the same time the taxes paid by them will be added to the renovation costs of the more wealthy families.

Excluding from the support people who work in public employment excludes a vulnerable group. Even if they have existing savings, they will not be able to receive the same support as other families. There is no logical explanation for why this exclusion is written in the law. This goes against the idea of equal and non-discriminatory access to adequate housing.

#### **II/4. Family Tax Benefits over Family Allowance**

Families with children have different needs in the area of housing. Social benefits that families receive can be - and many times are - used to cover the costs of housing. Therefore we are reviewing the types of financial support families with children are eligible to.

In Hungary, there are two major constructs of governmental child support: Family Allowance and Family Tax Benefit. Family Allowance is a general financial support provided by the state to all families, paid directly to the parents or the guardian, based on the number of children taken care of, and whether it is a one-parent household. The amounts vary from HUF 12,200 (EUR 33) for one child to HUF 16,000 (EUR 44) for three or more children per child. The Family Tax Benefit, while it also varies based on the number of children, is tied to the parents' employment status, as it is a reduction of their personal income tax and contribution. Based on the number of children, a parent's net salary can increase by HUF 10,000 (EUR 27.50 for one child), HUF 20,000 (for two children), HUF 33,000 (for three or more children) **per child**. Before applying for the tax reduction, the parents have to decide which one of them will receive it or whether they are sharing it equally.

#### **Critique**

The amount of the Family Allowance has not been raised since 2008. While for the first glance, the family tax benefit scheme could be a complimentary, it has a number of requirements that makes this policy exclusionary. While the Family Allowance is only connected to the number of children raised in the household, the Tax Benefits are only applicable to those who have monthly registered income. Thus, these schemes are not designed to benefit all children equally, and especially not to favour those who are in need. Essentially, those families where the parents are unemployed, informally employed or self-employed, therefore are the most vulnerable, benefit less from the system than those who have steady jobs. Although, these ineligible households could use this support for housing costs, amongst other expenses.

#### **Recommendations**

(to points II/1-II/4.)

- There are a number of strongly regressive policy elements in the current home ownership support schemes, like the Family Housing Allowance

scheme or tax credit schemes for families with children. An intention to support families is commendable; but schemes which make generous subsidies available only to the upper income echelons distort markets, and benefit so few of Hungary's families that they inevitably fail in their demographic goals. These schemes must be revised and restructured in a way that they provide benefit for families who truly need it. At the same time, building regressive and investment incentivizing elements into support forms accelerates the increase of house prices, which weaken the original goals of social policy (family) support.

- The amount of Housing Maintenance Support has to be increased.
- Increase central budget for socially targeted support forms.
- Delete marital status as an eligibility criteria for Family Housing Allowance
- Double the amount of Family Allowance, that all families with children receive unconditionally.
- Amend the Home Renovation Support in a way that serves the interest of the lower and middle classes. A progressive support rate should be introduced, so that families with lower income receive more support, and people with a higher income receive less.
- Home Renovation Support needs to be eligible for all citizens, regardless of the type of their employment.
- Home Renovation Support should be given in advance, not as a reimbursement, so that people who can not invest in advance, could also use the support.
- Home Renovation Support needs to be available in the case of municipality apartments and rented apartments as well.
- Restructure central budget funding for housing goals in a way that regressive expenditure is significantly tightened.

### **III. Privatization and neglect of publicly owned rental stock**

Since 1996 the number of municipally owned apartments has decreased by 50%. Currently 2,6% of the apartments are publicly owned, which is less than in other European countries, where in some cases 20-25% of the apartments are publicly owned.<sup>15</sup> The privatization of the municipally owned apartments has not stopped, therefore year by year there are less possibilities for the state to offer social housing opportunities.

Part of the municipally owned rental stock is uninhabitable. Municipalities do not always invest in the renovation of these apartments, thus many of these stay empty. Nearly 10% of

---

15

<https://atlatszo.hu/2021/01/21/az-onkormanyzati-lakasok-kozel-tiz-szazaleka-uresen-all-a-fovarosban-a-legtobb-a-8-keruletben/>

the municipally owned apartments are empty in the capital, and around 11% of the apartments in other big cities of Hungary are also uninhabited.<sup>16</sup>

## Critique

Social policy steps that can be taken to fight against housing poverty include the providing of affordable social housing. Without increasing the number of affordable rental stock, the state will not have the opportunity to show ways out of the homeless shelters, and provide safe and affordable housing for people who can not afford to rent on the market prices.

## Recommendation

- Ban the privatization of municipally owned apartments.
- Shift resources into providing financial support for municipalities' efforts to expand their affordable rental stock, with appropriate measures in place to monitor the targeted and efficient use of funds.
- Increase the number of municipally owned and also state owned apartments.
- Publicly owned apartments must be rented only on a need basis, not on market prices.
- All publicly owned apartments must be rented according to a centrally defined policy in a transparent way.

## IV. Status of tenants living in rented apartments

Act LXXVIII of 1993 on Residential and Commercial Leases ("Housing Act") regulates the general framework conditions of private and institutional lending dwellings and other premises<sup>17</sup>. The law has seen a major overhaul in 2006, which put in place a more detailed regulatory framework, e.g. a written lease agreement became mandatory only since then.<sup>18</sup> However, even in its current state it is very brief and general (to make a seemingly arbitrary comparison, the Sport Act of 2004 is about three times the length of the Housing Act, despite being marginal to the security and livelihood of most citizens). A large part of the Act's provisions pertain to municipal, state, or other public institution owned dwellings; and a long section pertains to the lease of not-residential premises.

Another important deficiency is the Housing Act's enforceability. No out-of-court dispute resolution options are in place, and most tenants – or landlords for that matter – cannot afford the cost of litigation, nor the years of financial insecurity it entails (the vast majority of private landlords are also private individuals who lease their second dwellings as a source of extra income besides their standard job). As a result, the sector is to a great extent

---

<sup>16</sup>

<https://atlatszo.hu/2021/01/21/az-onkormanyzati-lakasok-kozel-tiz-szazaleka-uresen-all-a-fovarosban-a-legtobb-a-8-keruletben/>

<sup>17</sup> Act LXXVIII of 1993 on Residential and Commercial Leases

<https://net.jogtar.hu/jogszabaly?docid=99300078.tv>

<sup>18</sup> <https://www.hg.org/legal-articles/last-changes-in-hungarian-leasing-law-5770>



self-regulating, shaped by informal, and occasionally illegal, practices.<sup>19</sup> As a result, a large segment of the sector operates on the grey or black market. This makes the sector risky and insecure overall, and gathering reliable data on private renting practically impossible. Parties on both sides are likely to avoid responding to formal data collection, in part because of tax evasion on part of landlords, and an interest in cooperating with landlords on behalf of tenants. Due to legal insecurity and the risk aversion of small-scale, unprofessional landlords, tenants tend to spend significantly shorter periods in a single dwelling.

In addition, no central budget funded subsidy is available specifically for renting, regardless of the income situation of the tenant. This is problematic as social and other forms of affordable and secure rentals (mainly municipal) have dropped to less than 2 percent of inhabited dwellings by the 2015 Housing survey<sup>20</sup> and the 2016 Microcensus<sup>21</sup> conducted by the Hungarian Central Statistical Office (HCSO), so private renting is the only option for people with no property of their own who do not qualify for a mortgage loan, or have no sufficient savings for down payment.

According to the 2016 Microcensus, the number of public body owned rentals continued to decrease since the 2011 Census, while private rentals nearly doubled. Their share was barely 6.7 percent nationally, with a higher rate on larger settlements, and as high as 15 percent in the capital Budapest – at least according to Microcensus responses. At the same time, experts (including Central Statistical Office staff) estimate the real and hidden share of private rentals to be significantly higher, but such estimations are rarely published, as the large share of hidden rentals leads to very low accuracy.

Affordability has also been a long standing issue for private sector tenants. HCSO has consistently identified a “u-shaped curve” of private renters across income deciles, where a higher share of high and low income persons reside in privately rented homes. 10 percent of the top and 9.5 percent of the bottom income decile live in private rental homes, which drops below 5 percent in the middle income deciles (i.e. for people who have a good chance of being creditworthy and putting together sufficient savings for a down payment, even if with family help).<sup>22</sup> There is a clear high end market for young, mobile professionals and expats; a medium range market of rental homes; and a very low quality lower segment, which provides a potentially substandard home for the lowest income population who cannot obtain a tenancy in the increasingly marginal public rental sector. Small-scale good practices do exist on the local level – but with very limited impact.<sup>23</sup>

---

<sup>19</sup> J. Hegedüs, V. Horváth and N. Tosics, 2014. "Economic and legal conflicts between landlords and tenants in the Hungarian private rental sector," *International Journal of Housing Policy*, *International Journal of Housing Policy* 14(2), pp. 141-163.

<sup>20</sup> Hungarian Central Statistics Office 2015 housing survey (in Hungarian), [http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/miben\\_elunk15.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/miben_elunk15.pdf)

<sup>21</sup> Microcensus 2016: Housing (in Hungarian): [http://www.ksh.hu/docs/hun/xftp/idoszaki/mikrocenzus2016/mikrocenzus\\_2016\\_7.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/mikrocenzus2016/mikrocenzus_2016_7.pdf)

<sup>22</sup> Hungarian Central Statistics Office 2015 housing survey (in Hungarian), [http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/miben\\_elunk15.pdf](http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/miben_elunk15.pdf) - see chart on page 11: the share of public sector tenancies decreases consistently as income rises; while private tenancies present in a u-curve

<sup>23</sup> J. Hegedüs, V. Horváth & E. Somogyi 2014. The Potential of Social Rental Agencies within Social Housing Provision in PostSocialist Countries: The Case of Hungary, *European Journal of Homelessness* 8(2), pp.41-67. <https://www.feantsaresearch.org/download/article-2-56529072930559942675.pdf>

Moreover, private rent levels have been on the rise globally from around 2015, including in Hungary.<sup>24</sup> As in many industrialized countries, affordability has been increasingly problematic, especially for medium and lower income tenants. Rent levels did drop somewhat in the 2020 pandemic induced economic slowdown, although this has been modest in light of the price hike of the previous years, and was accompanied by decreased incomes and job security, especially for vulnerable groups.

### **Critique**

The generous state subsidization of private ownership, especially in a way that is only accessible for better-off beneficiaries on the one hand, and the lack of attention to regulation and financial support to vulnerable tenants on the other, again points to the regressive structure of the policy and financing approach to housing in Hungary. While this implies no ethnic or cultural or other group identity based discrimination in the legal system, the massive shortage of affordable rental housing and the lack of support to persons in a vulnerable housing position indicates a trend of implicitly accepting and normalizing socio-economic exclusion on a central level.

### **Recommendations**

- The Housing Act needs to be elaborated to provide guidance for all typical aspects and conflict sources of private market renting. It should preferably provide swift, reliable and easily accessible out-of-court dispute resolution processes. The approach to simplifying taxation related to home leases is commendable, but tax evasion in this field stems also from the legal uncertainties of leasing and renting a home.
- A significant share of private market tenants struggle to afford their dwellings, or live in low cost, substandard rented homes; they also do not have significant savings and qualify for mortgage, nor can they access the very limited public rental sector. A system of rent support for low income private sector tenants should be funded from the central budget. The policy maker must also put in place measures which prevent such subsidization to be built into market rent levels (i.e. they must provide relief for tenants, and not merely additional income to landlords).

### **V. Evictions resulting in homelessness and children taken into institutional care**

In the last 5 years more than 13.000 forced evictions were executed in Hungary.<sup>25</sup> There is no proper statistics about the number of the evictions resulting in homelessness, but the state does not provide a safe and long term solution for evicted people.

The loss of accommodation can also result in children taken into institutional care. The Office of the Commissioner for Fundamental Rights confirmed that one in three children in

---

<sup>24</sup> Hungarian Central Statistics Office 2018 private rent survey (in Hungarian): <https://www.ksh.hu/docs/hun/xftp/stattukor/lakber18.pdf>

<sup>25</sup> <https://infogram.com/kilakoltatasok-2016-2020-1h0n25yy9xezl6p> - 24.hu

state care were taken into the system because of their families' financial situation<sup>26</sup>, even though this is against the law.

Act XXXI of 1997 on Child Protection states that “a child shall not be separated from their family based on the ground of material deprivation.” From a housing perspective, the loss of proper accommodation fits under the category of material deprivation, therefore it should not result in the children being taken into institutional care. In Hungary, a child cannot become homeless, so when a family faces eviction without an ensured placement, child protection services immediately take action. However, there is no regulation on relocation of families with children in case of evictions.

### **Critique**

Forced evictions without assuring a safe place to stay not only might result in homelessness, but also in torn apart families and children taken into institutional care.

Currently, there is a low number of available spaces in temporary homes for families, so many times the families can not stay together after an eviction. Thus, in the case of loss of accommodation (be it privately rented, social housing, expropriation, or else), often the parents get evicted, while the children are being taken into state care.

### **Recommendations**

- Ban eviction of people and specially families with children without the ability to relocate
- Provide more temporary homes for families

### **Closing words**

The above written critiques and recommendations cover only part of the problems that the Hungarian social policy system and society is facing. Other shortcomings of the system are not covered in this document, such as the lack of home care for the elderly, problems of accessibility, ‘energy poverty’ and overcrowded housing. The situation of residential segregation of Roma people also violates human right principles. Housing poverty can be attributed also to crimes of coercion and forced work, therefore the consideration of the above defined recommendations could lead to a healthier society in many ways.

---

<sup>26</sup>

<https://www.ajbh.hu/-/eroforrasokat-a-megelozesre-es-az-alapellatasra-az-ombudsman-a-gyermekek-csaladbol-valo-elsodleges-en-anyagi-okbol-torteno-kiemelesek-gyakorlatarol?inheritRedirect=true>

## Annex

(Also submitted as a separate document)

### Matrix of thematically clustered recommendations

Criminalization of homelessness	Immediately abolish the criminalization of homelessness.
Criminalization of homelessness	In order to end homelessness, the Government shall adopt a national housing strategy to ensure safe and adequate housing for most vulnerable groups.
Criminalization of homelessness	Improve conditions in night shelters and provisional shelters, increase capacity and decrease the number of people staying in the same room.
Regressive and discriminatory social policy	Regressive policy elements - eg. Family Housing Allowance and tax credit schemes must be restructured in a way that they provide benefit for families in need.
Regressive and discriminatory social policy	The amount of socially targeted Housing Maintenance Support has to be increased.
Regressive and discriminatory social policy	Increase central budget for socially targeted support forms.
Regressive and discriminatory social policy	Double the amount of Family Allowance, that all families with children receive unconditionally.
Regressive and discriminatory social policy	Delete marital status as an eligibility criteria for Family Housing Allowance
Regressive and discriminatory social policy	Amend the Home Renovation Support. A progressive support rate should be introduced, so that families with lower income receive more support, and people with a higher income receive less.
Regressive and discriminatory social policy	Home Renovation Support needs to be eligible for all citizens, regardless of the type of their employment.
Regressive and discriminatory social policy	Home Renovation Support should be given in advance, not as a reimbursement, so that people who can not invest in advance, could also use the support.
Regressive and discriminatory social policy	Home Renovation Support needs to be available in the case of municipality apartments and rented apartments as well.
Regressive and discriminatory	Restructure central budget funding for housing goals in a

social policy	way that regressive expenditure is significantly tightened.
Publicly owned rental stock	Ban the privatization of municipally owned apartments.
Publicly owned rental stock	Shift resources into providing financial support for municipalities' efforts to expand their affordable rental stock, with appropriate measures in place to monitor the targeted and efficient use of funds.
Publicly owned rental stock	Increase the number of municipally owned and also state owned apartments.
Publicly owned rental stock	Publicly owned apartments must be rented only on a need basis, not on market prices.
Publicly owned rental stock	All publicly owned apartments must be rented according to a centrally defined policy in a transparent way.
Tenants living in rented apartments	Elaborate Housing Act - provide detailed guidance for private renting
Tenants living in rented apartments	Rent support for low income private sector tenants should be funded from the central budget.
Forced evictions	Ban eviction of people without placement
Forced evictions	Provide more temporary homes for families