

National Analytical Study on Housing

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(ASTI)

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1. Executive summary

This report offers an overview of the existing legislation on housing and accommodation and looks at the Luxembourg policies to prevent racism and social exclusion.

The report also highlights the principal measures to assess the housing state of affairs in Luxembourg. This shows that national authorities are concerned with the most important issues on lodging adapting them as internal strategies; but we also underline that these strategies are not enough to provide a decent and regular rental market to the different groups of inhabitants.

This report focuses on analysing the different approaches that have been adopted by the Government emphasising the clarity of objectives, goals and targets and the extent to which there is a strategic and integrated approach.

An analysis of the present legislation is provided and its most important aspects are placed in the European and international context, in order to compare and see the differences. The national housing system and its allowances as the loans possibilities granted to the general public are also detailed.

In this report an overview of the information collected is provided together with data related to the fight against racism as well as the present situation of housing/accommodation sector. We finalize by summarising the main conclusions obtained through the compiled data.

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3. Glossary/definition of terms and concepts used

1. Immigrant (Immigré)

Native of foreign origin, with a European or non-European language, who has been settled in Luxembourg for social or economical purposes, either having or having not changed his national origin to the Luxembourg one when the conditions to apply to citizenship were fulfilled (Law of 28th March, 1972).

2. Foreigner (Étranger)

According to the article 1st of the law of March 28, 1972, on the entry and stay of foreigners in the Luxembourg territory, the medical control from abroad and the use of foreign workforce, "is considered as foreigner, regarding the application of this act, any person who does not report the proof that he or she has the Luxembourg nationality"

3. European member (Communautaire)

Any citizen from one of the 15 European Union Member States

4. Non-European member/citizen (Non-communautaire)

Person whose country of origin is not member of the European Union. At the level of the legislation regarding employment and stay in Luxembourg, there is an important divergence between Europeans and non-Europeans. (Work permits, residence permit...)

5. Asylum seeker (Demandeurs d'asile)

Person who has applied to be recognised as a refugee and whose claim is being examined. The asylum seeker has the right to ask for asylum and reside in the country while awaiting the State's decision (Geneva Convention – Luxembourg Law of the 6th of January, 1971).

6. Refugee (Réfugié)

According to the Geneva Convention, a refugee is a person "who has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country" Geneva Convention, Article 1, 1959. (Geneva Convention – Luxembourg Law of the 6th of January, 1971).

7. First/ second generation (Première/ seconde génération)

Terminology often applied to immigrants. The first generation is the person (immigrant) who firstly left his/her country of origin to settle in Luxembourg. (Cf. point 1 of this chapter). The second generation is the group of people who were born and who grew up in Luxembourg of immigrant parents, who are either Luxembourg citizens or foreigners.

Define discrimination and anti-discrimination in housing/accommodation in use in this report

The only legal definition on discrimination, which exists at the national level, is a general definition of discrimination and is enshrined in the law of July, 19, 1997 (principle national law against racism), which modifies the Penal code:

Article 454 of the criminal Code specifies that “discrimination is any distinction drawn between physical persons by virtue of their origin, the colour of their skin, their sex, their sexual orientation, their family situation, their state of health, their handicap, their morals, their political or philosophical opinions, their union activities, their belonging or not belonging, whether real or supposed, to a specific ethnic group, race or religion. Discrimination is also any distinction drawn between legal entities, groups or communities of people, by virtue of the origin, the colour of skin, the sex, the sexual orientation, the family situation, the state of health, the handicap, the morals, the political or philosophical opinions, the union activities, the belonging or not belonging, whether real or supposed, to a specific ethnic group, race or religion, of members or certain members of those legal entities, groups or communities.”

Governmental definitions

At the time of a information and sensitising campaign , presented by the Department of Family and more precisely the “Commissariat du Gouvernement aux Étrangers”, this last published folders on the various forms of discrimination (see further). The folder on racial discrimination or the discrimination based on the ethnic origin in the employment sector presents various definitions, namely one about discrimination in general, another one about direct discrimination and more specific indirect discrimination. Following we present these definitions:

Discrimination:

"There is discrimination when a provision, a criteria or a practice disadvantage in a disproportionate way certain people because of their racial or ethnic origin, of their religion or convictions, their handicap, their age or their sexual orientation. A direct discrimination occurs when a person is treated in a way less favourable than another would be, was not it or would not be it in a comparable situation on the basis of the one of the reasons aimed to the first article (see definition of discrimination)

An indirect discrimination occurs when a provision, a criteria or an apparently neutral practice are likely to involve a particular disadvantage for people of a certain racial or ethnic origin, of a religion or conviction, a handicap, an age or a sexual orientation given compared to other people, this criteria or this practice is not objectively justified by a legitimate objective and that the means of carrying out this objective are not suitable and necessary "

4. Introduction

Supply and demand in the Grand Duchy of Luxembourg deserves a special overview. Its place in the heart of Europe, its economic activity thrives and its social system protection makes of it a centre of attraction both for the companies as for immigrants. The growth of the population yields an increasingly stronger pressure on the sector of housing. The demand for housing varies not only according to the size of the population, but also according to the size of the households. In 1991¹, with 144.700 households, it was noted a growth of 12% of the number of households compared to 1981. In parallel, the size of the households gradually decreased to reach in 1997 the threshold of 2,7 people by household. The very unequal geographical distribution of the population in the Grand Duchy of Luxembourg increases imbalance between supply and in residences. The southern area of the country including 12 communes on a total of 118 communes enters nearly 37% of the population out of only 8% of the territory. Two indicators of the offer in residences showing that the number of authorizations to build granted and numbers of completed residences are falling. The number of authorizations to build granted fell by 30% between 1991 and 1998 and number it completed residences dropped by 12% between 1990 and 1996. Whereas the demand for residences increases, the offer presents a downward trend. In the urban zones, the cost of housing is particularly high and it proves increasingly difficult to guarantee the access to a "suitable" housing at a "reasonable" price.

Adequate housing and reasonable living conditions are among the most basic needs of each individual. Housing is the first and last line of defence against social exclusion. The access to decent, stable housing is frequently also the indispensable precondition for the exercise of most of the other fundamental rights currently under discussion in this report.

Housing is a vital subject that requires a proper legal base combined to an efficient public regulation. Recognition of a right to adequate and affordable housing by the public authorities at all levels constitutes the best long-term guarantee for the implementation of general policies designed to address this fundamental and universal need.

¹ STATEC – “Luxembourg Economy in 2001 and recent economic developments” (May 2002)

In order to realize this statement and to enable the equality principle, an anti-discrimination legal system that intends not only the protection of the victims and a compensation of the damages but also that aims the resettlement of human rights.

Through the present report, an overview of the actual legislation of housing / lodging will be presented together with an investigation on the national policies to prevent racism and social exclusion. It is not to be forgotten that discrimination and xenophobic phenomena are the main issue of this study.

5. Legislation and policies concerning the Housing sector

Housing/accommodation legislation

At the national level, the first legal text concerning the right of housing is the Law of 14 of February 1955 (lately modified by the Law of the 11 of August 1996) that rules the instructions and conditions of residential and commercial renting contracts (“Baux à loyer”). Although specific social rights or implicit public assistance is mentioned in this act, this order creates the Local Renting Commission (“Commission locales des loyers”), a public committee whose assignment is to control and judge abusive rental prices.

Even if the above-mentioned order is considered as the first official instruction on housing, is only when the Law of the 25 of February 1979 is approved that records about national policies on lodging started to rise. Article 1 of this act declares that “the present law has for object to promote: - the access to the lodging; - the access to the real estate property notably by those with a modest income and families with children; - the possibility of lands to build; - the construction of houses of moderate cost; - renovation of old lodgings; - the creation of lodgings for students, trainees, apprentices in formation, scientific and experts in temporary mission, foreign workers and asylum seekers; - the social mix and the quality of the lodging to respecting the objectives of the sustainable development and to those of the life quality”. Innovative points regarding the some housing criteria such as sanitary, hygiene, habitability and security were also defined by this act.

In this context, the implement of these objectives were translated by some measures as the financial support on the rental guarantees as well as to those interested on the acquisition, construction, transformation or improvement of lodgings; as the governmental financial aid on the constructions; as the creation of the “Fonds de Logement” (Housing Fund)², a national fund for the development of the lodging.

² Law of the 25th of February 1979

National lodging structure

This Housing Fund (“Fonds pour le logement à coût modéré - FLCM”), a branch of the Ministry for the Middle class, Tourism and Housing (Ministère des Classes Moyennes, du Tourisme et du Logement), whose responsibility is to manage the general policy of housing, the legislation on the rents and the official assistances on the subject of housing. In order to protect its principal target group, the Department acts directly into the households with low income, for large families, seniors and handicapped people who, without the financial support of the State, could not have access to a reasonable price lodge on the private real estate system. In this direction, the Law of 25 of February of 1979, on the assistance on housing, constitutes the legal base of the housing policy and intends to rule, in particular, the individual financial assistances while renewing, buying or renting a property.

It is a government-owned corporation, which enjoys the civil personality. The fact that this department is under the supervision of the member of the Government having the social lodgement in its attributions, assumes the political responsibility and supervision of all the activities of housing. Behind its humane and social characteristics, the mission of the Housing Fund covers many aspects. It indeed falls on to its duty to conclude any operation relating to the purchase from houses and buildings to be renovated, to the acquisition and the installation of grounds to be built, just as with the construction of residences at moderate cost.

Once renovated or realised, these residences are sometimes sold, sometimes rented. Thus, the Department holds at the same time the role of a public promoter and of a manager of residences. The rental apparatus of the Housing Fund is the most important of the Grand Duchy of Luxembourg. At December 31, 1999³, it counted 1220 units of lodges, meaning an increase of 7,5 % of 85 units more than at December 31, 1998. Clearly, the Luxembourg city, with 32 %, and the communes of the south of the country (some 21,8 % with Differdange and 11,8 % in the Esch-on-Alzette, to quote only these two examples) shelter more than half of the rental residences of the Department, but this fact is also related to the demography

³ Ministère des Classes Moyennes, du Tourisme et du Logement – Département du Logement – ”Rapport d’Activité 2002 ” (2003)

situation of the country. In addition to the above-mentioned 1220 rental residences (houses and apartments), it should not be forgotten that the Department has also as duty the reception and the lodging of the immigrant workers and the political refugees.

The public authority is also authorized to support by financial participations, the initiative of the public promoters for acquisition and the installation of grounds to be built or to edify residences at moderate cost that will be sold or hired. Despite the official assistance on housing, a certain rank of the population is not able nevertheless to purchase a real estate property.

On the tax law were introduced the official promoters participations that was not predicted by the amended law of February 25 of 1979, namely the non-profit organizations and the private companies. These official participations diverge according to whether the non-profit organizations are the owners of the building or if they will rent the residences for the government. If the association is owner, it can profit from the same official participations as the public promoters.

In the Grand Duchy of Luxembourg, the Government prospective on the policy of housing is closely dependent on the policies, especially local, of urban planning and collective installation. On the other hand, the passive shutter of the housing policy is initially assumed at the national level. This established fact is perfectly in conformity with the present legislation, which holds a legal duty on the policy of housing to the municipality and only one moral obligation in this same matter with the central capacity. For instance, it is necessary to quote article 31 of the law on the residential and commercial renting contracts (Law of 1955) that states that "the municipal authorities have the mission of ensuring as far as possible the housing of all the people who have their residence in the commune⁴ as of those which belong to the public services, in so far as they exert their functions on the territory of the "commune"".

Under the terms of the same law, it is the task of the "communes", beside their obligation to ensure housing to their population, to control the exchange of residences into offices or

⁴ "Commune" means municipality administration.

commercial premises. The municipal authorities can even request that buildings must be constructed to be used for housing in the “communes” where a lack of residences was noted:

- the college of the mayor and aldermen can oblige the owners of the buildings and parts of non-occupied buildings, which can be used as residences, to declare them to the municipal authorities;
- in the communes where a lack of residences is noted, the college of the mayor and aldermen will be able to request that buildings and parts of non-occupied or occupied buildings are selected to be used as housing or to be arranged easily for this purpose, as well as the apartments usually rented, except for hotel rooms.

Within the framework of the Law of 25 February of 1979 concerning the assistance with housing, the “communes” can carry out the creation of zones of land reserves. They also have the possibility of ordering the assignment with the construction of not-frames grounds, located in the construction zones as defined in the plan of installation of the commune.

- the communes can cleanse old residences (possibilities granted the communes to declare zones of cleansings which thereafter will be the subject of operations of reorganization, realising official assistances).
- the communes, as public promoters, can profit from substantial official assistances, insofar as they propose to carry out residences with moderate cost intended for sale or hiring.

In spite of the legal obligation, imposed by the provisions of the Law of February 14 of 1955 on residential and commercial renting contracts, the communes do not absorb rental residences on a large scale. Their intervention rather concentrates on the installation of places to build.

In addition, the persons in charge for associations estimate that the rental social housing should not be concentrated in an isolated district in the communes, but which they must harmoniously be integrated on their territory. The inhabitants of these residences must also be able to take part in the life of the commune. With a view to a harmonious integration of this population in social life, it is also necessary to anticipate measurements on social assistance and help, essential to this matter.

Since 1906, the Government recognized the need to intervene on the level of the social housing through the National Company for low-priced residences (“Société Nationale des Habitations à bon marché” - SNHBM), private limited company of which the Government is majority shareholder. This company, whose projects are subsidized by the public authorities, has as an aim:

The construction, the purchase, the sale and the lease of residence planned to be used as housing for the families which are not yet owners of a house. All work of urbanization and installation referring to districts deliberate mainly for the habitat, including construction, the purchase, the sale, the hiring exploitation of the equipment and prolongations which are attached to it, in so far as they contribute to carry out the object. The role of the SNHBM on rental residences is rather limited.

It is the duty of the public service called "Info Logement"⁵ to provide to the users all the information concerning the habitation, on the legislative and administrative level as well on the technical level. Individual assistances related to the housing rules are also offered. The users can obtain useful information regarding the construction or acquisition of a house (with or without transformations), but also on the improvement of their current housing.

The objectives of the service is, above all, to guide the users in their financial, technical, legal and administrative procedures on housing, in collaboration with the “actors” of the real estate market (banks, associations, promoters, professional rooms, municipal authorities and public services).

Its tasks aims also to inform anyone who intends to hire or sale lodgings, which are constructed or carried out by the public promoters (communes, FLCM, SNHBM). They also provide useful addresses of all the institutions in the field of housing. The legislation on assistances of housing, of rental lease and joint ownership is also offered. Its expert can control too the planning and execution of the construction, which must respect the provisions concerning the hygiene and habitability, health, criteria of safety. Financial assistances, granted by the Housing Fund, with the possibility of collecting all information concerning the personal files treated by the Service of the Assistances with Housing, and granted by the

⁵ Law of the 25th of February 1979

communes and the other public services, are also accessible. They can, in addition, answer any question related to ecological construction.

Racism and anti-discrimination legislation on housing

At the national level, the Luxembourg law on racism has its basis in Article 454 and subsequent articles of the Penal Code, as amended by the Law of the 19 of July 1997, which defines, prohibits and specifies penal sanctions for the discriminatory practices specifically listed therein.

Article 454 states of the Criminal Code states:

“Any difference of treatment applied to natural persons on grounds of their racial or ethnic origin, skin colour, sex, sexual orientation, family situation, state of health, disability, customs, political or philosophical opinions, trade union activities, their membership, actual or supposed, of an ethnic group, nationality, race or specific religion shall constitute discrimination”.

However, as a member of the European Union, Luxembourg endeavours to respect the EC Treaty and EU Directives. The scope of the Directive 2000/43/EC on discrimination based on race and ethnic origin is very wide and includes access to and supply of goods and services, which are available to the public including housing (article 3.1.h.). It is very important that the scope of the Directive includes housing, because members of ethnic minorities often suffer discrimination with regard to access to housing.

Article 6 of the EU Treaty stipulates that the EU respects the rights, which are guaranteed by the European Convention of Human Rights and Fundamental Freedoms (ECHR) of the Council of Europe. The ECHR does however not include the right to housing.

Article 136 of the EC Treaty refers to the European Social Charter of the Council of Europe and the Community Charter of Fundamental Social Rights of Workers. Only the latter includes a reference to housing with regard to the integration of disabled persons (article 29).

There is no reference in the EC Treaty to the Revised Social Charter of the Council of Europe⁶, which is the most important legal instrument that includes the right to housing (article 31). This article 31 foresees that :

”Article 31 –The right to housing

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

- 1 to promote access to housing of an adequate standard;
- 2 to prevent and reduce homelessness with a view to its gradual elimination;
- 3 to make the price of housing accessible to those without adequate resources”

The European Council of Nice adopted the EU Charter of Fundamental Rights. The Charter is part of the EU Treaty and therefore its legal force is limited. This Charter does not include a genuine right to housing, but the right to housing assistance. Article 34 § 3 reads as follows: “ In order to combat social exclusion and poverty, the Union recognizes and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Community law and national laws and practices.” It is entirely unclear what is covered by term “housing assistance”. The term can be limited to housing benefits or include all assistance needed to access housing (financial, social, legal etc.). The careful phrasing of the article 34 § 3 will probably limit the impact and usefulness of the article.

National policies on housing

The governmental actions in favour of housing are directed towards an improvement of the offer in residences thanks to the promotion of construction of new residences and to the restoration of old homes. Notwithstanding the social assistances, a part of the population

⁶ ETS 163 – European Social Charter (revised), 3.V.1996

remains unable to acquire an adequate housing on the private market. For these citizens, the public promoters subsidized by the State, such as the communes, the Housing Fund and the National Company for low-priced residences (“Société Nationale des Habitations à bon marché” - SNHBM), represent an approach on the real estate market and a possibility to find a suitable housing at inferior cost. The Government intends to continue and intensify the promotion of the construction of residences and considers the setting of a whole of tax measurements aiming the recovering of the profitability of the investments in rental housing.

In the governmental declaration of August 12, 1999⁷, the ministers affirmed their will to develop a total and regional strategy creation restoration of residences. In this context, in a close cooperation with the public communes and promoters would be granted, giving a special attention to the management of the ground and the fight against land speculation.

Respecting this perspective, the Ministry for the Middle class, Tourism and Housing, worked out an “Housing action plan” presented on December 17, 2001, it determines a sequence of measurements objecting the improvement to the accessibility of the residences, which would be translated into activities to increase the offer of residences at low-budget cost, to increase the offer of private rented residents and to ease the ownership.

Finally, the government has prepared a whole of bills on housing. Measurements aim at increasing the offer of residences by reducing the tax pressure by burdening the sale of grounds to be built and buildings, as also the acquisition and the construction of residential houses.

One of these bills became the Law of the 30 of July of 2002, which envisages new provisions on direct taxes (in order to encourage the marketing of grounds to build and residential buildings); on registration fees and on transcription for the acquisition of owner-occupied housing (credit tax); on rental residences; on refund of the VAT at the time of creation and renovation; on tax on the “plus-values”.

⁷ ”Déclaration du gouvernement sur la situation économique, sociale et financière du pays” – 2000 (information de presse)

Loans and allowances

Public individual assistances on housing are also a central issue. Direct assistances (interest and capital grants) settled by the government, indirect assistances (tax advantages) granted by the national authorities, and individual aids granted by the municipal authorities are the three possible supports on housing.

Direct assistance is an aid that can be obtained in the construction of a lodge or in the event of a first occupation of a lodge and to acquire an inhabited house. These grants are usually called “bonus of construction”. The amount of these premiums is fixed according to the income and the marital status and can vary between 500 and 9.700 euros.

The granting of these two premiums is subjected to some conditions. It is necessary to have contracted a mortgage loan at a financial institution to build a dwelling, which will be at the Grand Duchy of Luxembourg and which will be used as effective, mainly and permanent residence for the period of at least 10 years. The applicant cannot be owner, or usufructuary of another house in the Grand Duchy or abroad. It is necessary to respect the criteria of useful surface area of residence. However, this measure can be increased starting from the 3e dependent children or while lodging a third person.

“Bonus of improvement” is also a kind of assistance. This help can be obtained to finance the restoration of a housing. This premium is granted for certain work carried out with an aim of improving the conditions of health and safety in buildings at least the 30 years old (work purely of maintenance or adornment is not considered).

“Bonus of saving “ is an advantage where the purchased amount is equivalent to the interests and premiums improved on a house saving account or on general saving accounts, but only if the assets of these accounts are used for the financing of housing. The maximum amount of this premium cannot exceed, for the same recipient, the sum of 5.000 euros. Moreover, to be able to profit, it is necessary to bring the proof of a regular saving during at least 3 years.

“Subvention of interest” wishes to reduce the monthly loads that are claimed by the construction mortgage loan agreement on the acquisition or on the improvement of a house. The rate of subvention is fixed according to the income and the marital status of the applicant.

“Interest rebate “is an assistance of about 0,875% per dependent children which can be granted in order to reduce the monthly loads of the people who contracted a mortgage loan for construction, for the acquisition or the improvement of a housing. The interest rebate, placed above all in family optics, is not related to any condition of income.

“State Guarantee” helps the applicant who cannot provide the adequate guarantees to obtain from, a financial institution, the necessary construction, acquisition or improvement of a residence credit. In that case, the government can help, under certain conditions, to guarantee the loan.

“Complement of premium of architect and/or consulting engineer” is a premium granted as a complement to the premium of construction and improvement, this in order to compensate for partially the expenses and fees of architect and/or consulting engineer. To profit from this premium, it is necessary to have made establish an architectural or technical plan by an architect authorized to follow this occupation in the Grand Duchy.

The ministry for Agriculture can grant an official aid named “Assistances in the interest of the rural settlement” in the event of adaptation work of an agricultural house of a farm.

As before explained, indirect assistances (tax advantages) can be also granted by the State. Bonus of saving and the bonus of construction profit from tax reductions but the government of Luxembourg has also offers a discount on the registration fee of 20.000 euros (and 40.000 euros for a couple) when buying a lodge to live or to build. This discount can be reduced on one or more real estates when attesting the purpose of residence. The refund of the VAT is also possible and the owners should pay only 3% of VAT for the restoration and building work.

Individual aids granted by the municipal authorities are also a solution when buying a property. The communes also support the access to housing by the bonus of construction. Each commune has its own regulation on the matter.

6. Description and analysis of existing data and sources in the housing sector

a) Data on the Luxembourg population

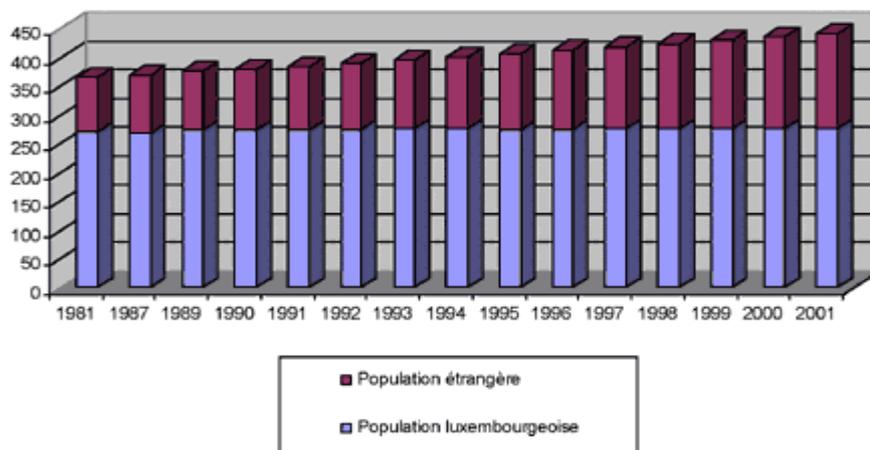
The evolution of the last years is largely, if not exclusively, due to immigration. Immigration represents roughly 90% of the population increase. The progression of the foreign population is also emphasized by its demographic growth. From a little less than 29,4% in 1991, the percentage of the foreign residents overcame to more than 38.07% in the year 2003.⁸

Situation au	01/01/1996	01/01/1997	01/01/1998	01/01/1999	01/01/2000	01/01/2001 _{1/}	01/01/2002 _{1/}	01/01/2003 _{1/}
Total	412 800	418 300	423 700	429 200	435 700	441 300	444 050	448 300
Luxembourgish	274 750	275 450	276 000	276 300	276 300	276 600	277 330	277 600
Foreigners	138 050	142 850	147 700	152 900	159 400	164 700	166 720	170 700
French	15 020	15 700	16 530	17 530	18 780	20 140	20 905	21 550
Belgian	11 800	12 450	13 200	13 810	14 520	15 080	15 445	15 900
German	9 660	9 860	10 020	10 260	10 500	10 600	10 130	10 200
Dutch	3 810	3 800	3 810	3 840	3 840	3 850	3 630	3 610
Italian	19 780	19 830	19 890	20 010	20 130	20 250	19 100	19 000
Portuguese	51 500	53 100	54 490	55 850	57 030	58 450	59 770	61 440
Spanish	2 800	2 820	2 910	2 940	2 970	3 030	2 840	2 870
British	4 200	4 360	4 400	4 430	4 580	4 850	4 545	4 650
Irish	850	890	930	970	1 020	1 140	995	1 040
Greek	1 150	1 190	1 250	1 260	1 280	1 350	1 170	1 170
Danish	1 920	1 970	2 000	1 990	2 040	2 190	2 010	1 990
Austrian	430	480	500	520	550	570	575	590
Swedish	690	800	860	950	1 050	1 150	1 235	1 220

⁸ Table from STATEC – Report 2002

Finnish	480	570	620	630	660	700	830	840
Others	13 960	15 030	16 290	17 910	20 450	21 350	23 540	24 630

**Evolution de la population (luxembourgeoise et étrangère)
au 1er janvier de chaque année
entre 1981 et 2001 (en milliers de personnes)**



b) Data on the housing standards

In the nineties, the average number of constructed dwellings is of 6,7 newly built residences by 1.000 inhabitants. Thus, the level reached in 1999 proves slightly higher average with 7 accommodations lately completed by 1.000 inhabitants. Regarding the number of accommodations in the newly built one-family houses by 1.000 inhabitants, the average in the nineties is of 2,9 residences against 2,5 in 1999. The average number of the accommodations in buildings with apartments has its average between 1989 and 1999 risen from 2,9 units by 1.000 inhabitants to 3,6.⁹

⁹ Table from ERGER, Frédéric, CEPS/INSTEAD, IGSS, STATEC (July 2002)

”Population et Emploi n.1 – Revenu disponible, niveau de vie et auto-évaluation des conditions de vie en 2000”

Tableau 6: Evolution du nombre de logements par 1.000 habitants entre 1989 et 1999

Année	Population totale	Nombre total de logements		Log. dans maisons unifamiliales		Log. dans immeubles à appartements	
	nombre	nombre unités achevées	nombre de log par. 1000 hab.	nombre unités achevées	nombre de log. par 1000 hab.	nombre unités achevées	nombre de log. par 1000 hab.
1989	375.800	1.940	5,2	1.270	3,4	453	1,2
1990	379.300	2.543	6,7	1.418	3,7	764	2,0
1991	384.600	2.699	7,0	1.332	3,5	1.105	2,9
1992	389.800	2.982	7,4	1.309	3,3	1.208	3,0
1993	395.200	3.294	8,3	1.355	3,3	1.447	3,6
1994	400.900	2.732	6,8	1.154	2,9	1.140	2,8
1995	406.600	2.713	6,6	1.118	2,8	1.259	3,1
1996	412.800	2.242	5,4	1.016	2,5	813	2,2
1997	418.300	2.277	5,4	1.015	2,5	843	2,2
1998	423.700	2.572	6,1	998	2,4	1.403	3,3
1999	435.500	3.067	7,0	1.094	2,5	1.580	3,6

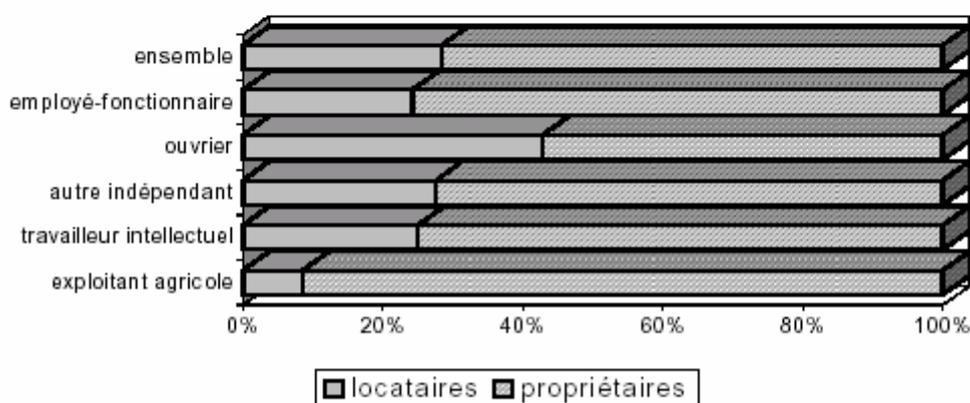
Source: STATEC - bulletin 6/2001

The structure between owners and renters according to the professional statute of the head of household dissociates the unskilled labour of the other professional statutes. Among the households of unskilled labour, 57,1 %, are owners while this rate rises to 70% for the other professional statutes. The farmers, traditionally owners, are more than 90% owners of the lodge where they live.

Within the types of household, it is possible to note that the young households are more often renters than the older family circle. Therefore, more than the half of one-person households from less than 40 years (56,7 %) are still renters of the lodges that they occupy. For the couples of less than 40 years without child, a proportion of the same magnitude has risen: 54,9 % of them are renters. It will be also noted that among the couples whose person of reference has less than 40 years, the share of households' owners grows proportionally with the number of children: 75,2 % of the couples with 3 children and more are owners, whereas only 61 % of the couples with 1 only child represent this tendency. Consequently, the proportion of house's owners grows overall with the size of the household. The one-person households are less frequently owners than those from bigger family circle: only 58,8% of them are owners of the housing where they live. For the households of 2 people, the proportion of the house's owners rises already to 75 %, and it reaches its maximum for the households of 5 people of which 83,8 % are owners of housing in which they reside.

Tableau 11 : Statut d'occupation du logement selon le type de ménage en 1995

	Propriétaire (%)	Locataire (%)
Une personne seule		
<i>de moins de 40 ans</i>	43,3	56,7
<i>entre 40 et 64 ans</i>	63,4	36,6
<i>de 65 ans ou plus</i>	67,9	32,1
ensemble des personnes seules	58,8	41,2
Famille monoparentale dont la personne de référence a :		
<i>moins de 40 ans</i>	53,3	46,7
<i>40 ans ou plus</i>	63,6	36,4
ensemble des familles monoparentales	58,8	41,2
Famille clanique¹ dont la personne de référence a :		
<i>moins de 40 ans</i>	41,6	58,4
<i>de 40 à 64 ans</i>	77,4	22,6
<i>65 ans ou plus</i>	79,2	20,8
ensemble des familles claniques	66,3	33,7
Couple dont la personne de référence a :		
Moins de 40 ans		



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On average, the households have a standard of living reaching 2 314 Euros in 2000. However, the single-parent families, the nuclear families 3 with at least three dependent children and the 4-children families with child with charge lay out, on average, of monthly standards of living lower or hardly higher than 2 000 Euros. These households are represented among the households having low standards of living (less than 1 210 Euros) and are, on the other hand, not very present in the top of the distribution. For these households, the rate of low incomes, according to the share of the households whose standard of living is lower than 60% of the median standard of living (1 210 Euros), approaches 25%, except for the families with two children at least for which this rate reaches 16%. For the whole of the population of the households, this rate reaches only 11,8%.

¹⁰ ERGER, Frédéric, CEPS/INSTEAD, IGSS, STATEC (July 2002)

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The families not having any dependent children benefit, on the contrary, of more comfortable average standards of living; 2 608 Euros for the nuclear families without children, 2 369 Euros for the one-person households, 2 361 Euros for the families without children and 2 351 Euros for the fathers or mothers with adult children. Under-represented in the bottom of the distribution of the standards of living, these families have more frequently than the other types households with standards of living higher than the 3rd example.

Although the average standard of living of the one-person households (primarily of insulated) is high, the median standard of living of this type of households is rather far away from the average standard of living, signs of a rather uneven distribution between the households belonging to this category. This heterogeneity is due to the fact that, in this category of households, young people not having founded a family yet assemble well with seniors, who often, live by their own.

Types de ménages et distribution des types de ménages dans l'ensemble de la population (en %)	Conditions de vie											
	Niveau de vie moyen	Niveau de vie médian	Taux de bas revenus	Q1	Q2	Q3	Q4	Q5	--	-	+	++
	Euros/ mois	Euros/ mois	%	%	%	%	%	%	%	%	%	%
Ménages non familiaux (28,2)	2369	2000	10,3	18,7	19,4	22,5	20,0	19,4	5,6	11,7	30,4	52,2
Pères ou mères seul(e)s avec enfant(s) à charge (3,4)	1796	1600	25,4	37,7	18,0	15,5	20,4	8,4	21,3	19,4	32,9	26,4
Pères ou mères seul(e)s avec enfant(s) adulte (2,7)	2351	2190	7,5	11,0	17,1	25,9	21,7	24,4	14,9	14,0	23,8	47,4
Familles nucléaires sans enfant à charge (21,2)	2608	2222	7,3	15,4	16,4	19,9	18,3	30,1	3,6	8,3	21,9	66,3
Familles nucléaires avec 1 enfant à charge (10,3)	2282	2101	11,2	20,1	20,1	14,2	25,1	20,6	6,6	13,1	29,5	50,8
Familles nucléaires avec 2 enfants à charge (11,3)	2115	1820	15,0	23,5	25,8	17,9	18,1	14,7	7,4	16,4	26,1	50,1
Familles nucléaires avec 3 enfants ou plus à charge (4,9)	1831	1703	25,3	38,7	17,7	19,4	16,7	7,5	9,3	18,6	34,4	37,6
Familles claniques sans enfant à charge (12,3)	2361	2116	8,0	14,9	19,8	21,6	25,1	18,7	5,5	11,3	32,6	50,7
Familles claniques avec 1 enfant à charge (3,6)	2044	1725	23,7	25,5	31,8	14,4	11,2	17,1	10,4	31,1	19,7	38,8
Familles claniques avec 2 enfants ou plus à charge (2,1)	1926	1796	16,0	24,6	25,0	29,8	14,1	6,5	21,7	14,0	39,3	25,0
Ensemble (100,0)	2314	2016	11,7	20,0	20,0	20,0	20,0	20,0	7,0	13,0	28,2	51,8

Among a list of ten harmful effects affecting the houses inhabited in 1995, almost a household on three declares being obstructed by the proximity of a dangerous road axis, one on four by a too noisy vicinity and one on five by a bad insulation of the doors and windows.

The harmful effects here do not affect 36,5 % of the households questioned. A household on four considers to be affected only by only one of these harmful effects, while 18,1 % of the

households declare being confronted with two problems, 11 % with three problems, 5,5 % with four problems and 4 % with five problems at least.

Tableau 9 : Proportions des ménages confrontés aux problèmes suivants (en %) en 1995

▪ <i>proximité d'un axe routier dangereux</i>	31.4
▪ <i>voisinage bruyant</i>	24.0
▪ <i>mauvaise isolation des portes et des fenêtres</i>	19.5
▪ <i>proximité d'une industrie polluante</i>	13.2
▪ <i>logement trop petit</i>	11.7
▪ <i>quartier avec vandalisme, destruction, criminalité</i>	11.2
▪ <i>fuites dans la toiture</i>	9.0
▪ <i>chauffage inapproprié</i>	8.0
▪ <i>isolement/éloignement</i>	7.6
▪ <i>quartier délabré</i>	3.0

The distribution of the standard of living (here represented by the abbreviation of Standard of living - RD/UC) average per municipality (table 13) announces that the family units residing in the region of Luxembourg-Countryside reach a living average standard largely higher than the households residing in the other cities. On the other hand, the households residing in the cantons of Clervaux, Vianden, Redange, Wiltz or Esch/Alzette identify a lower living average standard from 35 % to 45 % on the standard of living of the most affluent district. The prominence of the area of Luxembourg-Countryside is remarkable as only three other “communes” rise above the national average of the living standard: Luxembourg-city, Capellen and Mersch. These disparities are due to the socio-demographic and socio-economic structure of these various municipalities. The regions with a high purchasing power concentrate a proportion of credits more important than in the other units. The inhabitants of those cities generally have a higher educational level and are skilled labour workers. Luxembourg City has, after the region of Luxembourg-Countryside, the highest standard of living. A lower household average than in the other departments explains this situation. The demographic composition plays an important role in the standard of living , (the larger the household is, the less is its standard of living) that includes/understands the favourable position of Luxembourg City in the hierarchy of the cantons when the analysis is based on the standard of living.

Tableau 13 : Revenu disponible et niveau de vie des ménages selon le canton de résidence des ménages en 1996 (Revenu Disponible Net moyen et niveau de vie moyen -100)

<i>Canton</i>	<i>RD</i>	<i>RDIUC</i>
Luxembourg-Campagne	123,8	121,4
Luxembourg-Ville	99,2	113,0
Capellen	110,9	103,7
Mersch	102,7	101,7
Remich	104,3	99,3
Grevenmacher	100,2	97,3
Diekirch	106,9	96,2
Echternach	98,0	93,6
Esch/Alzette	89,5	89,5
Wiltz	101,4	86,7
Redange	96,8	85,9
Clervaux/Vianden	90,3	84,6

Source: PSELL2 - CEPS/I

Among the 118 communes that account Luxembourg, 22 have a percentage of pupils of foreign nationality of more than 40%. These figures refer to pupils attending pre-school education and primary education as well as special teaching.

2000 - 2001			
Communes	Total élèves	Élèves étrangers	% Élèves étrangers
Larochette	224	151	67,4%
Echternach	494	279	56,5%
Esch-sur-Alzette	2349	1292	55,0%
Luxembourg	5305	2916	55,0%
Diekirch	586	314	53,6%
Berdorf	178	93	52,2%
Ettelbruck	795	411	51,7%
Differdange	1937	990	51,1%
Walferdange	519	261	50,3%
Vianden	174	87	50,0%
Mondorf-les-Bains	347	159	45,8%
Wiltz	552	252	45,7%
Beaufort	150	68	45,3%
Pétange	1524	674	44,2%
Strassen	412	181	43,9%
Hesperange	737	320	43,4%
Bertrange	484	205	42,4%
Bissen	313	132	42,2%
Remich	235	99	42,1%
Bettendorf	277	116	41,9%
Colmar-Berg	195	80	41,0%
Troisvierges	382	153	40,1%

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¹¹ Table from STATEC Report 2002

7. Analysis and indirect discrimination

Decent housing and living conditions are the most basic needs of each individual. Gaining secure access to adequate accommodation is often a precondition for exercising many of the fundamental rights which form the foundations of all decent societies, and should be enjoyed by everyone. These include the right of access to education, the right to work, the right to social protection, the right to healthcare, the right to personal privacy and family life, as well as access to basic services such as water and electricity.

The public authorities are responsible for ensuring that everyone can have effective access to housing which is adequate, appropriate and affordable – as well as to the full range of services and benefits which are necessary for people to enjoy decent living conditions and to fully participate in society. These include: adequate social protection and benefit payments; access to high-quality health-care services; access to education and culture; access to training and employment; and access to information and advice services.

Luxembourg has enacted a suitable legislation to provide an effective guarantee of access to adequate, appropriate and affordable housing for all residents (irrespective of their legal status), even though the real difficulties faced by the less fortunate seem not to be reanalysed as national priority. The legislation on housing clarifies the responsibilities of national and municipal and/or local public authorities in relation to the supply and provision of housing for people earning low incomes, and for homeless people in particular.

Luxembourg is expected to ratify the Revised European Social Charter of the Council of Europe, including Article 31 (the Right to Housing), and also the collective complaints procedure. This will provide a common foundation for policies and legislation, based on respect for the fundamental rights of all citizens and residents, including social rights as well as civil rights.

In order to carry out these principles, Luxembourg should be prepared to deal with the most difficult aspects of the lodgement market. In fact, after analysing the national policies and the

present procedures, it is possible to identify some inconveniences that are often found by the population in general.

The policies or the bureaucracy, which block the access to housing can be classified in three categories:

Problems related to the operation of the public promoters in general

One of the most usual remarks made by the public is the lack of rental social housing and a too slow system of attribution, too long administrative waiting list and procedures. It is also important to illustrate the request of the “clients” who feel a lack of transparency in the unclear answers that they receive from the administration and also who estimate that they are not sufficiently informed of the housing assistance criteria. An incompatibility of certain factors in quite precise situations is also an issue. For example, many families obtain a housing with difficulty because the Housing Fund does not have enough houses/apartments with sufficient sleeping rooms due to the respect of the criteria related to the determined number. A rule in itself, which makes that the subsidized employment and social assistance (RMG) is not significant, also makes that the owners hesitate to rent their residences to the RMG’s beneficiary, by fear of not receive the rent regularly.

It is also perceptible that no financial assistance is granted on rental for low-income employees, except to RMG’s and complementary allowance’s beneficiary. In 1999, approximately 4%¹² of the private market renter profited from a rent compensation within the framework of the RMG. The town of Luxembourg for example benefits from the assistance granted by the Government for the construction of residences (40%), but it must face the urgency and cannot answer to all needs.

Other communes seem not to want to admit newcomers and do not do anything to allow new constructions on their territory. It is possible to interpreter this measure as a preventive blocking or a regional reserve.

Problems caused by the practices of the owners, the estate agencies and the banks

The actual practice of the owners and the estate agencies of asking for guarantees of two or even of three months of rent do not permit the access to the private rented market for all kind

¹² STATEC/INSTEAD/IGSS - ”Population et Emploi (July 2002)”

of public. Also to identify that the owners require a rent higher than 5% of the investment on the house/apartment (who are often not sanctioned) and the renters are afraid or do not know that they can contact the municipality renting commission. Banks frequently refuse a housing mortgage application from low-income candidates if the customer holds a public assistance on housing.

Problems resulted from a lack of social services

Certain people move out from a service to another due to the lack of information or due to a lack of solution to their problems. Public administration has also a deficient problem of social service personnel to ensure a specific follow-up and the budgetary control of the people in accompanied housing. Other inconvenient is noticed by the need of social and educational facilities for the children who reside distant from the large cities, fact that obliges the families to live in the neighbourhoods of those cities where the rents are even more expensive. The young adults from 18 to 25 years have also difficulties to find social services and structures, which are planned, to this target group. It would be necessary to invest in this age range, to find coordination and collaboration between the various services for young people.

8. Strategies, initiatives and good practices for reducing racial/ethnic/religious/cultural discrimination in housing

Although the overview presented on the item 7 are much more related to an indirect discrimination than to a direct one, it is impossible not to consider that those criteria are somehow biased. Even if this data show a present and rising difference in society, it was not possible to find a strategy or an initiative from the Government, which is expressly focus on reducing racial discrimination in housing.

Nevertheless, in adopting the “Housing” action programme, in the form put forward by the Ministry for the Middle class, Tourism and Housing (Ministère des Classes Moyennes, du Tourisme et du Logement), the Government has showed its concern to decrease social difference in this sector. A follow-up to the measures was announced in the Government statement of 12th August 1999.

New legislation to reduce social differences in housing

The implementation of this programme, which provides for a whole range of measures involving 29 different actions, was one of the primary concerns of the housing department during the last years.

With a large number of households having, due to the increase of prices, particularly for building sites, increasing difficulty in finding suitable housing at a reasonable price or locating outside of Luxemburg borders, thousands of households living in unsatisfactory conditions and a substantial number of over-indebted households due to the costs incurred to gain access to housing, a speedy reaction was expected from the public authorities.

The 8th programme for the construction of subsidised housing developments and the State contribution was introduced by the Law of 16th May 2002. This programme covers 9,000 housing units, 3,000 of which are to be built in the context of three new land reserves, 1,400 in the context of 4 rehabilitation zones, and finally 4,600 units, of which 2,500 are for sale and 2,100 for rental, to be built or renovated in the context of different building development projects.

The total investment of the various promoters amounts to approximately 1,070 million euros. Of this amount the Government will provide, through a number of programmes, an amount of 343.5 million euros.

The law of 30 of July of 2002, determining numerous tax measures aimed at encouraging the marketing and acquisition of building sites and housing units was adopted following the Government statement of 7th May 2002 on the economic, social and financial situation in our country. The major measures provided by this law are as follows:

- In order to reduce the accessory costs in acquiring housing, the Government introduced a reduction, called a “tax credit”, on the stamp and transcription duties for all persons wishing to acquire property for residential use; the credit is limited to 20,000 euros for a single person and 40,000 euros for a couple, irrespective of the amount of stamp duty; any amount not used will be carried forward to a subsequent acquisition;
- Direct application of the super-reduced rate of VAT (3%) to design and renovation work done on housing used as a principle residence; the current VAT reimbursement system is being maintained on an exceptional basis;
- From the date of declaration and until the end of the year 2004, the capital gains tax on the sale of land or buildings will be reduced to 25% of the average tax rate; the tax received in the case of a sale of land or buildings by persons covered by the commercial system will be reduced to $\frac{1}{2}$ of the global tax rate, with this also applying until the end of 2004; these tax reductions also apply to the sale of land by promoters;
- The accelerated depreciation rate on rental properties in private ownership was increased from 4% to 6%.

Other important measures for the promotion of housing were also brought into effect by the law of 8th November 2002 on housing aids. In effect, the law of 25 of February of 1979, which instituted a range of measures aimed at the implementation of housing policy, was adapted and completed by the following measures:

- The introduction of an aid supporting the financing of the rental guarantee.

It has been revealed that, at present, a number of households, although having an income enabling them to regularly pay rent, have difficulties in paying the rental guarantee (in most cases this amounts to 3 months' rent; in addition the rent for the 1st month and possibly an agency commission must also be paid in advance) required by the less or operating in the private market when concluding a rental lease.

With the new aid, the Government intends to ease access to the private rental market for such households. The aid consists of the state providing direct or indirect security for all or part of the loan amount contracted between the rental candidate and the financial establishment with a view to the issuing of a rental guarantee in the meaning of the rental lease legislation and required by the less on conclusion of the lease.

The introduction of a generalised housing-savings aid involves, in particular, a measure to reactivate the Government guarantee, provided for in the law of 25th February 1979, which is rarely requested nowadays. In many cases, households have not saved enough to be able to call on the State guarantee. In order that households will, in the future, be in a position to fulfil the conditions in relation to savings required to obtain a governmental guarantee and to make people more conscious of the importance of saving, a housing-savings aid was introduced by the 1979 legislation. The State will pay an amount of 100 euros for each newborn child into a special housing-savings account, with a view to enabling him/her to benefit, if necessary, from the State guarantee giving him/her access to housing.

A legal basis was given to State contributions which may, from now, extend up to 75% of the cost of construction or acquisition of rental housing by non-profit organizations, foundations, church councils, religious communities who have entered into an agreement with the government, civil hospices or social offices.

To meet the needs of the population, the objectives of sustainable development and the quality of life, an appropriate legal basis was given to the Fund for low-cost housing.

Finally, it must be underlined that the "Housing Observatory" was established and presented to the general public during the 6th "National Housing Week" in October 2002. The

“Observatory” responsible for collecting and analysing the data inherent to the housing problem is an undisputed and recognised tool in providing a clearer understanding of developments in housing and accommodation.

New policies to reduce social differences in housing

Luxembourg Government has established programs encouraging the private initiative and the collective action in this field and aiming at eliminating the obstacles that delay the achievement of these objectives.

The National Plan for a Durable Development (April 30, 1999) is a "White Paper" aiming at establishing a strategy political, economic and social coherent having as objective the sustainable development of the economy, while limiting the use of the natural resources and by preserving the environmental quality. Concerning housing, the principal objective established in the National Plan for a Durable Development is to ensure each one the access to a housing meeting the fundamental needs and to improve housing conditions of the underprivileged social groups.

All these measurements must imperatively fall under a policy of regional planning and communal installation. For this purpose, all the instruments of planning available must be activated, so that the local authorities can create localities which answer the desiderata of the durable development. For this purpose, the Directing Program of the Regional Planning, such as it was published as a project in May 1999, benefits from a certain priority. This document, which will constitute in particular a declaration of the general policy for all the fields having an effect on the occupation of the ground, will enable the Government to stop the various regional plans and especially the sector plan "Housing". With these instruments of planning, which will reveal the various potentialities of development, the communal authorities will have the data source to work out their normative plans, so that they are well conceived and that they answer the needs of the population, the objectives of the durable development and enhance the quality of life.

With such an approach, we will be able to say which cities and which agglomerations we want for tomorrow: a city without specialization of the places and partition of the functions, whereas such a space arrangement led too often to a bursting of urban fabric accentuated by

the dictation of the car. Insofar as Luxembourg could become the place where must live in safety, in peace and dignity, a population higher than 700.000 units, the Government must engage in an active urban policy, this to answer the challenges of a real solidarity and a durable development.

9. Summary and Conclusions

It is impossible to analyse the lodging structure in Luxembourg without taking into consideration the massive immigration from Europeans in the last decades. Mostly employed by international organisations and institutions or by bank corporations, these new residents, with their high salaries, influenced on the present real estate market. As mentioned before, the supply and demand figure on housing changed with the arrival of these inhabitants, not only due to the rising number of lodging requests but also due to increasing rental prices. The increase in the number of social housing units and sheltered accommodation for rent is still not enough to meet the needs of the low-paid population, a problem which could become worse in view of the rapidly expanding property market.

National policies sought to follow the tendencies and to adapt the internal demand into practical strategies in order to respond to the needs of the population. Diverse approaches were conceived in this matter, as the example of the loans and allowance system, introduced by the law of the 25 of February 1979, which developed the public individual assistances and which translated the concern of the government on lodging. Nevertheless, those measures were not enough to meet the needs of those with low incomes. Although the present social structure in housing represents a step forward, as it is demonstrated in this report, families still have difficulty to obtain houses from the Housing Fund, to get a bank allowance approved or to be accepted by landlords.

Luxembourg legislation on housing attends to the social exclusion but does not focus on racism itself. Discrimination in general is still treated by the Law of the 19 of July 1997 and any kind of specific prejudice or racist action is listed in this act. However, specific measures can only be introduced when a objective and comprehensive study or data on racism is produced in Luxembourg. Without relevant statistics, the public authorities will not introduce into the national priorities the fight against discrimination on lodging.

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”Portrait économique et social du Luxembourg”

STATEC (June 2003)

“Note de Conjoncture n.2-2003 – La situation économique au Luxembourg – Évolution récente et prévisions”

UNITED NATIONS – Economic and Social Council (April 2003)

“Adequate housing as a component of the right to an adequate standard of living”

ANNEX 1

Legal Framework on Housing

Housing Assistance

- a) Law of the 25th of February 1979 on housing assistance and aid - Loi du 25 février 1979 concernant l'aide au logement (Mém. A 1979, p. 294), modifiée par les lois du 23 juillet 1983 (Mém. A 1983, p. 1316; Rectificatif: p.1606), du 24 décembre 1984 (Mém. A 1984, p. 2103), du 22 décembre 1986 (Mém. A 1986, p.2402), du 24 décembre 1988 (Mém. A, p.1301), du 21 décembre 1990 (Mém. A 1990, p.1033), du 20 décembre 1991 (Mém. A 1991, p.1545), du 15 juillet 1993 (Mém. A 1993, p. 1153), du 23 décembre 1994 (Mém. A 1994, p. 2481), du 20 avril 1998 (Mém. A 1998, p. 443), du 21 décembre 1998 (Mém. 1998, p. 2723), du 24 décembre 1999 (Mém. A 1999, p. 2675) et du 22 décembre 2000 (Mém. A 2000, p. 3040), du 1er août 2001 (Mém. A 2001, p. 2440) et du 21 décembre 2001 (Mém. A 2001, p. 2999).
- b) Law of the 25th of February on housing guarantees - Règlement grand-ducal du 25 février 1979 fixant les mesures d'exécution relatives à la garantie de l'Etat prévue par la loi du 25 février 1979 concernant l'aide au logement (Mém. A 1979, p. 314), modifié par les règlements grand-ducaux du 29 juillet 1981 (Mém. A 1981, p. 1332), du 9 janvier 1985 (Mém. A 1985, p. 9) et du 1er août 2001 (Mém. A 2001, p. 2449).
- c) Law of the 12th of April, 1996 on the constructions of new residential buildings - Règlement grand-ducal du 12 avril 1996 arrêtant le 7^{ème} programme de construction d'ensembles de logements subventionnés ainsi que les participations de l'Etat pour les années 1996 à 2000 (Mém. A 1996, p. 1130), modifié et complété par les règlements grand-ducaux des 11 mars 1997 (Mém. A 1997, p. 857), 21 décembre 1998 (Mém. A 1999, p. 90) et 19 mai 2000 (Mém. A 2000, p. 1162). Règlement grand-ducal du 16 novembre 1998 fixant les mesures d'exécution relatives aux logements locatifs, aux aides à la pierre ainsi qu'aux immeubles cédés sur la base d'un droit d'emphytéose et d'un droit de superficie, prévus par la loi modifiée du 25 février 1979 concernant l'aide au logement (Mém. A 1998, p. 2404).
- d) Law of the 14th of January, 1955 on the residential rental contracts - Loi du 14 février 1955 portant modification et coordination des dispositions légales et réglementaires en matière de baux à loyer, telle qu'elle a été modifiée par les lois du 27 août 1987 (Mém. A 1987, p. 1684), du 6 juin 1990 (Mém. A 1990, p. 377), du 17 mars 1992 (Mém. A 1992, p. 732), du 9 août 1993 (Mém. A 1993, p.1410), du 11 août 1996 (Mém. A 1996, p. 1660), du 11 août 1996 (Mém. A 1996, p. 2026) et du 1er août 2001 (Mém. A 2001, p. 2440); texte coordonné du 16 novembre 1992 (Mém. A 1992, p. 2501).
- e) Law of the 25th of February, 1979 on the housing conditions - Règlement grand-ducal du 25 février 1979 déterminant les critères de location, de salubrité ou d'hygiène auxquels doivent répondre les logements destinés à la location (Mém. A 1979, p. 320), modifié par le règlement grand-ducal du 15 juin 1979 (Mém. A 1979, p. 1092). Règlement ministériel du 7 avril 1982 concernant les délégués des locataires des logements collectifs (Mém. A 1982, p. 1052). Règlement grand-ducal du 20 juillet 1984 fixant la participation des

occupants aux prix et frais d'hébergement dans les logements collectifs gérés par l'Etat (Mém. A 1984, p. 1224), modifié par le règlement grand-ducal du 28 janvier 1986 (Mém. A 1986, p. 634). Règlement ministériel du 1er septembre 1987 portant assimilation de différentes communes à la Ville de Luxembourg en matière de législation sur les baux à loyer (Mém. A 1987, p. 1738). Règlement ministériel du 30 octobre 1987 portant assimilation de différentes communes à la Ville de Luxembourg en matière de législation sur les baux à loyer (Mém. 1987, p. 2052). Règlement grand-ducal du 16 novembre 1998 fixant les mesures d'exécution relatives aux logements locatifs, aux aides à la pierre ainsi qu'aux immeubles cédés sur la base d'un droit d'emphytéose et d'un droit de superficie, prévus par la loi modifiée du 25 février 1979 concernant l'aide au logement (Mém. A - 97 du 25 novembre 1998, p. 2404).

f) Info Logement – National office for Public housing assistance and financial aid – Law of the 25th of February, 1979 - Loi du 25 février 1979 concernant l'aide au logement (Mém. A 1979, p. 294), modifiée par les lois du 23 juillet 1983 (Mém. A 1983, p. 1316; Rectificatif: p.1606), du 24 décembre 1984 (Mém. A 1984, p. 2103), du 22 décembre 1986 (Mém. A 1986, p.2402), du 24 décembre 1988 (Mém. A, p.1301), du 21 décembre 1990 (Mém. A 1990, p.1033), du 20 décembre 1991 (Mém. A 1991, p.1545), du 15 juillet 1993 (Mém. A 1993, p. 1153), du 23 décembre 1994 (Mém. A 1994, p. 2481), du 20 avril 1998 (Mém. A 1998, p. 443), du 21 décembre 1998 (Mém. 1998, p. 2723), du 24 décembre 1999 (Mém. A 1999, p. 2675), du 22 décembre 2000 (Mém. A 2000, p.3040), du 1er août 2001 (Mém. A 2001, p. 2440) et du 21 décembre 2001 (Mém. A 2001, p. 2999).

g) Law of 17th of June, 1991 on the benefits for construction, acquisition and renewing of a residential building - Règlement grand-ducal du 17 juin 1991 fixant les dispositions relatives au bénéfice de la bonification d'intérêt en vue de la construction, de l'acquisition ou de l'amélioration d'un logement prévue par l'article 14bis de la loi modifiée du 25 février 1979 concernant l'aide au logement (Mém. A 1991, p. 918), tel que modifié par les règlements grand-ducaux du 5 août 1993 (Mém. A 1993, p. 1138; Rectificatif: p.1459), du 6 janvier 1996 (Mém. A 1996, p. 22; Rectificatif.: Mém. A 1996, p. 436), du 19 mai 2000 (Mém. A n° 47 du 19 juin 2000, p. 1082), du 4 juillet 2000 (Mém. A n° 56 du 13 juillet 2000, p. 1190) et du 1er août 2001 (Mém. A 2001, p. 2449).

h) Law of the 25th of February, 1979 on special financial assistance to handicaps - Règlement grand-ducal du 25 février 1979 fixant les mesures d'exécution relatives à la participation de l'Etat aux frais d'aménagements spéciaux de logements répondant aux besoins de personnes handicapées physiques, prévue par la loi du 25 février 1979 concernant l'aide au logement (Mém. A 1979, p. 316), modifié par les règlements grand-ducaux du 11 janvier 1988 (Mém. A 1988, p. 5), du 17 juin 1991 (Mém. A 1991, p. 920; Rectificatif: p.1040), du 5 août 1993 (Mém. A 1993, p. 1138; Rectificatif: p. 1459), du 16 mai 1994 (Mém. A 1994, p. 964) et du 1er août 2001 (Mém. A 2001, p. 2449).

i) Creation of the Fonds pour le logement à coût modéré - Loi du 25 février 1979 concernant l'aide au logement (Mém. A 1979, p. 294), modifiée par les lois du 23 juillet 1983 (Mém. A 1983, p. 1316 et p.1606), du 24 décembre 1984 (Mém. A 1984, p. 2102), du 22 décembre 1986 (Mém. A 1986, p.2402), du 21 décembre 1990 (Mém. A 1990, p.1032), du 20 décembre 1991 (Mém. A 1991, p.1544), du 15 juillet 1993 (Mém. A 1993, p. 1153), du 23 décembre 1994 (Mém. A 1994, p. 2480), du 20 avril 1998 (Mém. A 1998, p. 443), du 21 décembre 1998 (Mém. 1998, p. 2723), du 24 décembre 1999 (Mém. A

1999, p. 2675) , du 22 décembre 2000 (Mém. A 2000, p. 3040), du 1er août 2001 (Mém. A 2001, p. 2440) et du 21 décembre 2001 (Mém. A 2001, p. 2999). Règlement grand-ducal du 18 février 1981 fixant les conditions d'engagement et de rémunération des employés du fonds pour le logement à coût modéré (Mém. A 1981, p. 188). Arrêtés ministériels du 13 février 1997, du 18 septembre 1997, du 30 novembre 1998 et du 23 septembre 1999 portant nomination des membres du comité-directeur du Fonds pour le logement à coût modéré (Mém. B 1997, p. 334; Mém. B 1997, p. 849; Mém. B 1998, p. 1127; Mém. B 1999, p. 1089).

j) Creation of the Société Nationale des Habitations à Bon Marché - Loi du 29 mai 1906 sur les habitations à bon marché (Mém. 1906, p. 1057), modifiée par les lois du 14 décembre 1914 (Mém. 1914, p. 1165), du 16 mai 1975 (Mém. A 1975, p. 634) et du 23 juillet 1983 (Mém. A 1983, p. 1316; Rectificatif: p.1606). Arrêté grand-ducal du 4 mai 1927 relatif à la codification des dispositions d'exécution aux lois des 29 mai 1906 et 14 décembre 1914 sur les habitations à bon marché (Mém. 1927, p.353), modifié par les arrêtés grand-ducaux du 5 janvier 1929 (Mém. 1929, p. 27) et du 18 janvier 1930 (Mém. 1930, p. 53)..Arrêté grand-ducal du 4 juin 1928 portant application du bénéfice de la loi du 29 mai 1906 sur les habitations à bon marché aux familles nombreuses (Mém. 1928, p. 601), modifié par l'arrêté grand-ducal du 18 janvier 1930 (Mém. 1930, p. 53).