## PROVIDING SHELTER

MAXIMISING THE
PERFORMANCE OF HOUSING
ASSOCIATIONS

MAY 2022







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The Council for the Environment and Infrastructure (*Raad voor de leefomgeving en infrastructuur, Rli*) advises the Dutch government and Parliament on strategic issues concerning the sustainable development of the living and working environment. The Council is independent, and offers solicited and unsolicited advice on long-term issues of strategic importance to the Netherlands. Through its integrated approach and strategic advice, the Council strives to provide greater depth and breadth to the political and social debate, and to improve the quality of decision-making processes.

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### **SUMMARY**

The Dutch government has the constitutional duty to provide 'adequate housing' in terms of both number and quality of dwellings. In particular, it is responsible for ensuring a steady and adequate supply of affordable, reasonable quality housing for households on lower incomes. The government's constitutional task is not easy, because the housing market is erratic: supply and demand are rarely in balance. This regularly leads to socially undesirable situations, as currently reflected by sky-high rental and purchase prices and long waiting lists for house hunters. Housing associations build and manage affordable rental housing. What can and should be their role under these circumstances? And what can the government do to ensure that they fulfil that role properly? These are the central questions addressed in this advisory report.

#### Housing associations face major challenges

The core task of housing associations is to ensure (a) an adequate supply of rental housing, (b) moderate rental prices and (c) reasonable housing quality (including maintenance, modernisation and sustainability as well as quality of life in the neighbourhood). These diverse tasks are sometimes incompatible. After all, it is only possible to invest in the quality of existing homes and the construction of new ones if there is sufficient budget. A housing association can use its rental income for this purpose, but collecting a high rental income is incompatible with the task of ensuring









moderate rental prices. A housing association can also generate income from the sale of rental properties, but this reduces the available supply of rental housing. As a result, associations are faced with the constant challenge of balancing the public housing goals that need to be achieved with raising the necessary financial resources.

The overall challenge facing all housing associations combined is substantial. An annual sum of at least €7.2 billion is needed for the maintenance and management of housing and the quality of life in neighbourhoods, rising to €8.2 billion in 2035. Investment in the construction of new social rental housing is estimated at €73 billion. Substantial other investments are also needed, mainly in sustainability and home improvement, estimated at over €43 billion in the coming years. A large part of the latter investments cannot be covered by rental income and is therefore a cause for concern.

#### Housing associations are useful and necessary

Housing associations are indispensable for the government to secure adequate and affordable rental supply and as a vehicle to ensure a fair distribution of that supply. Housing associations effectively house large groups of lower-income households in a way that is cost effective and risk limiting for the government. They maintain the quality of housing and ensure the resilience of vulnerable neighbourhoods in the long term. Housing associations will become more important over the coming years as the need for affordable housing grows and the supply of such housing declines, particularly that of commercial providers. As a result, social

housing stock will need to expand considerably in the next decade. This task requires substantial effort on the part of both housing associations and municipalities.

#### The government needs to place a greater focus on the performance of housing associations

In recent years, the government has devoted a great deal of attention to tightening the provisions in relation to the legal duties and powers of housing associations. It has also introduced levies for housing associations. The latter have proven counterproductive, resulting in less new construction, rent increases, reduced investment, and lower resilience of neighbourhoods. There are major challenges in all of these areas. The government therefore needs to shift its focus to the performance of housing associations. There are a number of obstacles here that need to be addressed. For example, the performance expected from housing associations is not yet sufficiently clear and the contribution of municipalities towards that performance is still too voluntary. Mutual financial solidarity of housing associations is also not properly regulated at present. Central government, municipalities and housing associations themselves need to act to tackle these obstacles in the housing association system.

#### Recommendations

It is time for a rethink of national public housing policy, with a particular focus on the role of housing associations. In the past ten to fifteen years central government has opted for 'system responsibility', leaving both the







formulation of objectives and the implementation of policy to others. We believe that central government should play a more guiding, facilitating, stimulating and steering role vis-à-vis both housing associations and municipalities, with a focus on long-term objectives. The recently published National Housing and Construction Agenda (BZK, 2022) takes important steps in this direction. We make six recommendations that complement this National Agenda, as well as making suggestions for the further elaboration of the agenda. We also criticise two intentions set out in the coalition agreement of the fourth Rutte government.

- 1. Set national new-build targets for social rental housing and elaborate these targets at regional level
  Set national targets for the proportion of new social rental housing as a fixed percentage of total new construction. Also do this for other issues concerning social renting, such as the housing of housing policy target groups, sustainability and affordability of housing, and the resilience of neighbourhoods. Laying down the national targets for longer than one cabinet term, for example in the announced Public Housing (Management) Act, provides other parties with a framework for their efforts and performance. Specify the national targets at regional level, so that differences between housing market regions and the challenges
- Secure the stock of regulated rental housing
   Make sure that, overall, the stock of housing association homes is increasing. Do not introduce a general right to buy for sitting tenants, but

maintain a situation in which housing associations decide whether or not to sell homes. In addition, stimulate the purchase of private rented homes by housing associations to maintain the level of social rented stock and improve its quality in vulnerable areas.

- 3. Promote the supply of social housing by parties other than housing associations
  Invest in broadening the supply of social housing by parties other than housing associations, particularly not-for-profit organisations, such as philanthropic organisations or housing cooperatives. Develop tax incentives, to enable these organisations to attract capital more easily.
- Ensure that local housing visions and policy plans of the housing associations and performance agreements between municipalities, tenants' organisations and housing associations contribute to the objectives of the national housing policy. Amend the Dutch Housing Act so that the Minister for Housing and Spatial Planning is able to hold both municipalities and housing associations to account for improvements in performance. Moreover, make 'cooperation with care and welfare

organisations' an additional public housing priority.

4. Reinforce implementation of performance agreements with housing

ahead can be taken into account.

- 5. Manage the availability of development land and define the designation 'social' when allocating land
  Require municipalities to incorporate the national targets for social and affordable housing in their environmental plans.¹ This can be done by including an instruction rule in the Living Environment (Quality) Decree.
  Furthermore, when allocating land, municipalities must set requirements for the realisation of 'social housing' to ensure that developers and
- 6. Manage the financial continuity of housing associations and their mutual solidarity

investors have a clear framework and a level playing field.

The coalition agreement of the fourth Rutte government agreed to 'switch to a system of standard rents based on income'. Make sure that this does not undermine a sustainable revenue model for housing associations, thus hindering investment in public housing tasks. Furthermore: regulate financial solidarity between housing associations together with the repeal of the Landlord Levy Act, to allow housing associations with insufficient financial resilience to realise their tasks. Adjust the Housing Act-based project grant system to simplify the rules for application and levy, and make it possible to avoid the levy if a housing association provides voluntary support to a fellow association.



1 Based on the Environment and Planning Act.









### 1 INTRODUCTION

This advisory report looks at the role of housing associations in the Dutch housing market. For over a century, one of the core tasks of housing associations has been to provide low-income and lower-middle income households with reasonable quality housing at moderate rents. In the current housing market, this is not easy: waiting lists for rental properties are long and in the rental and owner-occupied market, prices are often (very) high. What can and should be the role of housing associations under these circumstances?

#### 1.1 Context: problems in the housing market

The housing market in the Netherlands faces major challenges. Firstly, the demand for housing vastly exceeds the supply. This has been the case for many years and there appears to be no end in sight to the shortage for the foreseeable future. In recent years, there has been an average shortage of 300,000 homes.<sup>2</sup> This shortage, together with the sharp fall in interest rates, has led to considerable price increases in both the owner-occupied

2 At the start of 2020, there was an estimated shortage of 331,000 homes (Gopal et al., 2020); at the start of 2021 the estimated shortage was 279,000 (Gopal et al., 2021a). The decrease was related to a lower influx of residence permit holders due to the COVID-19 pandemic. The nature and scale of the housing shortage also differs from region to region.







and commercial rental sectors; record after record is being broken on the housing market (CBS, 2021a).<sup>3</sup> In addition, the quality of many homes requires attention. In many cases, substantial investment is needed to modernise homes and make them sustainable. Many municipalities are also witnessing growing pressure on the resilience of neighbourhoods that contain many cheap rental properties. The often disadvantaged residents are faced with nuisance, street litter and crime.

All these problems in the housing market affect not only individuals but also society as a whole. Large groups of people are finding that their means of subsistence is under pressure: they cannot find housing, they can only get a temporary and not a permanent tenancy agreement, or they can barely afford their housing costs. The result is a growing social gap between privileged and disadvantaged groups: on the one hand, there are people who have bought a home relatively cheaply in the past and who can now live relatively cheaply and accumulate wealth; on the other hand, there are people who are unable to secure housing or who are faced with (disproportionately) high housing costs.

#### 1.2 Housing associations: part of the solution?

In the search for solutions to the various problems on the housing market, we focus in this advisory report on the role of housing associations (see box). These associations rent about 2.3 million homes of reasonable quality

3 Other factors have also pushed up the demand for housing and thus prices on the housing market, such as low mortgage interest rates and keen interest from investors in rental housing.

to low-income and lower-middle income households. Under the Housing Act, they are required to invest the returns they generate in the 'interests of public housing', in other words in keeping existing housing affordable, modernising it and making it more sustainable, in building new affordable housing and in promoting quality of life in neighbourhoods.

#### Housing associations in a few figures

The around 280 housing associations in the Netherlands jointly own 2.3 million independent homes. A small proportion of these (over 140,000) have a rent above €763.47 (the 'rent-control ceiling'; see Section 2.1) and therefore form part of the non-regulated sector.

The average rent for social housing in 2020 was €559. The market share of social rental housing owned by housing associations fell from 36% to 29% in the period 2000-2020. This is mainly due to the fact that the 'social' proportion of new housing was lower. Rental homes were also sold (Aw, 2022a).

Housing associations are private organisations (foundations and associations) that operate on a non-profit basis. They therefore do not have the same performance incentives as profit-driven companies. Nor are they under democratic control, like government institutions. Past experience has shown that this special position occupied by housing associations carries





risks, particularly when there is strong capital growth.<sup>4</sup> From the beginning of this century, some housing associations began to take ever greater financial risks. Other housing associations decided to expand their range of duties to include activities such as area development or the construction of expensive commercial rental and owner-occupied housing and public property. In some cases, this involved acting improperly.

In response to these developments, the government decided to 'cream off' the profits made by taxing the housing associations' assets. Since 2006, housing associations have therefore paid corporate income tax. This was followed by the introduction of the 'landlord levy' in 2013. Both measures generate considerable amounts of money for the state treasury. Since 2008, corporate income tax for housing associations has generated 0.7 billion in government revenue each year, and the landlord levy has increased from €1.1 billion to around €1.7 billion annually since 2014.6

The legislation governing housing associations has also been tightened several times since the start of the century. One of the reasons for this was the parliamentary inquiry into the functioning of housing associations

4 The capital growth of housing associations came about as a result of a sharp increase in the value of real estate, due to rising home prices on the one hand and different calculation methods on the other. This capital cannot be used to make investments, but it can be used as collateral for loans to make investments. Housing associations became richer on paper, whereas nothing essentially changed.

5 The landlord levy was primarily designed to bring government finances in order in the wake of the credit crisis, but was also meant to address malpractice at a number of housing associations. The landlord levy was imposed on owners of at least fifty rental properties with a rent of up to €763.47. Of these, 95% were housing associations and 5% private owners.

6 In 2022, around half of the annual levy will be returned to the housing associations through various tax credits. The landlord levy will be abolished in 2023.

initiated by the House of Representatives in 2013. That inquiry resulted in a critical report in 2014. The Housing Allocation Act was amended the same year and the Housing Act underwent a thorough revision in 2015. A review of this legislation in 2019 revealed that the problems of the past have now largely been resolved.<sup>7</sup>

In this advisory report, the Council for the Environment and Infrastructure (Rli) takes a fresh look at the role of housing associations. It has nothing to do with the problems of the past, but addresses the question of whether and how housing associations can and should contribute towards solving problems and particularly the current problems affecting the housing market. During the final phase of this advisory report, central government's National Housing and Construction Agenda (BZK, 2022) was published. In various places in the report and in the concluding remarks we state how our findings and recommendations relate to this agenda.

#### 1.3 Central question and scope

The starting point for our exploratory study is the legally defined tasks of housing associations, which are also referred to as 'public housing' tasks. In this advisory report, we explore the extent to which housing associations can adequately contribute towards achieving these goals today. Do the changes taking place in the housing market and in society perhaps require an adapted role? We take a critical look at whether the existing system of









<sup>7</sup> The review identified several specific problem areas in the implementation of the Housing Act. A number of legislative texts and regulations were amended in 2021, which came into force in 2022.

rules for housing associations is still appropriate to tackle the current tasks and those that lie ahead. The main question addressed in this advisory report is:

What role should the housing associations fulfil, given the current problems and expected developments in the housing market, and what consequences does this have for the rules and financial frameworks used in government policy for housing associations?

This report therefore focuses on the public housing tasks of housing associations and on how the government can influence these tasks and the conditions under which they must be achieved. We do this due to the urgent need to address the problems in the housing market. We explicitly address the question of whether housing associations are necessary institutions for government policy. This advisory report touches on many aspects of government public housing policy, such as rent regulation, housing benefit and housing allocation. Other aspects of the housing market are also discussed in relation to the housing associations, such as commercial rental and owner-occupied housing, land policy and location development, the mid-market rental sector and the housing of middle-income groups. However, these topics are not discussed in detail and we do not make any independent recommendations on them. Finally, we have chosen not to consider the innovative capacity, the organisational culture and the role of tenants in housing associations.

#### 1.4 Relationship with other Rli advisory reports

The Rli has issued several advisory reports on the subject of housing. Recent publications include *Toegang tot de stad* (Access to the City, 2020), *Versnellen woningbouwproductie* (Accelerating Housing Production, 2018) and *Wonen in verandering* (Changing Trends in Housing, 2015). The advisory report *Tijd voor keuzes* (Time to Decide, 2007<sup>8</sup>) by the Council for Housing, Spatial Planning and the Environment (one of the Rli's predecessors) is also still relevant in the context of this report.

#### 1.5 Structure of the report

In Chapter 2, we highlight the various tasks that housing associations address: ensuring a steady supply of reasonable quality rental housing at moderate rents.

In Chapter 3, we look to the future: what can we say about the development of the housing market and about the development of the groups of people in society who need housing provided by housing associations? How can we improve these house hunters' chance of success?

Then, in Chapter 4, we discuss the government's responsibilities in the area of housing and look at the role of housing associations in this context. What would happen if other parties took over the role of housing associations?

8 Report only available in Dutch.



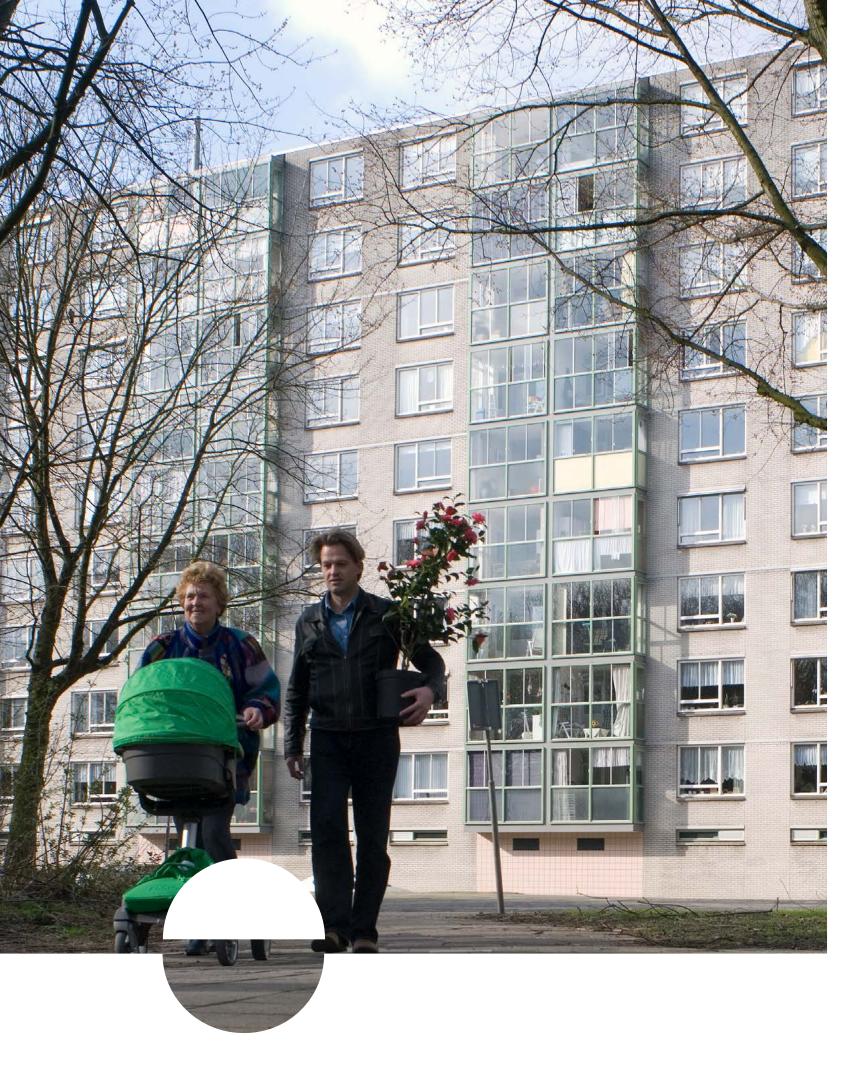


In Chapter 5, we examine how the government focuses on maximising the social performance of housing associations and we highlight some of the obstacles in the current performance of housing associations.

Finally, in Chapter 6, we outline the desired direction of development of the housing association system and make a number of specific recommendations to central government.







## 2 CHALLENGES FACING HOUSING ASSOCIATIONS

The core task of housing associations is to ensure (a) an adequate supply of rental housing, (b) moderate rental prices and (c) reasonable housing quality (including quality of life in the neighbourhood). In this chapter, we explain the current housing supply for low and lower-middle income households (Section 2.1). We then go on to outline the difficult position of housing associations, which, when making investment decisions, must constantly weigh up which tasks should be prioritised and how much focus is financially justified, given the restrictive government regulations and taxes (Section 2.2). We also discuss the investment challenges facing housing associations over the next ten to fifteen years (Section 2.3). Finally, we look at factors that make it harder to keep housing association homes affordable (Section 2.4).





#### 2.1 Housing supply for lower incomes

The target group of housing associations consists of low-income and lowermiddle income households.9 We use the term 'lower income' in the rest of this report. There are three segments in which people from this income group can try to secure a home for which they can afford the monthly costs:

- the regulated rental sector (with a rent below the 'rent-control ceiling',10 which is currently €763.47 per month);
- the cheaper nonsubsidised rental sector (with a rent from the rent-control ceiling up to approximately €1,000); and
- the cheap purchase sector (with a purchase price up to approximately **€210,000**).

The housing supply in each of these segments has declined over the past decade.<sup>11</sup> Various factors have played a role in this. Firstly, the rent of many regulated rented homes was increased, placing the homes in the unregulated ('nonsubsidised') rental sector. This was mainly done by commercial landlords and, to a limited extent, by housing associations. In addition, housing associations have in recent years demolished outdated rented homes with regulated rents, which has only been offset in part by new replacement housing. And finally, rented properties have been sold.

In the case of housing associations, these were mostly rented homes above the rent-control ceiling (the situation was different for Vestia, which sold more than 30,000 homes due to financial difficulties<sup>12</sup>). Many commercial landlords sold both regulated and cheaper non-regulated rental housing due to the high prices on the owner-occupied market. Others, on the other hand, discovered earning opportunities by buying homes and renting them out at high rates to households that were not quite able to purchase their own home. Figure 1 shows the development of the housing stock in the various segments.

These developments in the rental market took place while the prices of homes on the owner-occupied market were rising sharply, which drastically reduced the number of cheap homes. The low interest rates made the higher prices affordable for households with sufficient income and assets and for commercial landlords, whereas it became significantly more difficult for lower-income households to get a foot on the property ladder. All in all, the housing market as a whole is working less and less well.





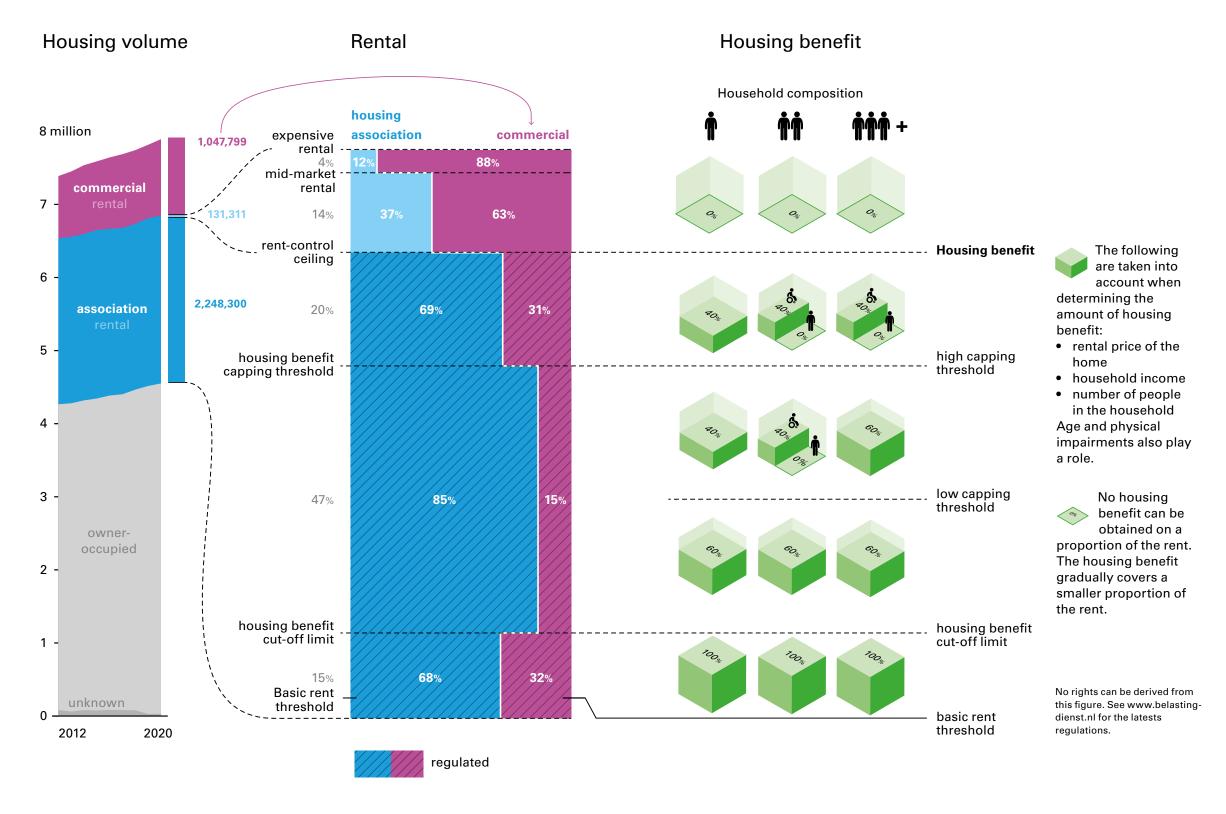
<sup>9</sup> Central government applies an income limit of €40,765 (for single-person households) and €45,014 (for multiperson households) to be eligible for regulated rental housing.

<sup>10</sup> The 'rent-control ceiling' is the legally established limit that determines whether a rented property falls within the regulated rental sector or the nonsubsidised rental sector. Above the rent-control ceiling, we refer to commercial or nonsubsidised rental housing.

<sup>11</sup> In the period 2013–2017, the number of regulated housing association homes fell by 95,000 (Van Os et al., 2020). The number of regulated rental homes owned by private owners also fell by more than 90,000 between 2017 and 2019 (Waarstaatjegemeente.nl, 2022).

<sup>12</sup> Vestia sold 20,000 homes in the period 2012–2015 due to financial difficulties: many to other associations and sitting tenants, but also over 7,000 to commercial party Patrizia. The sales programme all but came to an end in 2015, as its contribution toward reducing interest costs was negligible (Vestia, 2016). In 2019, the decision was taken to sell a total of 10,300 homes to other housing associations (Vestia, 2020). In 2021, other housing associations exchanged their loan portfolios with Vestia and the decision was taken to split the Vestia organisation into three independent associations (NUL20, 2021).

Figure 1: How is the housing market structured in terms of ownership and regulation?



Source: Aw, 2020; Woonbond, 2022; BZK, 2019a





While the supply of housing for people on lower incomes is in decline, the demand from this group of households is steadily growing.<sup>13</sup> This is mainly due to decreasing household size (more and more single and two-person households), much higher immigration than expected (both labour migrants and resident permit holders; the recent war in Ukraine is expected to also have an impact in the medium term), independent living among care clients and a growing group with low and uncertain income. In short: the chance of finding a suitable home is small for people on a lower income and will continue to decrease in the years to come, as the supply is steadily declining and demand is steadily growing.<sup>14</sup> Most housing associations have long waiting times for regulated rental housing. In most urban regions, a registration period of four to six years is required before a house hunter is eligible for housing association homes that become available. This is usually followed by an active search over two to four years. 15 In special cases, households can be given priority on the basis of urgency;16 in practice, 20–50% of the housing association homes that become available are allocated to urgent and other priority groups (Kromhout & Wittkämper, 2019). This reduces the remaining supply for 'regular' house hunters further still, resulting in even longer waiting times. As a result, more and more

13 Due to population growth and household fragmentation, the target group will increase over a longer period, at least in the next twenty years (Van Os et al., 2020).

people on lower incomes are facing difficulties.<sup>17</sup> To ensure that the situation is not entirely hopeless, in several regions a small proportion of homes is allocated by lot.

## 2.2 Implementation: maintaining a balance between what needs to and what can be done

As previously mentioned, the public housing tasks of housing associations consist of ensuring an adequate supply of reasonable quality housing with moderate rents. Ensuring 'reasonable quality' includes not only maintaining and modernising rented homes and making them more sustainable, but also promoting the quality of life in the neighbourhoods where these homes are located.

Housing associations need to achieve a balance in the implementation of their tasks. After all, it is only possible to invest in the quality of existing homes and the construction of new ones if there is sufficient funding. A housing association can use its rental income for this purpose. However, collecting a high rental income is incompatible with the task of ensuring moderate rental prices. A housing association can also generate income from the sale of rental properties. This can be used to invest in the housing stock (new construction, modernisation, improving sustainability) or to offset structurally insufficient rental income. However, if no new homes are built in their place, the available supply of rental housing will shrink.







<sup>14</sup> This advisory report focuses on the supply of regulated rental housing; the supply in the other market segments must always also be taken into consideration.

<sup>15</sup> Urban regions such as Amsterdam and Utrecht have peak required registration periods of up to nine years and active search periods of more than five years (Kromhout & Wittkämper, 2019).

<sup>16</sup> In many municipalities, people can be given priority if their home is demolished, if they urgently need a home for social or medical reasons, or if they are a refugee with residency status.

<sup>17</sup> For further information on waiting times and housing allocation, see also our advisory report *Toegang tot de stad* (Access to the City, RIi, 2020).

As a result, housing associations are faced with the constant challenge of balancing the public housing goals that need to be achieved with the available financial resources.

Various factors influence the financial position of housing associations. The initial determining factors are an association's rent policy (structural income), sales policy (incidental income) and investment policy (expenditure). An association's financial position is also influenced by the capital market, which determines how much money can be borrowed and at what conditions and interest costs. Finally, government policies also have an impact, particularly the mandatory payment of taxes by housing associations (landlord levy and corporate income tax). Central government policy has helped to make housing associations adopt a more cautious approach to investments over the past decade (Van Os et al., 2020). Other contributing factors include the limited availability of sites, long procedures and construction costs that were difficult to control.

#### 2.3 Investment

Many investments that housing associations are required to make in their properties relate to a long period of time: management, maintenance and quality of life costs, for example, recur from time to time during the life of

a property. When deciding on rent levels, housing associations therefore take into account the long-term financial impact. A rent freeze in any given year has an impact for decades and must be offset by additional income or reduced expenditure.<sup>19</sup>

Required expenditure and investme	nte	hy housing associations			
The annual expenditure and regular investments are as follows:					
Maintenance expenditure**	€	4.4 billion (2020)			
rising to	€	5.3 billion (2035)			
Annual management costs**	€	2.6 billion (2020)			
rising to	€	2.7 billion (2035)			
Quality of life expenditure**	€	0.2 billion (2020)			
this will remain around	€	0.2 billion (2035)			
Annual total regular expenditure	€	7.2 - €8.2 billion			
Non-regular investments up to 2035 include:					
New construction*	€	73 billion			
Demolition*	€	2.3 billion			
Temporary low-rent homes*	€	4 billion			
Improvements to sustainability*	€	23.4 billion			
Home improvement*	€	12 billion			
Total non-regular	€	116 billion			
*BZK, 2020a; **BZK, 2020b					

<sup>19</sup> A one-off decision was taken to freeze rents in 2021: the approximately €200 million annual cost of this freeze was offset by a reduction in the landlord levy (Conijn, 2021).







<sup>18</sup> Associations have a low risk due to their mutual guarantee system and are therefore allowed to borrow much more than ordinary companies. They are also required to pay less interest. On the other hand, other rules and restrictions are imposed by the institutions responsible for the external supervision of housing associations: the Social Housing Guarantee Fund (WSW) and the Netherlands Authority for Housing Associations (Aw).

The above box provides an overview of the Ministry of the Interior and Kingdom Relations' estimated expenditure and investments of housing associations throughout the Netherlands for the period 2020–2035. We have made a distinction between expenditure, regular investments and non-regular investments. Annual expenditure and regular investments are needed for maintenance, management and quality of life.<sup>20</sup> Central government estimates *annual* investment in these areas of approximately €7.2 billion (in 2020), rising to €8.2 billion (in 2035) (BZK, 2020a).

According to the Ministry, the estimated non-regular investments by housing associations in the housing stock for the period up to 2035 total €116 billion. It is important to note that the substantial investment in new construction (estimated at €73 billion) can be largely recouped, as the new homes built will generate rental income. Therefore, from a financial point of view, the costs of enhancing sustainability and home improvements in particular are more problematic because a significant part of these investments cannot be recouped.<sup>21</sup> The estimated total cost in these areas is €43 billion. In the reports of the Ministry of the Interior and Kingdom

Relations, it has become clear that the present tasks are not achievable within the financial frameworks in force in 2021.<sup>22</sup>

#### 2.4 Keeping housing affordable

Most people on a lower income cannot borrow enough money to buy a home and are therefore reliant on the rental market. If their income is below the limit set by the government, they are eligible for regulated rental housing, the rent of which is limited by the government. If the monthly costs are still too high, they can receive housing benefit from central government. The level of income and size of the household determine how much housing benefit is granted.<sup>23</sup>

The larger the number of people on lower incomes who cannot afford their monthly expenditure, the higher the cost to the government of the housing benefit scheme.<sup>24</sup> Central government seeks to control housing benefit expenditure in two ways. Firstly, the housing benefit scheme is designed so that the higher the rent, the lower the benefit and the higher the tenant's own contribution. This encourages households to find a rent that matches







<sup>20</sup> Maintenance includes work on façades, foundations, galleries, balconies, roof structures, rainwater drains, sewers, gas, water and electricity pipes, plumbing, kitchens and installations etc. Management and quality of life involve aspects such as cleaning, minor repairs and surveillance.

<sup>21</sup> The savings made by improving sustainability (lower energy costs) accrue to the tenant, while the costs (investments in insulation and installations) accrue to the landlord, who can only cover part of this expenditure through rent increases.

<sup>22</sup> A number of experts have criticised the estimates. For example, Platform31 & RIGO (Van Os et al., 2020) estimate that maintenance expenditure is 20% higher than the figures stated by the Ministry. The Economic Institute for the Construction Industry believes that the maintenance costs are in fact more than 10% lower and also questions the assumptions made regarding interest rates, returns and the discount rate (the percentage used to calculate future value to current value) (Kok, 2020).

<sup>23</sup> See also Figure 1 in Section 2.1.

<sup>24</sup> This amount has increased from over €2.2 billion in 2010 to over €3.5 billion in 2018 (Berkhout et al., 2019).

their income. Secondly, housing associations must meet the requirements of 'appropriate allocation' (see box).

#### **Appropriate allocation**

Under Article 46 of the revised Dutch Housing Act (2015), housing associations are required to allocate at least 95% of house-hunting tenants from lower income groups an 'appropriate' home. In other words, a home with a rent that fits within the limits of the housing benefit system. The aim of this measure is to increase affordability for lower income groups and control public spending on housing benefit. It is worth noting that 'appropriate allocation' does not take into account a household's assets.

Housing associations are tasked with ensuring moderate rents. They do this by keeping rents significantly below the maximum permitted level. In doing so, they adhere as much as possible to the policy of 'appropriate allocation' (see box). In practice, this means that the income limits in the housing benefit system are taken into account and thus tenants' entitlement to housing benefit; many homes are therefore kept below the housing benefit capping threshold of €633.25.25 The disadvantage of this approach is that the relationship between rent and quality of homes is deteriorating. All in all, two ways of providing affordable rental housing (moderate rents

by housing associations and income support by central government) are becoming increasingly intertwined, with a resulting lack of transparency.

#### 2.5 Conclusion

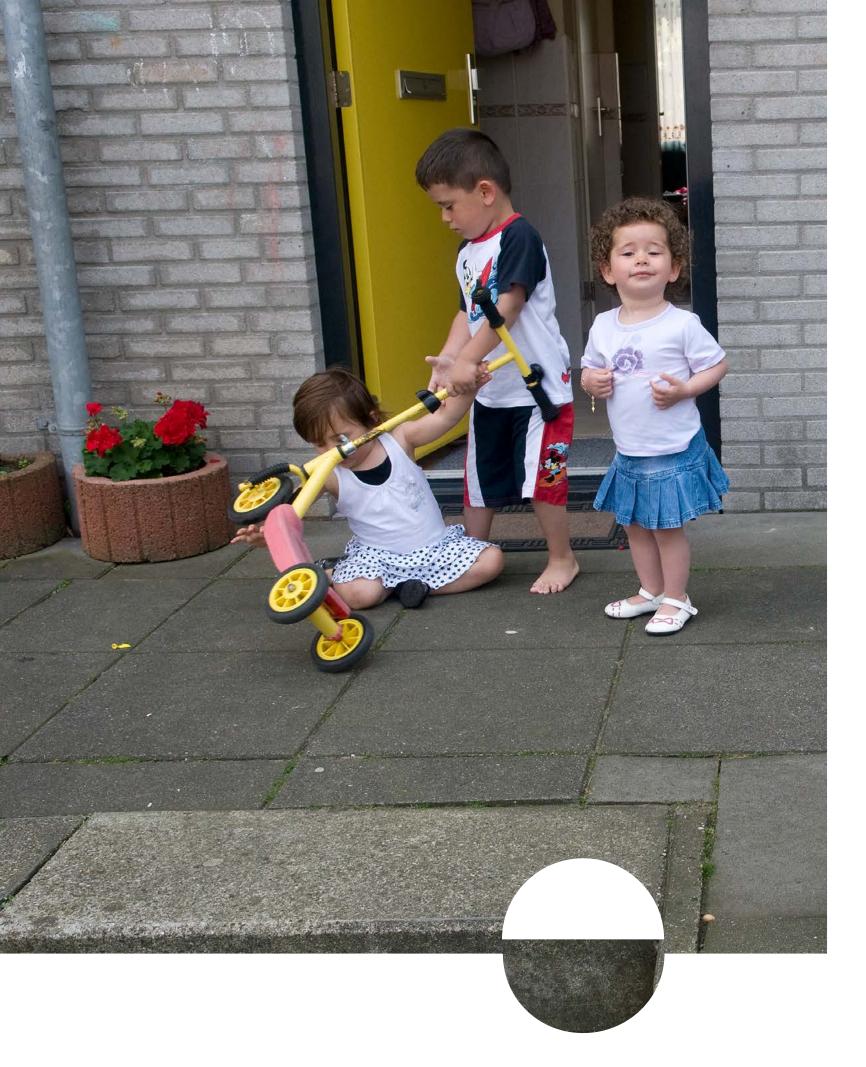
The housing market has not been functioning well for many years. The supply of rental housing for people on lower incomes is steadily decreasing, while demand is growing. Housing associations have a role to play here, but they are faced with difficult trade-offs in which key objectives – increasing the supply of reasonable quality rented properties on the one hand and safeguarding affordable rents on the other – are incompatible. Central government policy has made this task even more difficult, due to levies, the policy of 'appropriate allocation' and the housing benefit system. This has substantially curtailed the funds available for investment and the scope for housing associations to act. What does all this mean for government intervention in the housing market? How can we improve opportunities for house hunters? These questions are addressed in the next chapter.

25 For households consisting of three or more people.









## 3 LOOKING TOWARDS THE FUTURE

In this chapter, we focus on the future of the housing market. How will the demand for housing develop in the longer term and what does this mean for government policy (Section 3.1)? We also look at the expected development of the groups of people in society who require housing with a regulated rent; will these groups grow or shrink in size and/or change in composition (Section 3.2)? Finally, we discuss some ways of improving the chances of success for house hunters in the future (Section 3.3).

#### 3.1 Lack of balance in the housing market

There is a structural imbalance across the housing market in the Netherlands, and this situation is unlikely to change in the foreseeable future. For many decades now, there has been an imbalance between the demand for housing and the supply of housing. The housing supply is developing much more slowly than is necessary to meet the growing demand. This is due to various factors:







- Availability of locations. Building homes requires land, which is not readily available in the Netherlands. The availability of suitable locations depends on a number of factors, including municipality regulations and planning processes. These processes are usually very long.
- Spatial planning policy. Housing construction requires government approval. Because space is limited in the Netherlands and is also needed for activities such as business, traffic, nature, agriculture and sports, the government takes a cautious approach to granting permission for residential construction.
- Limited capacity in the construction sector and in municipalities. During
  the credit crisis, the number of workers in the construction sector fell
  sharply. It subsequently proved difficult to recruit properly trained staff.
  In municipalities, too, the number of employees who can handle the
  necessary procedures for building plans is limited.

At the same time, the demand for housing is fluctuating. Various factors play a role here too:

- Unpredictability of migration flows. Migration is the most variable
  factor affecting population development. The scale of migration has
  been greatly underestimated in recent years. This concerns both labour
  migration and refugees. Labour migration is strongly dependent on
  developments in the economy and the labour market, such as the
  retirement age and employee training.
- Family composition and housing preferences. Societal views on family formation and size, when a home is big enough, what you should be able

- to do in it (learn, work, receive care), influence the demand for housing and its desired quality.
- Changes in government policy on housing, the labour market, care and pensions. The demand for housing is influenced by government policy choices. For example, the demand for housing will grow if the government encourages people who are reliant on care to live independently at home for longer. Social assistance benefit and state pension rules also influence demand: if living together leads to a reduction in social assistance benefits (the rules on shared living cost), young people leave the parental home sooner and fewer partners decide to cohabit.

In short: the size of the demand for housing fluctuates rapidly, while a new supply of housing is slow to materialise. This often results in undesirable social effects. We therefore believe that continued government intervention in the housing market is necessary and unavoidable. The National Housing and Construction Agenda (BZK, 2022) echoes this view. In this advisory report, we look specifically at the availability and affordability of social rental housing for the policy target group. This type of housing is mainly offered by housing associations. Ideally, the size of the housing association sector should therefore reflect the conditions on the housing market. Since supply is so slow to materialise, however, this does not happen automatically and the existing housing stock of housing associations must be handled with care.







#### 3.2 Growing target group with a variable composition

Over the next ten to fifteen years, the number of households that rely on the stock of regulated rental housing is not expected to fall (Faessen et al., 2020). However, there will be constant shifts *within* this target group: the proportion of labour migrants, students and homeless people will vary in size over time (NIDI&CBS, 2021; Interbestuurlijke werkgroep versterking beleid huisvesting aandachtsgroepen, 2021).

Much is still uncertain about the period 2035–2060. But if we look more closely at the target group of housing policy for housing associations in the next ten to fifteen years, a number of things stand out:

- Relatively often, these are people who need special attention in the
  form of extra care and assistance, support or protection. This is a very
  diverse group. It includes people such as those with physical or mental
  health problems, foreign seasonal workers in low-skilled jobs, people
  who find themselves in an emergency situation due to divorce, loss of
  income or the death of a family member, people coming out of a penal or
  psychiatric institution and homeless people (Interbestuurlijke werkgroep
  versterking beleid huisvesting aandachtsgroepen, 2021).
- Relatively often, they are also households that are dependent on cheap housing solely due to their low income. For many people in this group, there is no cheap housing available. As a result, many of them end up in illegal housing,<sup>26</sup> sharing a home when they do not want to, or being forced to stay with their parents.

on regulated rental housing. The people in this group occupy a weak position on the current housing market with no prospect of change any time soon.

• There is also a group of lower-middle income households that rely

The government's policy must take into account the fact that the number of households relying on the stock of regulated rental housing will remain the same or increase. This means paying attention not only to the size of this housing stock, but also to its nature. Assistance and temporary housing facilities are required, there is a need for lower-quality housing than the usual family home and the proximity of care and welfare facilities must be taken into account. Policy should therefore focus on the key concepts of flexibility, care and assistance.

#### 3.3 Ways of enhancing opportunities for house hunters

There are several ways to enhance opportunities for house hunters. We discuss three possible solutions below.

#### 1. Adding new homes

The best way to ensure more opportunities for house hunters is to make up for the housing shortage by adding extra homes. The government aims to build 900,000 new homes in the period up to 2030 (BZK, 2022). One of the ways of increasing the housing stock is to enlarge existing residential buildings (by adding extra floors and/or extensions) and by dividing existing dwellings.

<sup>26</sup> Examples include garden sheds, holiday homes and rooms in illegally subdivided homes.

In this advisory report, we focus on the construction of additional regulated rental housing by housing associations. We note that housing associations are not the only parties that can play a role here: private not-for-profit organisations such as housing cooperatives can also help to provide an additional supply of regulated rental housing. Moreover, a number of municipalities are discussing whether the private sector could also build and operate 'social' rental housing. If this goes ahead, the criteria for a 'social' housing supply must be clearly formulated (see also our recommendations in Chapter 6).

When building additional regulated rental housing, we believe special attention should be paid to building homes in the cheapest segment. The reason for this is that there is a considerable need for additional rental housing below the previously mentioned housing benefit cut-off limit applicable to tenants in higher-quality accommodation:<sup>27</sup> the housing supply in this category, with rents below €442.46 (2022 price level), has declined considerably over the past fifteen years. The need for this type of housing can be met by building smaller, non-self-contained flats or flats with shared facilities.

#### 2. Focusing on movement in the housing market

The opportunities for house hunters can also be enhanced by promoting the 'movement' of households. If, for example, older people move from single-family homes to ageing-in-place apartments, and if tenants of regulated rental homes move on in due course to moderately priced commercial rental homes (or cheap owner-occupied homes), more households can find a home that suits their income, family size and work. Movement is very important, but has proven to be difficult in the past few decades. New construction initiates new relocation chains. There are also a number of ways of encouraging people to move home by means of persuasion (e.g. moving agents), financial incentives (moving allowance) or the removal of barriers (rent retention, arranging the move). However, in practice, the contribution of such measures is limited because many people are attached to the place and the home they live in.

A specific measure that can promote movement from cheap housing association homes to more expensive commercial rental housing is the regulation of rent prices for commercial rental housing proposed by the government. This measure can help to make housing in the commercial rental sector more affordable, and to improve legal protection for tenants of these properties, so that they can appeal to the Rent Tribunal in the event of disputes. In the current housing market, we feel that regulation of rental properties with a rent up to approximately €1,000 is the obvious course of action. We believe that regulation can be less detailed here than in the social segment. Housing associations can, as they do now, operate in the commercial segment where warranted by local housing market conditions. We think it is right that housing associations should continue to distinguish between their social and commercial rental properties and that different rules apply to these categories.







<sup>27</sup> The 'housing benefit cut-off limit applicable to tenants in higher-quality accommodation' is a concept from the housing benefit regulations. If the rent of a regulated home exceeds this limit, the tenant's housing benefit is reduced. The cut-off limit is based on the idea that the higher the quality of housing, the higher the rent.

3. Focusing on a multi-faceted approach to vulnerable neighbourhoods In recent decades, some urban areas have witnessed the emergence of neighbourhoods with a high concentration of low-income residents, relatively many of whom need extra care and assistance, support or protection. The few people who move out of these vulnerable neighbourhoods are mainly from groups with more social opportunities.

For the group of households that, in addition to affordable housing, also need extra support in the area of care and welfare, it is crucial that this assistance is actually provided. This is not only important for fellow residents and informal carers, but also helps to improve the social position of the residents concerned, thus combating the concentration of poverty.

At the same time, it is important to focus on diversifying the often one-sided housing stock in these kinds of neighbourhoods to create more 'mixed' neighbourhoods in which people can move up the housing ladder more easily. This will increase the chances of house hunters finding affordable housing.

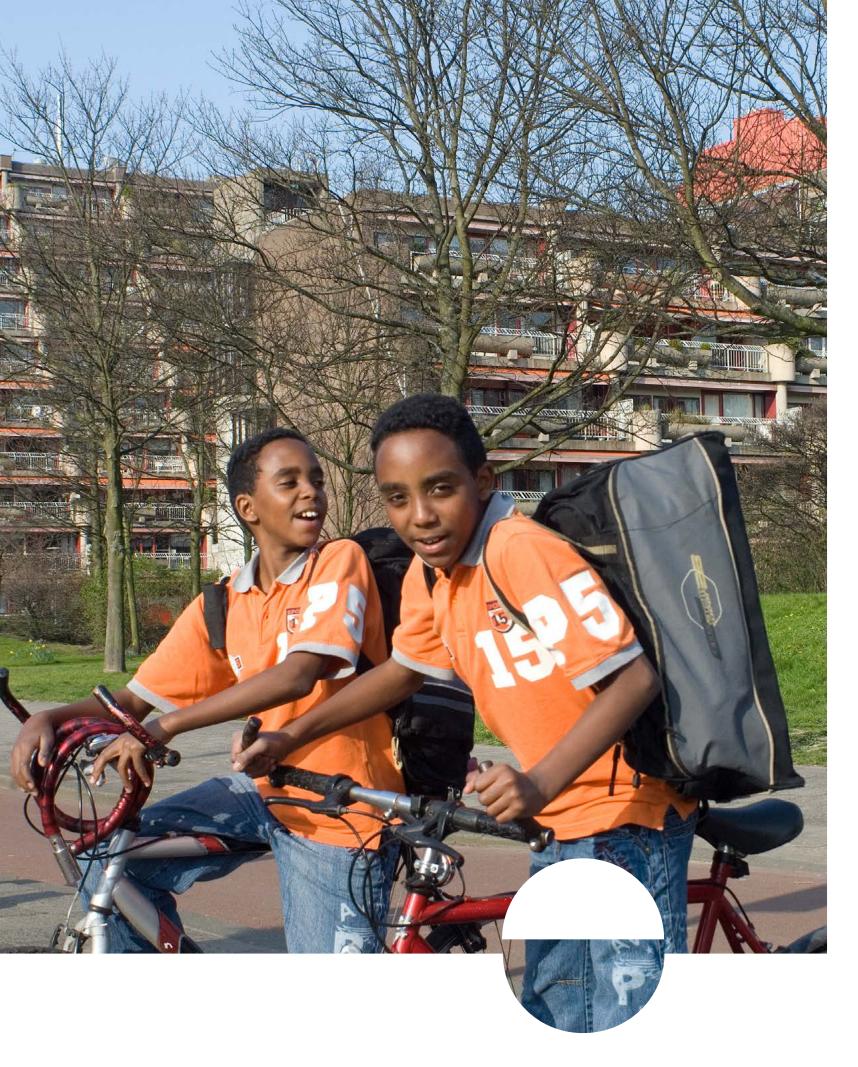
#### 3.4 Conclusion

The Dutch housing market is characterised by a structural imbalance between supply and demand. Permanent government intervention in the housing supply is therefore necessary – particularly if we take into account that the group of lower-income households will not get any smaller in the next ten to fifteen years. These households will benefit from the

construction of more new social rental housing and from better movement in the housing market. In this context, attention must also be paid to cooperation with care and welfare parties in vulnerable neighbourhoods and to ensuring that the housing stock in such neighbourhoods becomes more 'mixed'. This will increase the social opportunities for residents and promote movement.

In the next chapter, we take a closer look at the role of government policy and housing associations in housing policy.





# 4 GOVERNMENT POLICY AND THE ROLE OF HOUSING ASSOCIATIONS

In this chapter, we discuss the government's responsibilities in the area of housing and look at the role of housing associations in this context (Section 4.1). We examine what would happen if other parties were to take over the role of housing associations: what costs would be involved and what guarantees would there be of a constant supply of reasonable quality rented accommodation with a moderate rent? (Section 4.2)

## 4.1 Housing policy: government responsibility and the role of housing associations

The Constitution states that the provision of sufficient living accommodation shall be 'the concern of the authorities' (Article 22:2). Households on lower incomes, who are largely dependent on the rental market, deserve special attention. The latter is an important reason for the government to regulate part of the rental market, in other words to make sufficient rental housing affordable for lower-income households.



The four main instruments the government uses to regulate the rental market are:

- Rent regulation. The government requires owners of cheaper rental
  housing to set the rent according to a fixed system (the housing valuation
  system). Appeals and objections can be lodged with the independent
  Rent Tribunal. This system ensures reasonable rents and agreements for
  both residents and landlords. The fact that the maximum rent increase is
  set annually by the government moderates the development of rents.
- Individual income support. Households on lower incomes receive a
  contribution from the government (currently in the form of housing
  benefit) if the rent for their home is too high in relation to their income.
  From a market perspective, this individual income support ensures
  that the rents for homes of people on low incomes can remain closer
  to market rents, thus limiting market distortion. From a consumer
  perspective, income support offers house hunters better quality housing,
  which is beneficial from a welfare perspective since housing and the
  quality thereof also has an effect on labour participation, health and
  learning opportunities.
- Housing allocation. In case of scarcity, the available regulated rental
  housing must be allocated in some way. The government therefore
  determines how housing associations must allocate their homes.
  Municipalities can determine the allocation rules (provided they have
  drawn up a Housing Bylaw): most use a housing allocation system for
  this purpose, often on a regional basis. Other landlords are allowed to
  use their own criteria in the allocation of housing.

• Safeguarding supply. Recent times have seen a shortage of regulated rental housing, even in areas of population shrinkage, although there have been specific and unattractive complexes for which there was no demand. The abovementioned instruments do not prevent a situation in which, on balance, homes can be withdrawn from the social segment. Government policy is therefore essential to ensure that there is an affordable supply of housing of sufficient quality for lower-income households, also in the longer term.

From the government's point of view, housing associations are an important vehicle for implementing the last two forms of regulation: housing allocation and safeguarding supply. Furthermore, in view of their objectives, housing associations have less need than other landlords to evade rent regulation (see also Section 4.2). And finally, thanks to their public task and collective size, housing associations are key partners with whom the government can make agreements about improving the sustainability of the built environment and promoting the resilience of neighbourhoods.

Nevertheless, implementation by the housing associations has not been able to prevent the emergence of serious problems in the housing market. As we discussed in chapters 1 and 2, for years there has been a shortage of housing, steep rent increases, problems with the quality of rental housing and quality of life issues in vulnerable neighbourhoods. The problems are the result of a negative interaction between government policy and the performance of housing associations. Central government policy was designed to allow more scope for market forces and commercial initiative,





and thus to reduce the role of the housing association sector. However, this did not have the intended effect because the other market segments by no means provided a sufficient affordable supply for the target group. The National Housing and Construction Agenda (BZK, 2022) acknowledges these findings: "In recent years, we have made the role of central government in relation to this fundamental right too small. Too much faith was placed in the assumption that the market itself and alone would provide a solution to the housing shortage. For too long it has been believed that the sum total of all decentralised decisions would lead to the solution."

## 4.2 Value and benefit of housing associations and possible alternatives

Government intervention in the housing market is, as we noted in Section 3.1, necessary and inevitable to ensure a stable and adequate supply of good and affordable housing in liveable neighbourhoods. In order to determine whether housing associations are the right implementing party for the government in this respect, we discuss two questions.

Can an affordable supply of housing of sufficient quality for people on lower incomes also be achieved without housing associations?
 There are a number of conceivable alternatives to housing associations, ranging from: (a) the open housing market (for cheap owner-occupied housing), (b) commercial providers (for subsidised rental housing) to
 (c) municipal housing corporations and (d) not-for-profit landlords (for moderately priced rental housing). However, alternatives a, b and c have

disadvantages. The costs and financial risks for society are often high, or long-term continuity is not sufficiently guaranteed:

- a. On the open housing market, continued affordability and quality of housing can only be ensured through house-purchase grants and resale provisions.<sup>28</sup> Continuity of housing supply is relatively costly for the government in this option, because price increases on the owner-occupied market are reflected in the level of house-purchase grants. It also requires parties who can meet and enforce long-term provisions, such as those of a buy-back guarantee or obligation to offer.
- b. Commercial providers can create an affordable housing supply, but only if the difference between the commercial price and the desired moderate rent is offset by a subsidy. The costs associated with this option are relatively high and after the end of the subsidy the cheap supply will disappear. Ensuring continuity of supply is therefore also relatively expensive in this case.
- c. Municipal housing corporations can provide an affordable housing supply, as happened in the past. In some cases, however, too many financial risks were taken, the organisations did not always function efficiently, and the direct political influence from the municipality was sometimes considerable. In order to overcome these disadvantages, these entities were converted into independent housing associations in the 1990s, so that the same guarantee and supervision structure applied across the board.

28 This is possible with contractual conditions such as the 'Koopgarant' scheme.







Compared to the above alternatives, the best and most cost-effective way to secure an affordable housing supply with sufficient continuity is through the not-for-profit landlords in alternative (d). These are private organisations that do not distribute profits (or only do so to a very limited extent), such as housing associations, philanthropic organisations and housing cooperatives. Such landlords aim to limit their profits (philanthropic organisations) or to fully reinvest them (housing associations and housing cooperatives). Their objective and motivation is to ensure the continuity of affordable and reasonable quality housing. As a result, they look beyond the individual home and take into account the coexistence of people in communities and the quality of life in neighbourhoods in their policy and investment decisions. Housing associations distinguish themselves from housing cooperatives by (a) reinvesting returns achieved for the benefit of public housing in general; (b) mutually guaranteeing each other's financial risks and (c) not being allowed to make any distinction between potential tenants (for example according to risk of non-payment or nuisance). Characteristics (a) and (b) bring cost-saving economies of scale. Characteristic (c) contributes to an equitable distribution of the supply among the housing policy target group.

2. Is it not equally possible to guarantee an affordable housing supply of sufficient quality with rent regulation alone?

Rent regulation ensures moderate rents. It is natural to assume that this instrument could perhaps be sufficient on its own to provide proper housing for people on lower incomes. A problem, however, is that without additional instruments, the continuity of the desired rental supply is not

guaranteed. Market developments can throw a spanner in the works, as we are currently witnessing. Many regulated rental properties have become commercial rental or owner-occupied properties in recent years (see Section 2.1). Moreover, rent regulation does not guarantee a 'mixed' housing stock in neighbourhoods. Market forces ensure that the cheapest homes are concentrated in areas that are considered least attractive. This can lead to the formation of ghettos. In short: if the government wants to fulfil its constitutional task of ensuring an affordable supply of rental housing of reasonable quality, it needs all the instruments to regulate the rental market. Rent regulation alone cannot guarantee an affordable supply of rental housing of sufficient quality in liveable neighbourhoods.

If we go back to the basic question of whether housing associations are the right implementing party for the government to ensure a stable and adequate supply of good and affordable housing in liveable neighbourhoods, our answer in light of the above is: yes. Housing associations and other not-for-profit landlords are needed to secure adequate and affordable rental supply in mixed neighbourhoods and to ensure a fair distribution of that supply. Amidst the many factors threatening the continuity of the supply of affordable rental housing, the Dutch system of housing associations has a stabilising function. The associations effectively house large groups of lower-income households in a way that is cost effective and risk limiting for the government.





A comparison with the situation in countries such as the United Kingdom, Germany, France, Sweden, Denmark and Austria confirms the view that, without independent social rental organisations, the continuity of the supply of affordable rental housing is under pressure, is relatively costly, and/or the quality of the housing and neighbourhoods is considerably lower (resulting in the marginalisation of residents). The Dutch system of housing associations is unique at global level in terms of its scale and professionalism. It contributes to social stability, as independent organisations with sufficient equity provide affordable rental housing. It is partly due to this that the Netherlands has, to date, seen less of a spatial concentration of people on low incomes compared to many other countries.

4.3 Conclusion

There has been a lot of criticism of housing associations for being inefficient due to the lack of competition, and for lack of supervision due to the absence of shareholders. Following the changes to the Dutch Housing Act in 2015, many points of criticism have been addressed: tasks have been defined more precisely, supervision has been tightened up and the role of municipalities and tenants has been strengthened. We have found that housing associations are indispensable for the government to secure adequate and affordable rental supply in mixed neighbourhoods and to ensure a fair distribution of that supply. Rent regulation alone is not sufficient to guarantee this. The fact that housing associations are useful and necessary, however, does not mean that they are also performing at optimum level. It is precisely because of the Chapter 5, we therefore

examine the areas on which the government should focus in order to encourage housing associations to maximise their performance and to keep risks under control.







# 5 MAXIMISING THE PERFORMANCE OF HOUSING ASSOCIATIONS

It is the government's responsibility to focus on maximising the social performance of housing associations. In this chapter, we will examine how it does this. We discuss how the government has defined the target group of housing associations (Section 5.1), which tasks it has assigned to the associations (Section 5.2) and which legal frameworks it has formulated to allow the associations to fulfil their role as intended (Section 5.3). We then go on to highlight the main obstacles in the current performance of housing associations (Section 5.4).

#### 5.1 Target group of housing associations

In its housing policy, the government has defined the target group of housing associations as households with an income of less than €40,765 (single-person households) or less than €45,014 (multiperson households) (BZK, 2021a).<sup>29</sup> This includes almost half of all households

29 These income limits apply from 1 January 2022.







in the Netherlands (Gopal et al., 2021b). However, these are not the only households that are facing difficulties in the housing market. In the commercial rental market, house hunters with an income that exceeds these limits often face relatively higher monthly costs than in the regulated rental market, while they do not qualify for a mortgage that would allow them to buy a home.

Given this situation, it may at first glance appear attractive to raise the income limit for access to housing association homes, thus enabling these associations to assist all households in difficulty. In practice, however, this is first of all unrealistic because it would only increase the pressure on the stock of regulated rental housing and further reduce the opportunities available to the current target group.<sup>30</sup> A substantial increase in the supply of middle-segment homes would be necessary prior to such a measure. There is also the fundamental question of whether it is desirable to use an income definition for the regulated rent target group (below the rent-control ceiling) that comprises more than half of all households in the Netherlands. If that were necessary, something is obviously very wrong. Under the present circumstances, we think it is wiser to keep the existing income limits for the housing policy target group broadly unchanged. If significant numbers of households with an income just above the current target

30 A significant proportion of households with an income below €40,765 or €45,014 do not have access to a housing association home, as the stock of regulated rental homes owned by housing associations amounts to only 25% of the total number of homes in the Netherlands. A large part of this group rents from commercial housing providers (often older homes) or was able, a long time ago, to buy a home at a price that was affordable for them at the time.

group limit run into difficulties, government measures outside the existing regulated rent are needed.

#### 5.2 Tasks of housing associations

As previously stated, the core task of housing associations is to provide lower-income households with housing of reasonable quality at a reasonable price, in a liveable environment. The government has set out in various ways what associations specifically can and must do to achieve this. For example, it has formulated clear criteria for the concept of a 'reasonable price', including the housing valuation system that links rents to the quality offered.

The government has better defined the core task of housing associations in the Dutch Housing Act of 2015. The Act has tightened the rules on permissible investments in real estate. The commercial activities of housing associations in particular have been subject to stricter requirements since 2015 (see also Section 5.3 below). In addition, restrictive conditions have been imposed on the expenditure that associations are permitted to make on housing management and improving quality of life in neighbourhoods. There are also additional requirements relating to record-keeping that associations must meet.

The government also stipulated in the Housing Act 2015 that housing associations must apply the rules for 'appropriate allocation' (see box in Section 2.4).

The tightening of laws and regulations has led to housing associations focusing more on their core public housing task: housing the lowest income groups. However, some of the tightening has also helped to create problems. For more information on this see Section 5.4.

#### 5.3 Frameworks for housing associations

Housing associations are guided by the government based on two types of framework: (1) laws and regulations, supervision and performance agreements, (2) financial and economic frameworks.

#### Laws, regulations, supervision and performance agreements

The government regulates and controls housing associations in three ways:

- Conditions on activities outside the social task. Under the Housing Act, housing associations are only permitted to use the returns from regulated rental housing for their 'public housing' tasks. In addition, assets in the form of regulated rental properties cannot be used as collateral for loans to fund non-regulated rental properties.<sup>31</sup>
- Controlling financial risks. The government has stipulated that various bodies must check whether housing associations are complying with the conditions under which they are allowed to operate. This starts with internal supervision by the Supervisory Board, which appoints

31 Approval can be granted for commercial activities following a 'market test', which is designed to prevent housing associations from carrying out commercial activities when there are already market operators that are entitled or want to be entitled to carry out such activities. However, the market test was suspended on 1 January 2022 until 2025.

the management and must approve the budget and annual report.<sup>32</sup> In addition, two bodies carry out external supervision of lawfulness, risk management and implementation. The Social Housing Guarantee Fund (WSW) assesses whether a housing association will be able to repay the loans it wants to take out. And the Netherlands Authority for Housing Associations (Aw) monitors the finances (risks, continuity) and the quality of internal supervision on behalf of the government.

• *Performance agreements*. Housing associations are required to reach annual performance agreements with the municipalities in which they operate and with local tenants' organisations. In doing so, the associations must take into account the locally adopted housing vision.<sup>33</sup> The Minister for Housing prescribes the mandatory subjects that must be addressed in the performance agreements (the 'public housing priorities').

#### Financial and economic frameworks

There are a number of financial and economic frameworks within which housing associations must operate:

• Separation between social and commercial rental housing. Under the Housing Act 2015, housing associations are required to divide their housing stock into two categories: regulated rent (social) and non-regulated rent (commercial).<sup>34</sup> The assets represented by the







<sup>32</sup> In some cases, the General Meeting of Members fulfils this role.

<sup>33</sup> The requirement for municipalities to draw up such a housing vision came into force in 2022.

<sup>34</sup> The two categories are also sometimes referred to as SGEI and non-SGEI property, where SGEI stands for Services of General Economic Interest.

regulated rental properties and the return from the rental of these properties may only be spent on regulated rental housing.

- Capping of annual rent increases. Every year, the government determines the maximum rent increase for social rents and commercial rents. For a number of years, a higher rent increase has been applied to social rental housing for higher income groups.
- Taxes and levies. The government influences the borrowing power of housing associations and thus their ability to make investments by means of taxes and levies. Housing associations pay a total of around €2.4 billion in levies each year (€1.7 billion in landlord levy, €0.7 billion in corporate income tax and ATAD<sup>35</sup> [PWC, 2020]). The landlord levy will be abolished in 2023.

The taxes and levies have meant that the housing associations' capacity to invest will be insufficient to fulfil their public housing tasks within the foreseeable future (BZK, 2020a).

#### 5.4 Obstacles in maximising the performance of housing associations

The 2019 review of the Housing Act 2015 identified several obstacles relating to the performance of housing associations. Some of these were subsequently resolved by means of amendments to laws and regulations that came into force in 2022. However, a number of obstacles remain with

35 ATAD stands for Anti-Tax Avoidance Directive: a European tax designed to prevent cross-border tax avoidance.

regard to the performance agreements and the financial and economic frameworks.36

#### Performance agreements

- The performance expected from housing associations is not sufficiently clear. The Minister for Housing has described the subjects on which municipalities must reach performance agreements with housing associations, but there are no quantitative targets attached to these subjects. The only current framework is the municipal housing vision. As a result, there are no guarantees of sufficiently clear qualitative and quantitative performance agreements.<sup>37</sup>
- Implementation falls short of expectations. In previous years, investments in new buildings have fallen short of the expectations set out by housing associations. We are now beginning to see some positive developments in this area (Aw, 2020). However, there is much less clarity when it comes to the realisation of other goals (housing for priority groups, improving the quality of life in neighbourhoods, modernising and improving the sustainability of homes), particularly at national level.







<sup>36</sup> Many of the obstacles relate to the cooperation between parties and the way in which the performance of these cooperating parties is managed.

<sup>37</sup> In the National Housing and Construction Agenda, the Minister for Housing announced that he would reach agreements with local authorities, housing associations, the Netherlands Union of Tenants and market operators. These agreements must cover the realisation and quality of new housing supply, the lead time for realisation, and affordability. It is also his intention to set out how national targets will be reflected in regional agreements, how they will be implemented in local performance agreements and how adjustments can be made (BZK, 2022).

- The contribution of municipalities to performance is too voluntary. Housing associations are dependent on municipalities for the realisation of their public housing tasks in a number of ways. This is the case, for example, in the construction of new buildings. As part of that process, municipalities are often required to transfer land ownership and ensure that the procedures under the Environment and Planning Act are followed. The latter can also be the case when making the housing stock more sustainable. In efforts to increase the resilience of neighbourhoods, care and welfare organisations are key parties, which in turn depend on (instructions from) municipalities to be able to offer tenants support. Whether or not municipalities contribute towards implementation by housing associations is therefore crucial, but not subject to legal requirements. Overall, the role of the municipality in facilitating the work of housing associations is too voluntary.
- Not enough development land is becoming available for regulated rental housing. A great deal of land is owned by commercial owners or municipalities. These parties have no financial interest in building regulated rental housing. There is not enough compulsion and monitoring of fair competition between parties.

#### **Restrictive frameworks**

 'Appropriate allocation' policies do not have the intended effect in practice. In reality, the generic 'appropriate allocation' policy has had unwanted repercussions. Firstly, this policy has led to a concentration of residents with problems in neighbourhoods with cheap housing.
 The quality of life in many neighbourhoods has deteriorated as a result.

- Secondly, the 'appropriate allocation' policy has led many housing associations to rent out homes below the housing benefit capping thresholds. This means that they are accepting less rental income, but are also able to make fewer investments in new housing. It also diminishes the relationship between rent and housing quality. Thirdly, rents are in some cases adjusted to the income of the tenants: sometimes rents are reduced, however if the income is higher they are raised. Housing associations are therefore applying an income policy.
- Changing housing benefit poses a risk to the sustainable revenue model of housing associations. In the coalition agreement of the fourth Rutte cabinet, it was agreed that housing benefit would be replaced by 'a system of standard rents based on income'. In this new system, housing associations could be given responsibility for making incomedependent decisions. However, we believe that this should be avoided. Income policy is primarily the responsibility of central government.<sup>38</sup>

  Moreover, it would introduce an additional risk for housing associations that is incompatible with their statutory duties. Housing associations should have a sustainable revenue model, where rental income is at least sufficient to cover annual expenditure and regular investments, as well as the necessary non-regular investments in their assets.<sup>39</sup>





<sup>38</sup> After all, central government also has the ability to manage other aspects of income, such as income taxes and benefits.

<sup>39</sup> For the distinction between annual expenditure, regular investments and non-regular investments, see the box in Section 2.3.

 Mutual financial support of housing associations is not properly regulated. Housing associations are independent organisations, which means that they must balance their expenditure with their income. However, associations vary widely in terms of financial position, both within and between regions (BZK, 2020a; BZK, 2021b). Some housing associations face challenges so great that they are unable to finance them whilst ensuring that rents remain moderate. In this case, financial support from other associations is desirable. The Housing Act makes allowance for this in the form of 'project grants', for which housing associations must apply. When the Minister awards a project grant to a housing association in need, conditions are imposed and all other associations are charged a levy to finance the grant. We think it is important that a scheme like this exists.<sup>40</sup> In its current form, however, the scheme does not lead to the desired redistribution of association assets. This is because half of the levy is based on the number of homes a housing association owns and half on the value of its assets for the purposes of the Valuation of Immovable Property Act (WOZ value). Because WOZ values are distributed very unevenly across the country, the existing set-up also imposes the highest levy on the associations in the urban regions (which

are faced with the greatest challenges), due to the high WOZ values of the real estate in these regions.<sup>41</sup>

#### 5.5 Conclusion

The government better defined the core task of housing associations in 2015. This has not had the desired effect in all respects. In order to optimise the social performance of housing associations, we believe that the government should better manage their performance and the frameworks within which they operate. In the following chapter, we make a number of recommendations to this end.



<sup>40</sup> One concern might be that housing associations avoid their own responsibilities and are too quick to apply for project grants. We consider this risk to be limited, because project grants affect an association's autonomy: the Ministry and external supervisory authorities determine to a large extent what expenses can be incurred. An application for a project grant will therefore be born out of necessity.

<sup>41</sup> The number of applications submitted for project grants is currently negligible. However, voluntary mutual financial support, also known as 'peer financing', sometimes takes place. Two examples: Mooiland housing association (from Grave, North Brabant) will invest in homes and land in The Hague South-West in the coming years, because it has more investment capital than it needs to meet the public housing goals in North Brabant (RTV West, 2021; Mooiland, 2021). In the past, the Wassenaarsche Bouwstichting financed a block of student flats in The Hague, which was managed and operated by DUWO, a student housing provider. Nineteen years later, when sufficient capital was available, the complex was taken over by DUWO (DUWO, 2019).



# 6 CONCLUSIONS AND RECOMMENDATIONS

In this chapter, we summarise our conclusions from the analysis presented above (Section 6.1). We then make a number of specific recommendations to improve the performance of housing associations. It is our view that the government will need to make adjustments to the system in which housing associations fulfil their role. These adjustments concern the role of central government, municipalities and the housing associations themselves (Section 6.2).

#### 6.1 Conclusions from our analysis

#### Government intervention in the housing market is unavoidable

The Dutch government has a constitutional duty to ensure the availability, affordability and quality of housing in liveable neighbourhoods. This includes paying special attention to ensuring the availability of sufficient affordable housing. Demand on the housing market is much more volatile than supply, so prices and waiting lists change much faster than the number of homes. As a result, there is very rarely a stable balance and this often leads to socially undesirable outcomes. Continued government intervention



in the housing market is therefore inevitable, with the aim of providing sufficient stability on the one hand and sufficient flexibility for households on the other.

#### Housing associations are useful and necessary

Housing associations have been useful and necessary to Dutch society and will continue to be so in the future, as they make a substantial contribution to the government's constitutional mandate in housing policy and do so in an effective and cost-efficient manner. In particular, they help to secure long-term affordable housing and to maintaining the quality of housing and the resilience of vulnerable neighbourhoods. Over the past twenty years or so, the importance of housing associations has grown due to a significant decline in the supply of affordable (regulated) rental housing in the private sector.

Ideally, the size of the housing association sector should develop in tandem with the conditions on the housing market. Central government should apply the precautionary principle of guaranteeing an adequate supply of affordable housing in the long term. This means that for the next ten to fifteen years, the housing associations will face a substantial challenge in terms of the new housing required. If the housing policy target group falls sharply in size over time or if there is a structural relaxation of the housing market, a reduction of the regulated rental housing stock is conceivable. However, we do not consider this to be relevant in the current shortage.

#### Investing in housing and keeping rents moderate: a tricky balance

Housing associations have different public housing tasks: to provide a housing supply that has both moderate rents and is of reasonable quality. This has proved to be a difficult combination in practice. On the one hand, investments are needed for which income is required. On the other hand, the supply of housing must be increased and rents must remain moderate. As a result, associations are faced with the constant challenge of balancing the public housing goals that need to be achieved with raising the necessary financial resources. Investments in sustainability and home improvement are a source of concern, as a large part of such investments cannot be covered by rental income.

## The government needs to place a greater focus on the performance of housing associations

In recent years, the government has devoted a great deal of attention to tightening the legal provisions in relation to the duties and powers of housing associations. It has also introduced levies for the benefit of the national budget. The latter has proven counterproductive, resulting in less new construction, rent increases, and reduced investment in the quality of housing and the resilience of neighbourhoods. Since the challenges facing the associations are substantial, the government has now significantly reduced the levies. It is important for the government to shift its focus towards the performance of housing associations.



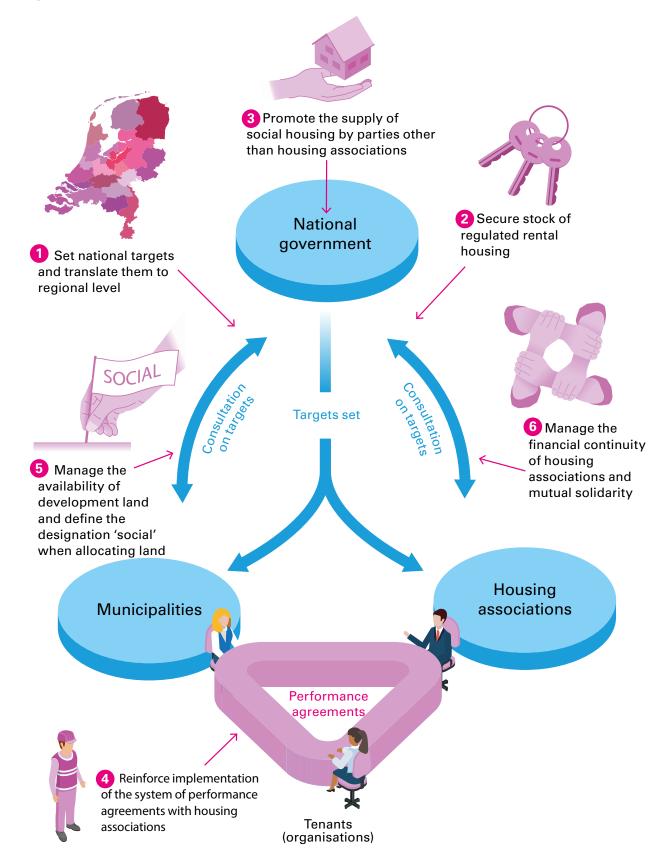
#### The housing association system requires improvement

In order to enhance the performance of housing associations, improvements are needed in the way performance agreements with housing associations are reached, the execution of those agreements, and in the legal frameworks within which housing associations operate. There is a need to address the role not only of the associations themselves, but also of central government and municipalities. After all, the performance of housing associations is achieved in cooperation with various parties.

#### **6.2 Recommendations to central government**

It is time for a rethink of national public housing policy. This advisory report focuses on the role of housing associations in this process. In the past ten to fifteen years, central government has opted for 'system responsibility'. In order to improve the performance of housing associations, we believe that central government should play a more emphatic, guiding, facilitating, stimulating and steering role vis-à-vis both associations and municipalities, with a focus on long-term objectives. The National Housing and Construction Agenda (BZK, 2022) takes important steps in this direction. By means of a number of recommendations, we outline in this chapter how the government could specifically fulfil the role that we see for central government. In the final remarks, we compare our recommendations with the National Housing and Construction Agenda: where do we agree, complement or deviate? The relationship between our recommendations is shown in Figure 2.

**Figure 2: Recommendations** 







#### 6.2.1 Set national targets and translate them to regional level

In recent years, central government has not used national targets in its housing policy. Determining local and regional housing goals was left to provinces and municipalities. We noted in Section 5.4 that this approach has failed to provide sufficient frameworks for local and regional policy and that it has led to a lack of clarity as to which objectives municipalities, provinces and housing associations should contribute to. In our opinion, setting targets is important because it guides the cooperation between provinces, municipalities, project developers and housing associations and ensures that parties can be held accountable for their performance. Laying down these national targets in the announced Public Housing (Management) Act will also provide long-term certainty in this regard.

The following recommendations are in line with the National Housing and Construction Agenda and can be taken into account in its elaboration. The recommendations in sections 6.2.4 and 6.2.5 reflect the national targets.

Set national targets for regulated rental housing and other areas

We advise central government to set national targets for the supply of regulated rental housing. The housing demand forecasts show a need for a significant increase in the number of regulated rental homes over the next ten to fifteen years. The obvious solution would seem to be to set targets for the realisation of new-build regulated rental housing and to set these targets for a longer period of time (longer than one cabinet term). This provides all parties (including central government) with a stable framework for their efforts and performance in building homes. It is our opinion that

the targets should be formulated as a percentage of total new construction. In the current housing market, the target could be 30% homes with a rent up to €763.42. To promote the movement of residents, we also recommend formulating a new-build target for homes with a rent up to €1,000; this could be 10% of the total of new homes.

We advise the government to also set other targets, for instance for the housing of target groups for whom specific provisions need to be made, such as homeless people, senior citizens, residence permit holders or labour migrants. We also recommend national targets in relation to making the housing stock more sustainable, the affordability of housing, and the resilience of neighbourhoods.

#### Break down national targets at regional level

We advise central government to break down the national housing targets for each specific region. Government should consult with provinces and regions (often partnerships of municipalities) prior to setting the targets. The national standard must be the guiding principle, although regional differences in housing markets, the local structure and quality of the housing stock and specific challenges in certain areas can be taken into account. Central government would need to monitor the sum total of all regional targets. The National Housing and Construction Agenda is in line with this recommendation.

#### 6.2.2 Secure the stock of regulated rental housing

In Section 6.1, we noted that securing a sufficient supply of affordable rental housing for the next ten to fifteen years is crucial. We make two recommendations to this end.

Make sure that the stock of housing association homes is increasing overall The coalition agreement of the fourth Rutte cabinet announced a scheme under which sitting tenants of housing association properties may, under certain conditions, buy their rental property (Coalitieakkoord, 2021). However, we do not think that a general right to buy for sitting tenants is a good idea. The reason for this is that it is important to ensure that, overall, the stock of affordable rental housing grows over the coming years. We recognise that the existing stock of regulated rental homes owned by housing associations must be able to adapt to changes in demand, such as the ageing population and the continuing growth in the number of single-person and two-person households. This will require adaptation and sometimes demolition or sale of homes. In our opinion, however, it is essential that housing associations take the lead in determining the strategy, and that activities are always coordinated with the municipality (as is also laid down by law). We suggest that the government consider stimulating social purchasing when selling rental properties.

Encourage the purchase of private rented homes by housing associations
We advise central government to encourage housing associations to
enter into purchase agreements with institutional investors who own
housing complexes containing regulated rental properties and who have

an intention to sell. By doing this, housing associations can prevent the 'leakage' of regulated rental housing to the owner-occupied sector and improve the quality of the regulated housing stock in vulnerable areas. Such an agreement, including the way the price is determined, can be made long in advance, possibly even as part of the land allocation by a municipality.

### 6.2.3 Promote the supply of social housing by parties other than housing associations

In Section 4.2, we discussed the fact that parties other than housing associations can also offer social housing. We advise central government to focus on broadening the supply of social housing by providers other than housing associations, as this will create a broader range. As was made clear in Section 4.2, not-for-profit organisations such as philanthropic organisations or housing cooperatives are preferred. The government could develop tax facilities for this, making it easier for the initiators to attract capital. The introduction of 'social housing investments' (similar to 'green investments') could be considered. Such forms of ownership could also be given priority when housing associations sell homes.

### 6.2.4 Reinforce implementation of the system of performance agreements with housing associations

In Section 5.4, we identified obstacles in the system of performance agreements between housing associations and municipalities. We believe that central government should place a greater focus on the realisation of these performance agreements. The National Housing and Construction Agenda talks about taking back control, noting that central government

cannot do this alone. The following recommendations can be included in the proposed draft Public Housing (Management) Act. Central government can guide parties by making clear statements on the required performance and targets at local and regional level. Central government can also provide guidance by means of financial support combined with specific cooperation agreements (such as *Woondeals* [Housing Deals] and *Regiodeals* [Regional Deals]). Finally, central government can issue parties with formal orders. We make three specific recommendations in this context.

Ensure that local housing visions and performance agreements contribute to national targets

It is important that the targets set out in national housing policy (and its translation at regional level) form the basis for the local housing visions and the associated performance agreements. Central government should be able to ask municipalities to clarify how local performance agreements with housing associations and tenants contribute to the regionally specified national targets and can ask provinces to monitor this. Central government can contribute to the feasibility of such agreements by doing the following in consultation:

- allowing deviations for 'appropriate allocation': if there are neighbourhoods whose composition is too one-sided or in danger of becoming so, the national standards can be lowered;
- allowing deviations for the national building targets and their translation at regional level;

 using subsidies, as is currently done successfully with the Housing Deals (this can also involve the available financial resources for infrastructure access to residential locations).

Give the Minister for Housing a role in local performance agreements The Housing Act (Article 42, paragraph 1) stipulates that housing associations must make a 'reasonable' contribution to the implementation of the public housing policy set out in the municipal housing vision. In our opinion, it is important that the Minister for Housing is able to call both municipalities and housing associations to account if adequate and effective performance agreements are not reached. We therefore advise central government to amend the legal framework (for example via the Public Housing (Management) Act) so that the Minister is empowered to issue an order not only to housing associations but also to municipalities if (a) the municipal housing vision is insufficiently in line with the national targets, (b) no performance agreements are reached, (c) performance agreements reached do not sufficiently contribute to the national targets, and/or (d) agreements reached are not met. We argue that the Minister should actively use this power if necessary, but anticipate that the mere possibility of a ministerial order will, in practice, help to improve performance. In (the presumably exceptional) cases of conflict, the Minister can also use his existing powers to intervene with financial policy instruments, measures under the Environment and Planning Act or, for example, by admitting other housing associations to a certain territory.





Include an additional priority in housing policy: cooperation with care and welfare organisations

The relationship between housing and care is becoming more and more important as people in need of care are increasingly living in independent accommodation. We therefore believe it is important that municipalities actively involve care and welfare organisations in the performance agreements that they reach with housing associations and tenant organisations. Due to the way in which care and welfare are organised and financed, it is not currently possible for them to be cosignatories. In the light of this, we advise the Minister for Housing to include 'cooperation with care and welfare organisations' as a priority in housing policy and, in consultation with the Minister of Health, Welfare and Sport, to consider how the closer involvement of care and welfare organisations can be shaped in the future.<sup>42</sup> The intention in the National Housing and Construction Agenda (BZK, 2022) to start working with residential care visions is consistent with this approach.

# 6.2.5 Manage the availability of development land and define the designation 'social' when allocating land

In Section 5.4, it became clear that it is important to reserve sites for affordable new construction in good time to enable landowners to anticipate such development. A level playing field, including for regulated

42 This can help to implement the financial separation of housing and care sought by the government. See also our report *Langer zelfstandig, een gedeelde opgave van wonen, zorg en welzijn* (Living independently for longer, a shared responsibility of the housing, health and welfare policy domains, RIi, 2014).

rental homes, contributes to the proper functioning of the housing market. We therefore make two recommendations.

Require municipalities to include national housing targets in their environmental plans

We recommend including an instruction rule in the Living Environment (Quality) Decree<sup>43</sup> on making new development land available for social and affordable housing construction. The aim of this rule is to ensure that municipalities set targets for social and affordable new housing construction in their environment plans. Only if local deviations have been agreed within the region can these municipal targets replace the national targets. In order to avoid a situation in which the functions 'social housing' and 'other affordable housing' in new building locations are not realised or only realised after a long time, a legal link to the time at which housing in the nonsubsidised sector is built at that location could be considered (by means of a phased arrangement or a conditional obligation). The province can ensure that municipalities stick to the agreed targets and conditions; if necessary, it must be possible to issue provinces with an order if they fail to adequately fulfil their role towards municipalities. Our expectation is that this will lead to lower land prices, because the earning capacity of a location will become clear in advance.

43 A General Administrative Order based on the Environment and Planning Act.







Define the requirements imposed for the designation 'social' when allocating land for housing development

When land is allocated, discussions regularly arise as to when the designation 'social' housing construction applies and when it does not. These discussions mainly occur when market operators act as project developers, but sometimes also when not-for-profit operators such as housing cooperatives come forward. We advise central government to lay down clear criteria for the designation 'social'. These criteria include the rent limit for housing allocation, the method of housing allocation (for instance participation in a regional allocation system or agreements with the municipality about housing specific groups) and qualitative requirements (depending on the situation on the local housing market, standards can be imposed on aspects such as desired housing size and level of facilities).44 If the environment plan stipulates a 'social rental' or 'mid-market rental' percentage, the permitted use is fixed until the municipal environment plan is amended. When land is allocated, agreements can also be made about the period of use (for example at least 30 years) and conditions for profit taking on sale (for example a maximum return and/or profit appropriation).

### 6.2.6 Manage the financial continuity of housing associations and mutual solidarity

In Section 5.4, it became clear that financial continuity is essential in order for housing associations to properly fulfil their public housing tasks. It also

44 These can be either maximum or minimum requirements.

became clear that the current arrangements in relation to mutual financial solidarity are inadequate. The two recommendations in this section focus on these points.

Prevent standard rents from undermining the sustainable revenue model of housing associations

The coalition agreement of the fourth Rutte cabinet proposes to replace housing benefit with a system of standard rents (Coalitieakkoord, 2021). In this context, we would like to caution that the long-term earning capacity of housing associations could be undermined if the tenant's income becomes a determining factor in the rent. Housing associations will then be incapable of sufficiently tackling the major challenges that lie ahead. We advise the government to design the standard rent system based on the principle that, in the long term, housing associations' rental income must be in balance with their expenditure on management, maintenance and financing costs.

Under certain conditions, it is reasonable for housing associations that cannot afford to fulfil their tasks to receive financial assistance from fellow associations. The coalition agreement of the fourth Rutte government refers in this context to the 'project grant' instrument in the Housing Act.<sup>45</sup> The government has also agreed to end the landlord levy by 2023. We think this is appropriate, as this levy took money out of the social rental sector and led

<sup>45</sup> A housing association can apply for a project grant if it demonstrably does not have enough funds to carry out its public housing tasks. The Minister for Housing may impose a levy on other housing associations for this purpose.

to a reduction in investments by housing associations. We recommend that financial solidarity between housing associations is regulated along with the repeal of the Landlord Levy Act. For the project grant instrument (whose implementation is complicated), we recommend designing a simpler scheme with low implementation costs for government and housing associations and that rewards voluntary financial solidarity. In our opinion, key elements of such a scheme are as follows:

- 1. Determine the tasks for which a project grant can be used, based on the public housing priorities and national targets. Demolition followed by new construction, new housing, and improving the sustainability of the housing stock particularly stand out as tasks for which a number of housing associations are unable to raise sufficient funds.
- 2. Determine the amount of the levy in proportion to the number of homes.
- 3. Give housing associations that voluntarily provide fellow associations with financial assistance a financial advantage, for example by escaping a heavier levy.

#### 6.3 Final remarks

This advisory report has looked at what is required for the proper implementation of the constitutional governmental tasks in the field of housing. We have focused on the performance of housing associations and the necessary guiding role of the government. As a result, there are a number of factors that we have not addressed in this report, such as the potential contribution of housing associations to a sustainable society

and/or to new social relationships in which citizens themselves shape the organisation of their living environment.

Despite these limitations, this report clearly sets out why housing associations are useful and necessary for the Netherlands and how central government can maximise the performance of the housing associations. The relationship between housing associations and municipalities is pivotal here. Central government cannot define the performance of housing associations on its own, however it does create important conditions. There is always considerable uncertainty regarding the financial situation in the future, because interest rates and inflation can vary. Despite this, we believe that the financial preconditions for housing associations to be able to carry out sufficient new building projects at sector level will be in place following the abolition of the landlord levy and the increased enforcement of mutual financial solidarity, as announced in the National Housing and Construction Agenda. However, we advise caution when it comes to the shaping of the intention to review housing benefit via a standard rent system. This must not undermine the financial continuity of housing associations.

We supplement the National Agenda with specific recommendations in relation to making development land available for social housing, retaining regulated rental housing, and providing incentives for other not-for-profit landlords.

The Public Housing (Management) Act announced in the National Housing and Construction Agenda can be used to lay down long-term national

targets, translate these targets at regional level, tighten the framework within which performance agreements are made, and introduce the authority to issue orders to provinces and municipalities. We expect these amendments to be effective without the need for (frequent) use of these powers, since the mere possibility of intervention will have an effect. In this respect, the proposed leading role for central government can largely be viewed as a force that gives direction, in the way that a magnet aligns iron filings.



### REFERENCES

- Aw (2020). Staat van de corporatiesector 2020. Den Haag: Autoriteit woningcorporaties.
- Aw (2022a). Staat van de corporatiesector 2021. Den Haag: Autoriteit woningcorporaties.
- Berkhout, E., Bosch, N. & Koot, P. (2019). Gebruik (en niet-gebruik) van toeslagen in Nederland: empirische analyse van huurtoeslag en kindgebonden budget. Den Haag: Centraal Planbureau.
- BZK (2019a). Ruimte voor wonen: de resultaten van het WoonOnderzoek Nederland 2018. Den Haag. Gegevens geraadpleegd op 3 mei 2022 via https://app.powerbi.com/view?r=eyJrljoiM2NhOTNINWItMGNmMS0-<u>00WRiLThhNTctNzAwYTNiMDBhNDQ3liwidCl6ljBmZmNiNTk3LWZhYzYt</u> NGFmOS05MzAzLWYyZDc5MTdmMGQ2ZiIsImMiOjl9
- BZK (2020a). Opgaven en middelen corporatiesector: hoofdrapport. Den Haag.
- BZK (2020b). Kwantitatieve weergave resultaten doorrekeningen opgaven / middelen corporatiesector. Den Haag.
- BZK (2021a). Regeling van de Minister van Binnenlandse Zaken en Koninkrijksrelaties van 14 december 2021, nr 202-0000600781, tot wijziging van de Woningwet, het Besluit toegelaten instellingen volkshuisvesting 2015 en de Regeling toegelaten instellingen volkshuisvesting 2015 (indexering bedragen per 1 januari 2022). Geraadpleegd op 16 april 2022, via https://zoek.officielebekendmakingen.nl/stcrt-2021-48100.html
- BZK (2021b). Opgaven en middelen corporatiesector: in balans. Den Haag.
- BZK (2022). Nationale Woon- en Bouwagenda. Den Haag.
- CBS (2021a). Grootste prijsstijging koopwoningen in 20 jaar, daling in aantal transacties. Den Haag: Centraal Bureau voor de Statistiek.









- Conijn, J. (2021). Onzalig pleidooi voor huurbevriezing. In: PropertyNL Magazine nr. 12, 17 december 2021.
- Coalitieakkoord (2021). Omzien naar elkaar, vooruitkijken naar de toekomst: coalitieakkoord 2021-2025 VVD, D66, CDA en ChristenUnie. Te raadplegen via <a href="https://www.kabinetsformatie2021.nl/documenten/publicaties/2007/02/07/coalitieakkoord-cda-pvda-en-cu">https://www.kabinetsformatie2021.nl/documenten/publicaties/2007/02/07/coalitieakkoord-cda-pvda-en-cu</a>
- DUWO (2019). Haagse studentenflat Stamkartplein nu van DUWO.

  Geraadpleegd op 16 april 2022, via <a href="https://www.duwo.nl/over-duwo/duwo-nieuws/het-laatste-nieuws/nieuwsbericht/haagse-studentenflat-stamkartplein-nu-van-duwo">https://www.duwo.nl/over-duwo/duwo-nieuws/het-laatste-nieuws/nieuwsbericht/haagse-studentenflat-stamkartplein-nu-van-duwo</a>
- Faessen, W., Groenemeijer, L., Leeuwen, G. van & Omtzigt, D. (2020).

  Socrates 2020: scenarioverkenningen van de woningmarkt tot 2035.

  Delft: ABF Research.
- Gopal, K., Groenemeijer, L., Leeuwen, G. van, Omtzigt, D. & Faessen, W. (2020). Primos 2020: prognose van bevolking, huishoudens en woningbehoefte tot 2050. Delft: ABF Research.
- Gopal, K., Groenemeijer, L., Leeuwen, G. van, Omtzigt, D. & Stuart-Fox, M. (2021a). Primos 2021: prognose van bevolking, huishoudens en woningbehoefte tot 2050. Delft: ABF Research.
- Gopal, K., Faessen, W., Leeuwen, G. van & Omtzigt, D. (2021b). Socrates-simulaties 2021: scenarioverkenningen van de woningmarkt tot 2035. Delft: ABF Research.
- Interbestuurlijke werkgroep versterking beleid huisvesting aandachtsgroepen (2021). Een thuis voor iedereen. Den Haag.
- Kok, J. (2020). Woningbouwopgave tot 2035 en investeringscapaciteit corporaties. Amsterdam: Economisch Instituut voor de Bouw.

- Kromhout, S. & Wittkämper, L. (2019). Stand van de woonruimteverdeling: wachttijden en verdeling in de praktijk. Amsterdam: RIGO Research en Advies.
- Mooiland (2021). Mooiland krijgt ontheffing om in Den Haag te investeren.

  Geraadpleegd op 16 april 2022, via <a href="https://www.mooiland.nl/actueel/actueel-nieuws/nieuwsbericht/mooiland-krijgt-ontheffing-om-in-den-haag-te-investeren">https://www.mooiland.nl/actueel/actueel-nieuws/nieuwsbericht/mooiland-krijgt-ontheffing-om-in-den-haag-te-investeren</a>
- NIDI & CBS (2021). Bevolking 2050 in beeld: opleiding, arbeid, zorg en wonen. Den Haag.
- NUL20 (2021). Einde in zicht van Vestia-drama: woningcorporatie wordt in drieën gesplitst. Geraadpleegd op 11 april 2022, via <a href="https://www.nul20.nl/einde-zicht-van-vestia-drama-woningcorporatie-wordt-drieen-gesplitst">https://www.nul20.nl/einde-zicht-van-vestia-drama-woningcorporatie-wordt-drieen-gesplitst</a>
- Os, P. van, Corel, A. & Hoeve, R. (2020). Gebouw van de volkshuisvesting; renovatie gewenst! Amsterdam/Den Haag: RIGO Research en Advies/ Platform31.
- PWC (2020). Woningcorporaties: Eén jaar ervaring met ATAD1.

  Geraadpleegd op 16 april 2022, via <a href="https://www.pwc.nl/nl/actueel-en-publicaties/belastingnieuws/vennootschapsbelasting-en-dividend-bron-belastingen/woco-ervaring-atad1.html?msclkid=b5dab0d8a8fd11ecb03600635df0d98e">https://www.pwc.nl/nl/actueel-en-publicaties/belastingnieuws/vennootschapsbelasting-en-dividend-bron-belastingen/woco-ervaring-atad1.html?msclkid=b5dab0d8a8fd11ecb036000635df0d98e</a>
- Rli (2014). Langer zelfstandig, een gedeelde opgave van wonen, zorg en welzijn. Den Haag.
- Rli (2020). Toegang tot de stad: hoe publieke voorzieningen, wonen en vervoer de sleutel voor burgers vormen. Den Haag.



RTV West (2021). Woningcorporatie Vestia in Den Haag krijgt hulp uit Brabant. Geraadpleegd op 16 april 2022, via <a href="https://www.omroepwest.nl/%20nieuws/4357132/woningcorporatie-vestia-in-den-haag-krijgt-hulp-uit-brabant">https://www.omroepwest.nl/%20nieuws/4357132/woningcorporatie-vestia-in-den-haag-krijgt-hulp-uit-brabant</a>

Vestia (2016). Jaarverslag 2015. Rotterdam.

Vestia (2020). Jaarverslag 2019. Rotterdam.

Waarstaatjegemeente.nl (2022). geraadpleegd op 22 maart 2022, via <a href="https://www.waarstaatjegemeente.nl/jive?cat\_open\_code=cgd9tgdrhihbjdja&presel\_code=rap\_lmw1\_2p&geole">https://www.waarstaatjegemeente.nl/jive?cat\_open\_code=cgd9tgdrhihbjdja&presel\_code=rap\_lmw1\_2p&geole</a>

Woonbond (2022). Normen en grenzen huurtoeslag. Geraadpleegd op 20 april 2022, via: <a href="https://www.woonbond.nl/beleid-belangen/huurtoeslag/normen-en-grenzen-huurtoeslag">https://www.woonbond.nl/beleid-belangen/huurtoeslag/normen-en-grenzen-huurtoeslag</a>

### **APPENDICES**

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### **OVERVIEW OF RLI PUBLICATIONS**

#### 2022

Adviezen in beeld. April 2022 (Rli 2022/02)

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#### 2021

Farmers with a future. ['Boeren met toekomst']. December 2021 (Rli 2021/06)

Give direction, make space! ['Geef richting, maak ruimte!']. November 2021 (Rli 2021/05)

National Growth Fund. ['Investeren in duurzame groei']. October 2021 (RIi 2021/04)

Towards an integrated accessibility policy. ['Naar een integraal bereikbaarheidsbeleid']. February 2021 (Rli 2021/03)

Digitally Sustainable. ['Digitaal duurzaam']. February 2021 (Rli 2021/02)

Hydrogen: the missing link. ['Waterstof: de ontbrekende schakel']. January 2021 (Rli 2021/01)

#### 2020

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#### 2019

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