



**HOMELESSNESS AND SUPPORT IN HOUSING IN GERMANY.
SOLUTION OR PART OF THE PROBLEM?
NATIONAL REPORT 1998 FOR THE EUROPEAN OBSERVATORY
ON HOMELESSNESS**
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February 1999

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A Report for the European Observatory on Homelessness, coordinated by FEANTSA,
the European Federation of National Organisations Working with the Homeless

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TABLE OF CONTENTS

0.	INTRODUCTION.....	4
1.	OVERVIEW, BACKGROUND AND DEFINITION.....	5
1.1	Supported housing as a general trend in many sectors	5
1.1.1	Supported housing for frail older people and for people with physical disabilities	6
1.1.2	Supported housing in the sector of services for vulnerable young people.....	7
1.1.3	Supported housing for people with mental health problems and people with learning disabilities	8
1.1.4	Supported housing for homeless persons	9
1.1.5	On the difficulty of giving a general survey and necessary delimitations of the subject	11
1.2	Support in housing within the system of services for the homeless. On the definition in this report.....	15
1.3	Present background of services for the homeless, political and legal aims, development of extent and risks of homelessness in Germany	19
2.	CURRENT PRACTICES: SUPPORTED HOUSING PROVISION.....	25
2.1	Requirements imposed by financing agents of social welfare	25
2.2	Prevailing types of accommodation	26
2.3	Tenancy law and supported housing	28
2.4	Typology and different forms of housing acquisition.....	31
2.4.1	Housing acquisition with an organisational separation of support and housing.....	33
2.4.2	' <i>Soziale Wohnraumhilfen</i> ' (housing assistance) - a special form of housing acquisition by welfare organisations in the voluntary sector	34
2.4.3	Housing acquisition with the provider of support as landlord.....	36
2.4.4	Housing acquisition of dwellings as parts of institutions	37
2.4.5	Housing acquisition by assignment of dwellings according to police law.....	39
2.5	Financing of housing costs	40
3.	CURRENT PRACTICES: INTEGRATION OF SUPPORT AND CARE WITH HOUSING PROVISION.....	40
4.	THE USERS' PERSPECTIVE - PROBLEMS, ISSUES AND DEBATES	43
5.	CONCLUSION: EFFECTS AND OUTCOMES	49
6.	REFERENCES	51

0. INTRODUCTION

The following report for the European Observatory on Homelessness deals with *support in housing*, a topical problem which is much debated in Germany, too. However, it first has to be mentioned that unfortunately the standard of research based on empirically sound studies does neither come up to the great interest in this question nor the need for a national survey in the least.

In dealing with many of the issues and questions given by the guidelines for this report, we often had to rely on the knowledge of individual experts, on individual case studies and information based only on a limited section of the whole spectrum of support in housing due to regional and financial restrictions. Thus, the following report which nevertheless attempts to give a general view on supported housing in Germany shows the great need for empirically sound data based on primary research which could not be done within the financial limitations of this report.

In order to handle the subject of *support in housing* with its intrications and varieties of types in a country as large as Germany, the subject had to be delimited in this report: In chapter 1 a brief survey is given on meaning and interpretation of supported housing in social and therapeutical work with different target groups (older people, young people, people with learning disabilities, homeless persons etc.). There is no legal definition of *supported housing*, and according to specific features of the different target groups there are some differences and similarities in the definition of the term which are described in this chapter. Chapter 1.2 explains that the following parts of this report focus on such types of *support in housing* which are directed to (formerly) homeless persons, which implies that types of support for other target groups will not be considered on the whole. Just the same, types of support which prioritise the provision of care instead of housing like hostels and stationary institutions for the homeless will not be considered, as in Germany support in housing is in most cases clearly distinguished from support in institutions. So this report focusses on support in dwellings and normal housing. As the analysis will show, however, there are often groups of (formerly) homeless persons who live and are supported in these dwellings, and residents are often deprived of normal tenancy contracts.

In chapter 1.3 the present social background of services for the homeless in Germany is outlined as well as present quantitative developments in extent and risks of homelessness. This chapter also explains the relevance of providing homeless persons with normal housing and supplementary support in public debates as well as in legal principles of support.

Chapter 2 describes different types of housing provision for the support of homeless persons, implying a description and discussion of different types of organisational linking of housing and support. Questions concerning tenancy law and financing of housing are considered as well.

Chapter 3 deals with types, extent and financing of social support for (formerly) homeless persons in dwellings as well as with questions on planning and duration of support in individual cases.

In chapter 4 the perspective of users is considered. Research findings and statistics of services for the homeless are presented which prove a preference of the great majority of all homeless persons in Germany for individual self-contained dwellings. The chapter also presents evaluation findings on pilot schemes of long-term hous-

ing provision for homeless persons which show that it is possible to integrate even long-term homeless persons with considerable personal problems into normal housing if additional social support is offered. However, it becomes obvious as well that a major part of types of supported housing belonging to services for the homeless does not comply with the request of homeless persons for individual self-contained housing protected by tenancy law and that the predictable extension of support in housing might mean an extension of the secondary housing market which will not abolish the exclusion of homeless persons from the normal housing market but might create new ways of exclusion.

Chapter 5 will give a résumé of findings of the analysis as well as of chances and limitations, advantages and risks related to support in housing. The need for an improvement of empirical research on support in housing will also be mentioned here.

I want to express my thanks to everybody who helped me in my difficult search for information on the subject and patiently answered my questions.

1. OVERVIEW, BACKGROUND AND DEFINITION

1.1 Supported housing as a general trend in many sectors

Supported housing is a much debated issue in many sectors of social work. For at least one decade (in some sectors even for more than two decades) there has been a general trend to expand provision defined as '*supported housing*' in the sectors of services for frail older people, vulnerable young people, people with learning disabilities, people with physical disabilities, people with mental health problems, people with drug or alcohol dependency, people suffering from AIDS, ex-offenders and, eventually, homeless people.

It is true that there are differences in recency and intensity of this trend and that definitions of the term '*supported housing*' vary greatly. However, the trends of providing people affected by social, psychic and physical difficulties with types of housing which allow more personal independence have common features and a common background. Criticism of traditional institutions and accommodation for the target groups mentioned before is one part of them. This criticism focusses on hospitalising effects of large residential establishments, which cause and establish a subordinate and passive role of inmates as well as their spatial and social exclusion. Opposite aims like integration and individualisation of support as well as maximal self-determination and independence of clients and their participation in normal social life generated demands for de-institutionalisation and new adequate forms of provision with self-contained housing and complementary services. The importance of separate housing which allows privacy to residents as a human basic need was highlighted. Last but not least economic arguments favoured a reduction of expensive large-scale residential establishments and the creation of more individual types of housing and support. Eventually, for some target groups (like persons with mental health problems or learning disabilities or young people) supported housing is an alternative to living in overstrained or restrictive families.

Supported housing is also often meant to combine advantages of private housing with those of accommodation in institutions. As much privacy, autonomy, independence and thus normality as possible is to be granted (an individual room with a key of one's own, money at one's free disposal, responsibility for housekeeping),

whereas security and availability of services and care by institutions are to be guaranteed at the same time.

The conception of '*supported housing*' was a result of this debate. This does not mean that the new type of support came up fully to the new aims outlined above. Supported housing was often introduced not so much as an alternative to accommodation in residential establishments then as a complementary or interim step between accommodation in residential homes and normal housing. Many large-scale institutions, for instance for persons with mental health problems, vulnerable young people, persons with drug or alcohol dependencies and homeless people, set up 'external residential groups' (*Außenwohngruppen*) to complete their service. In many cases, supported housing in normal dwellings was conceived as aftercare and as a reward of a successful stay in residential establishments. The idea of supported housing as an independent type of support for various target groups which is not necessarily conditioned by a previous stay in a residential home could only slowly gain ground. Supported housing in separate dwellings based on residents' free will and granting them full tenants' rights is still to be considered as an exception and not as the rule in most sectors of social work. Many critical arguments raised against traditional institutions apply to a great number of types of supported housing as well, as residents' privacy and right to self-determination is often severely restricted and their legal situation as tenants is insecure. Eventually, supported housing in special parts of the housing stock may also contribute to the exclusion of people with special needs from normal housing provision at regular conditions. These aspects will be dealt with later in this report.

A great part of literature on '*supported housing*' published in Germany refers to target groups other than homeless people and to problems different from those to be tackled by services for the homeless.

1.1.1 Supported housing for frail older people and for people with physical disabilities

More than other sectors of social work, services for frail older people (and for people with physical disabilities) are concerned with constructional aspects of housing which are essential requirements for an independent (if appropriately assisted) life for their clients (no steps and barriers, domestic and sanitary facilities within easy reach, safety devices etc.). Beside social advice and care, complementary support for these people focusses on emergency services, medication, support with transport, shopping and meals as well as on special care during temporary illness. In most cases of supported housing an obligatory basic service, which has to be paid in a lump sum (and which normally covers the use of emergency call centres, community facilities and different advice and management services) is separated from a flexible optional service (including for instance flat cleaning, washing of clothes, catering, nursing etc.) of which residents can avail themselves according to their needs and which is paid separately for each item. There has been a virtual boom of research and publications on supported housing for older people in the 1990s (to name only some examples: Titz-El Azar 1990, Maetzke 1992, Weeber/Kleebaum 1993, Thoennesen 1994, Loeschke/Pourat 1996, empirica 1997), due not least to demographic trends (a great rise of the ratio of older people to the German population) and the growing importance of senior citizens as clients of adequate services and housing. Private investors and housing enterprises increas-

ingly design and offer special housing and service for older persons. In contrast to most other target groups there is also a considerable proportion of older people who are quite solvent and able to pay for such services by themselves.

However, supported housing for older people over 65 is still small in quantity compared with places in residential institutions. The latest report on senior citizens by the Federal Government states that 661,000 older persons live in homes for the aged or in nursing homes. The number of over 65-year-old living in dwellings designated for older people (with equipments adequate to their age-related needs) is estimated at 200,000 to 250,000 (detailed information is not available). A roughly estimated number of 30,000 places of the latter belong to supported housing, while, however, an exact definition of '*supported housing*' is not given (BMFSFJ 1998, p. 94). The qualitative importance of shared dwellings for older people (supported residents groups) is very low with an estimated number of about 100.

According to latest information from statistics on institutions of voluntary welfare organisations, the number of places in altogether 133 homes and residential institutions for people with a physical handicap amounted to 7,296 at the beginning of 1996. The number of places in shared or self-contained supported housing for people with a physical handicap was at 637 according to these information (BAG FW 1997, p. 38).

There is an abundance of various constructional types of supported housing for older persons. One of the most common is certainly supported housing in dwellings integrated into a housing estate with an own service centre or connected to a residential institution nearby. But dwellings disseminated into other housing estates which receive care from outside are more and more important for supported housing of older people as well. Like in the sector of services for the homeless, a separation of tenancies and provision of care is advocated (though not realised as broadly as desirable). It has also been demanded (BMFSJ 1998, p. 112 f.) that services should not be linked to special dwellings or types of housing but enable an independent life in the former dwelling respectively in 'normal' dwellings and neighbourhoods (possibly combined with constructional adjustments). There are similar trends in the sector of services for people with a physical handicap.

1.1.2 Supported housing in the sector of services for vulnerable young people

In this sector supported housing is mainly considered as a pedagogical strategy (see EREV 1994, Muenstermann 1996). Housing is part of pedagogical support and efforts to achieve a social integration of young people. There is a legally prescribed procedure (in which the respective young person and his parents or guardians are involved) to take down the aims of support in a support schedule. Beside types of supported housing which have evolved as an alternative to homes or which function as a transition between living in a home and living in self-contained housing, there are types of housing for young people at school or in vocational training which offer less intensive support. However, more than 95% of these latter places are in residential homes (see BAG JAW 1994 and Busch-Geertsema 1997a).

First types of shared housing for vulnerable young people were indeed started at the end of the 1960s in Germany (in the context of the students' movement and practical work with young people who had run away from traditional homes for children and young people). But only since the mid-1980s a general trend to decentral-

ise and individualise pedagogical support for children and young people has become clearly discernible. Thus, not only have advice and pedagogical support for families been differentiated and intensified, but for accommodation of children and young persons outside their parental homes (of foster families), places in traditional homes have been reduced and numerous places in shared supported housing, external residents groups belonging to institutions (*Außenwohngruppen*) and self-contained housing combined with the provision of care and support (*betreutes Einzelwohnen*) have been newly created (see Merchel 1993). The Welfare Act for Children and Young People which was fundamentally reformed in 1991 explicitly provides not only for the upbringing in homes as pedagogical support, but also for 'other forms of supported housing' (Section 34 KJHG) as well as 'intensive individual pedagogical care' (Section 35 KJHG) for young people with special problems. According to Section 41 KJHG young persons who are of age but under 27 years old still have a legal right to support in developing their personality and leading an independent life. Within the framework of the above-mentioned legal provisions a great variety of housing schemes for young people have emerged. Most of them are groups of young people sharing dwellings as residents groups (*Wohngruppen*). However, in the sector of social work for vulnerable young people the provision of care for individuals living independently is more wide-spread than in other sectors for other target groups (with the exception of older people) and is gaining importance (see Galuske/Tegethoff 1993, p. 69 ff.; Landeshauptstadt München 1995, p. 17; Blath 1998). In general, supported housing in the sector of social work for vulnerable young people is limited in time, which means that the respective young persons have to leave the dwelling after a fixed period or at the latest after having reached a certain age or having finished school or a vocational training.

Although supported housing has a high status in the sector of social work for vulnerable young persons, places in homes are still predominant, not least because it was difficult to acquire adequate housing in the past decade. At the end of 1994 in Germany about 43,700 young people over 15 were accommodated by youth welfare agencies providing pedagogical support. While 35,300 of them (more than 80%) stayed in homes, only 3,200 lived in separate self-contained dwellings and 5,200 in shared dwellings (Statistisches Bundesamt 1996, p. 53, own calculation).

1.1.3 Supported housing for people with mental health problems and people with learning disabilities

The pedagogical and therapeutical effect of, for instance, shared supported accommodation is also highlighted in social work with other target groups. The ideal of 'therapeutical communities' often influences schemes of shared supported accommodation for persons with mental health problems, persons with learning disabilities and persons with drug dependencies (see Brill 1988b). While the conceptualisation of shared supported accommodation for these groups is on the one hand a result of criticism against total institutions and psychiatric hospitals, which had gained ground in West Germany in the seventies and eighties, there are also parallels to social trends of the sixties and seventies in establishing communal forms of living as a countermodel against bourgeois family life. However, in this sector, too, a growing tendency towards self-contained supported housing is obvious. It corresponds with general social trends and thus with the wish of persons in need of support to live as normally as possible.

Indeed there has been a series of necessary reforms in the psychiatric sector in Germany since 1970, accompanied on a national level by several expert commissions and pilot schemes. But in many places, large-scale institutions are far from being abandoned or reduced in practice, as it has often been demanded. Neither are reform recommendations by an expert commission of the Federal Government fully realised, which for example propose: *'To enable a self-contained way of living in the familiar home setting, either together with relatives (...) or as single resident (tenant/owner) should be considered as a priority aim. If the support potential of close or distant family members, neighbours or friends is not sufficient or non-existent, ambulant services are challenged to provide adequate support.'* (Expert commission 1988, p. 162). Only in relatively few places of Germany, the psychiatric reform has been put into practice as consistently as in the North German city of Bremen. In 1988 the psychiatric hospital for *'long-term patients'* with about 350 beds was closed down (40 km away from Bremen in the buildings of the former monastery Blankenburg). In the course of dismantling this hospital a regional support system was set up including *'protected workplaces'* (workshops), day-care centres, sociopsychiatric advice centres and psychiatric surgeries as well as a number of places in shared supported accommodation and small hostels with 24-hour-support (see Gromann-Richter 1991). In 1995 Bremen (a town of about 550,000 inhabitants) had 365 places for persons with mental health problems in shared or self-contained supported housing and 109 places in small hostels with 24-hour-support (Freie Hansestadt Bremen 1996, p. 19). Places for persons with learning disabilities or for older persons with mental health problems are not included in this number, though it is difficult to draw a clear dividing line between these groups. In comparison with other towns, Bremen has an exceptionally well-developed community care system for persons with mental health problems. In other German cities the number of places in shared supported housing for persons with permanent mental health problems is still very small, as these persons, which often have an increased need of support, are mostly accommodated in remote large-scale institutions.

Aiming at a national survey on the dissemination of types of housing for persons with mental health problems and for persons with learning disabilities, we meet similar difficulties as in dealing with other target groups. The existing welfare agencies in the voluntary sector alone had recorded more than 95,000 places in homes and residential institutions for persons with mental health problems and for persons with learning disabilities at the beginning of 1996. Statistics of all welfare organisations in the voluntary sector number altogether 18,300 places in supported shared and self-contained housing for persons with mental health problems and for persons with learning disabilities (BAG FW 1997, p. 38, own calculations). An exact definition of *'supported housing'* is not given here either.

1.1.4 Supported housing for homeless persons

In the sector of social services designated for the homeless *'supported housing'* has been put into practice with some delay, similar to other developments and reforms in this sector. However, for a longer time there have been rules providing for a limited after-care of former homeless persons who were discharged from residential institutions and have rented a dwelling. Also, general criticism of total institutions has generated demands of more orientation towards integration into normal housing and criticism of traditional institutions for the homeless (concerning the historical background of services for the homeless see the respective account in last year's

national report, Busch-Geertsema 1998a). But first of all this has mainly initiated the setting up of a network of advice centres for homeless persons which aim in particular at realisation of existing legal claims, arrangement of temporary accommodation and appropriate support for special problems (drug addiction, overindebtedness etc.) as well as support in finding a regular dwelling.

In the course of the late 1980s shared supported housing for homeless persons was emerging and becoming more frequent. In the beginning it was often meant to be a transitory form of housing with the purpose of arranging normal independent housing later on. This has to be understood in the context of a serious housing shortage at the end of the 80s in Germany (so a fast provision of homeless persons with normal housing which was intended became more and more difficult, and advice centres among others began to look for appropriate transitory housing outside traditional institutions for the homeless). Also, traditional institutions for the homeless had started to make efforts to modernise and differentiate their services.

It was only in the 1990s when beside these transitory schemes in several towns initiatives of voluntary service providers for the homeless emerged which aimed at the acquisition and construction of separate housing for homeless single persons for which only the length of care provision is limited, but not the tenancy itself. Prior aim of personal care and support is maintenance of tenancies and prevention of notice to quit (which means regular payment of rents, avoidance of conflicts with neighbours etc.), but also a further integration of residents into society. Some good examples for this approach in the sector of new housing creation were evaluated for a longer period between 1995 and 1997 within a research scheme of the Federal Government (research field: '*Permanent housing provision for homeless persons*' in the scheme Experimental Housing Construction and Urban Development' EXWOST; two examples were described in detail in the 1997 national report, see Busch-Geertsema 1998a). But there is a number of further initiatives aiming mainly at acquisition and support of housing in the existing housing stock which are to be described in detail later in this report.

With the exception of the studies carried out within EXWOST research work, literature (not to mention scientific findings) on different types of supported housing for homeless persons is very scarce. That the growth of supported housing has been rather slow is also illustrated by the fact that only in 1998 recommendations for the organisation of personal support outside institutions for former homeless persons living in independent dwellings were published (BAG Wohnungslosenhilfe 1998a).¹ Guidelines of funding authorities concerning regulations and financing of supported housing for homeless persons (which are not mentioned explicitly in any Federal law) are also quite recent if they are available at all.

Eventually, it is true for this target group as well that a great part of places in supported housing for single homeless persons is still situated in institutions instead of normal housing. Residential homes for homeless persons have indeed set up more single rooms in the meantime and there is a tendency to create residents groups (*Wohngruppen*) either inside or outside the homes. The average number of beds per residential institution might also have decreased. If only for reasons of financing, almost all institutions claim that support is directed to a later integration of

¹ However, *Bundesarbeitsgemeinschaft Wohnungslosenhilfe* (then *Bundesarbeitsgemeinschaft Nichtseßhaftenhilfe*) published recommendations for renting of housing by voluntary organisations as early as in 1991 (see BAG NH 1991 and Roscher 1990).

homeless persons into normal housing. But the number of places in homes is much higher than that of places in supported housing. *Bundesarbeitsgemeinschaft Wohnungslosenhilfe* gives a total number of 14,582 places in residential institutions for single homeless persons, based on their own list of addresses of institutions for the homeless which is however not fully complete. Less than 10% (1,132 places) of them were supported as external places (thus probably as dwellings outside the respective institutions). There were another 1,631 places belonging to ambulant advice centres. However, only part of them are in normal dwellings and a certain number of them serve as places of temporary accommodation (BAG Wohnungslosenhilfe 1997, p. 6). On the other hand, comparing these numbers with numbers from 1991, a clear upward trend of externally supported housing is obvious. While the total number of places in institutions has only risen by 5.6% (from 13,797 in 1991 to 14,582 in 1995) and the here included number of places of accommodation (without support) has decreased considerably, the number of external places with provision of support (in dwellings) has almost tripled (from 413 in 1991 to 1,132 in 1995). Also, there is a definite rise of places of accommodation supported by ambulant advice centres from 955 (in 1991) to 1,631 (in 1995) (ibid, p. 6, own calculations). Certainly statistics based on an address list do not cover all cases of support of (former) homeless persons living in dwellings. However, a separate empirical study on supported housing for homeless persons has not been carried out yet.

The historically rooted separation between support for single homeless persons and homeless families in Germany (see Busch-Geertsema 1997a) is not least one reason for the fact that literature on supported housing for homeless persons - if it exists at all - focusses strongly on the single homeless. While supported housing of this group is mainly provided by welfare organisations in the voluntary sector, accommodation and support of homeless families is mainly provided by municipalities and local social services there. Some towns, however, cooperate with voluntary agencies in supporting homeless families. Strangely enough the expression '*supported housing*' is rarely used in application to homeless families.

1.1.5 On the difficulty of giving a general survey and necessary delimitations of the subject

As the short survey on '*supported housing*' for different target groups has already suggested, definition and underlying meaning of this term as well as conceptions, standards and availability of information on types of supported housing and their dissemination vary greatly depending on the different target groups.

While supported housing for some target groups is explicitly meant to be permanent, for example supported housing for older people and sometimes for people with physical disabilities, it is clearly meant to be transitory for other target groups (like for vulnerable young people, often also for homeless people) and it is limited in time, so after a certain period of time the respective persons have to leave their dwellings again. Corresponding to problems of the respective target groups, special requirements on the construction of the dwellings may either have high priority (for older people or persons with physical disabilities), less importance or no relevance at all, and the kind of support which is provided may differ greatly as well: therapeutic schedules, which play a role for supported housing of persons with mental health problems and persons with learning disabilities, are different from pedagogi-

cal approaches in the sector of supported housing for vulnerable young persons and these are different from everyday support for older persons to preserve their independence in cases of physical handicaps or from support for homeless persons to maintain tenancies. The problem of poverty also affects target groups in a very different degree. However, problems as well as types of support may overlap and sometimes complicate the relating of services and persons to specific target groups. The alternative between shared and self-contained housing is also of very different relevance. In the sector of supported housing for older people, hardly anyone questions the value of self-contained housing. In other sectors, however, shared housing is often supposed to have a particular positive effect on clients (either pedagogically or therapeutically), although for some years self-contained supported housing has been gaining importance for most target groups. Many dwellings offering shared accommodation for homeless persons, again, are not a result of deliberate approaches but of a disproportionately scarce supply of small dwellings and a better availability of larger ones.

Concerning the legal basis of financing support, there are also differences according to the various target groups. Support for vulnerable young persons is regulated by the Welfare Act for Children and Young People (*Kinder und Jugendhilfegesetz, KJHG*), whereas support for most other target groups falls under different sections of the Federal Welfare Act (*Bundessozialhilfegesetz, BSHG*), which, however, give no exact definition of supported housing. In cases of persons with a special need of care caused by illness or frailty, the long-term care insurance (*Pflegeversicherung*), which was newly introduced in Germany in 1995, is also important.

In most cases of supported housing social support is provided by voluntary welfare agencies (although financed mainly from tax money), whereas support for older persons, who in their majority contribute to cost of care, is provided by private enterprises as well. Finally, there are new model schemes particularly in the sector of support for disabled persons in which the disabled persons join as cooperative associations for assistance (*Assistenzgenossenschaften*) and act as employers of support and nursing personnel.

A common problem of almost all sectors was the difficulty to acquire as much housing as necessary in the past ten years. So a quantitative expansion of supported housing which had been targeted was impeded, with the result that many persons in need of support depend on accommodation in institutions or have to stay there longer than otherwise necessary (see Landeshauptstadt Muenchen 1995, p. 101 f.; Merchel 1993). Like in the sector of social work for homeless persons, other organisations in the field of social work or of social work for young people have therefore started to create new housing on their own.

Beside the target groups which have been mentioned above, there are others for which specific types of supported housing are provided. Among them are for example consumers of illegal drugs (see Busch-Geertsema 1995b; Kurz-Lund/Stoever 1995), persons suffering from AIDS (Stoever/Schuller 1990), ex-offenders, single parents (Baumgart et al. 1992; Walther et al. 1996), migrants and other groups of persons who are disadvantaged on the housing market and in need of special support.

Neither on a national level nor on the level of the *Laender* there is a general quantitative survey on the dissemination of supported housing.² A survey on the dissemination of supported housing for the different single target groups is also hardly possible, except for vague estimations or assessments for partial groups, which have been mentioned before. One reason for the difficulty of general surveys is the fact that the term '*supported housing*' is not defined clearly for any of the target groups. There are considerable differences of definition between *Bundeslaender*, towns and even single institutions, as well as differences in distinguishing supported housing from stationary institutions and residential homes on the one hand and, on the other hand, from private rented housing with low-intensity support for residents from ambulant advice and service centres.³

Empirical data at national and *Laender* level do not allow a quantitative comparison of the relevance of single target groups in the field of supported housing, either. Such surveys are only possible at the level of single towns, while representativity of these results for other towns is questionable because of great local differences.

One of the so far most comprehensive studies on dissemination of supported housing for the existing target groups in a city was carried out in Munich in 1991/1992. '*Assisted housing*' ('*unterstütztes Wohnen*') was defined as '*private self-contained or shared housing accompanied by advocacy or practical support by professionals*' (Landeshauptstadt München 1995, p. 2). Additionally, the study required that projects to be included had to be clearly defined as supported housing. Persons living with their families or in 'classic' institutions (older people's homes, homes for the disabled, hospitals etc.) as well as persons in private tenancies receiving low-intensity ambulant support from the general municipal social service or persons in short-term emergency institutions (e. g. homes for battered women; Landeshauptstadt Muenchen 1995, p. 7) were not counted as living in supported housing. On basis of this definition altogether 1,079 places in 377 dwellings of supported housing were counted in Munich (the third-largest city in Germany with about 1.2 million inhabitants) at the end of 1991 (ibid. p. 7; p. 20). Table 1 shows the number of places and dwellings in relation to different target groups.

Although the data of this table is one of the few available sources aiming at a general survey on supported housing for all target groups at least at a local level, one has to be cautious in interpreting it. Firstly, these data were assessed in 1991. Probably the total number of places and dwellings of supported housing has considerably increased in the meantime in Munich like elsewhere. Above all, the low number of supported housing for older persons is striking. In particular in this sector a great number of new projects have emerged. Secondly, data from other cities reveal a clearly different structure of supported housing for some target groups. For example, Bremen, a city with only half the number of inhabitants of Munich, had more than 90 places in shared or self-contained supported housing for drug con-

² A great part of the mentioned literature mainly focusses on the situation in West Germany, while developments in Eastern Germany since the German unification in 1990 have only gradually been taken into consideration.

³ Additionally, different institutions share in the financing, so the responsibility for some target groups and types of supported housing rather lies with departments of social welfare at the *Laender* level, whereas it lies with municipalities or rural districts for others (see below). The data of existing surveys on supported housing at the *Laender* level often has to be supplemented with data on services which are not financed at *Laender* level but by municipalities and rural districts. This is the case for example for the documentation of the *Landschaftsverband* Rhineland (LSV Rheinland 1997).

sumers or ex-consumers provided with drug substitutes and 24 places for ex-offenders (Busch-Geertsema 1997 b), which is several times more than in the much larger city of Munich. On the other hand, Munich gave 120 of altogether 212 places for the homeless to single homeless persons (and 92 places to families), while Bremen provided only 47 single homeless persons with places in dwellings of supported housing (more than further 200 places were situated in different residential institutions for single homeless persons which cannot be rated as dwellings).

Table 1:

'Assisted housing' in Munich at the end of 1991. Number of places and dwellings in relation to target groups

Target group	places	dwellings
Young persons/young adults	203	90
Frail older people	38	28
Persons with physical disabilities	64	29
Persons with learning disabilities	159	29
Persons with mental health problems	325	56
Persons addicted to legal or illegal drugs	26	5
Ex- prostitutes	1	1
Ex-offenders	3	1
Single parents	30	9
Persons sufferering from HIV or AIDS	18	6
Homeless persons	212	123
Total	1.079	377

Source: Landeshauptstadt Muenchen 1995, p. 7.

The report on Munich also points out that the general tendency to decentralise traditional residential institutions (which remain homes or stationary institutions in their organisation and financing) and to set up external residents groups (*Außenwohngruppen*) creates problems in distinguishing supported housing from these traditional institutions (Landeshauptstadt Muenchen 1995, p. 13).

Before considering the question of definition in detail, the target group has to be closer delimited. In the following, priority is given to supported housing for formerly homeless persons or persons directly threatened by homelessness. Not only the above-mentioned heterogeneity of schemes for supported housing as well as the fact that they are strongly related to different target groups and the difficulties of an overall survey on all target groups make this procedure advisable. The problem of acute or threatening homelessness is not of first priority to most other target groups on which literature on supported housing in Germany has focussed so far (older people, persons with physical disabilities, young vulnerable persons, persons with mental health problems or with learning disabilities). Instead, physical or mental handicaps as well as pedagogical or therapeutical approaches are rather more predominant. If the afore-mentioned services did not exist, clients of such projects

would probably be in far greater danger of homelessness. Not least owing to these existing services, a great part of the mentioned target groups does not belong to risk groups of manifest homelessness in Germany. Professional debates in Germany, however, consider supported housing for these groups less as a way of preventing acute homelessness than as an alternative to large-scale institutions, which used to be predominant, or to an enforced residence of clients with their families.

Thus, projects aiming in the first place at overcoming homelessness and at social integration of formerly homeless persons are brought into focus in this report, with the main emphasis on single homeless persons, because literature and data on support of homeless families are scarce and because of the afore-mentioned fact that the term supported housing is rarely applied to homeless families. There may be some overlaps with other target groups equally often afflicted directly by homelessness which nonetheless have special problems which rate them among other target groups (for example ex-offenders, consumers of illegal drugs). Supported housing for older persons, young vulnerable persons, persons with mental health problems and persons with physical disabilities or with learning disabilities will only be considered if the persons concerned are clients of services for the homeless.

It is obvious that our delimitation of the research subject results mainly from pragmatic reasons, particularly since the available means did not allow the carrying out of own empirical studies. So the delimitations existing in practice had to be taken as a basis for our analysis.

1.2 Support in housing within the system of services for the homeless. On the definition in this report

In the sector of services for the homeless supported housing is no patented term either, and there is no overall consensus on lines of demarcation against other types of support and housing.

The Federal Welfare Act neither contains any definition of supported housing. Section 72 of the Federal Welfare Act (*BSHG*) merely states: *'Persons in exceptional living circumstances who additionally have social difficulties are to be granted support in overcoming these difficulties, if they are not able to overcome them on their own.'* Among the necessary means, the law also rates measures to acquire and maintain a dwelling, beside advocacy and personal support, training aids and support in getting and maintaining jobs.

Only a framework recommendation of financing agents of social welfare at *Laender* level ('nonlocal agents of social welfare' = *'ueberoertliche Sozialhilfeträger'*) responsible in most *Laender* for *'persons with an unsettled way of living'* according to an outdated legal division of single persons into local homeless persons and non-local *'persons with an unsettled way of living'* (responsibilities are further explained below), provides a definition, however, without legal binding. It says: *'Supported housing combines an independent way of living in rooms which are privately rented and can thus be used on one's own responsibility with systematically organised regular advice and personal support by professionals. It takes place in single dwellings or in shared dwellings. Contrary to support in homes, the persons concerned, assisted by outside persons, manage everyday matters and decide on their way of living independently and on their own responsibility. Responsibility of professionals covers only the professional carrying out of personal support and does not include any au-*

thority to give directives to clients concerning their personal way of living.' (BAG ueoeTR 1995, p. 10).

The term '*supported housing*', however, has been criticised by an increasing number of professionals in the sector of services for the homeless, as it suggests that support is not so much linked to the supported person as to the dwelling and because the assumption that living in a dwelling depends on more or less intensive support is implicit even in its linguistic form. The *Bundesarbeitsgemeinschaft Wohnungslosenhilfe* therefore speaks for an abandonment of the term '*supported housing*' and favours the new term '*ambulant personal support for people living in dwellings*' (BAG Wohnungslosenhilfe 1998a, p. 29).

This reasoning has influenced the wording of the guidelines of the European Observatory on Homelessness for this report as well, as they use the short term '*support in housing*' (FEANTSA 1998). These guidelines also explain that provided support is to be '*organised social support*', which means that both informal support based on interpersonal relationships and collective housing arrangements where no organised social support is provided (e.g. night shelters) are excluded. Institutions primarily developed for care, treatment or control such as hospitals or prisons are excluded as well. The German report also excludes all types of accommodation outside dwellings or normal housing. So hostels and common types of residential care will not be termed '*supported housing*', even if most of them conceptionally aim at a later integration of residents into normal housing. But in Germany these hostels are usually institutions with the priority aim of providing care instead of housing. As the quoted definition shows, there is a distinction between stationary institutions and support in housing in common German usage. Contrary to this practice, this report's definition of '*support in housing*' will include such types of shared and self-contained housing which receive external support, but are organisational parts of residential homes. However, they are situated outside these homes and are inhabited by single persons or groups supported by staff from the residential institutions ('*external residents groups*', '*decentralised stationary accommodation*'). There is some argument about their inclusion into the term '*support in housing*' in Germany, too, as they are not subject to private tenancy contracts and because the respective institution is authorised to give directives to residents and take responsibility for their way of living. Basically, it is not so much the aspect of housing as the provision of support which is central to this type of accommodation. On the other hand, this type of '*supported housing*' is too widespread, and under this term as well, to ignore it in the report.

So the definition of '*support in housing*' in this report ranges from institutional arrangements where housing is provided by institutions for the homeless which let dwellings for a limited time to homeless persons who live and are supported in groups to types of housing where single persons have rented permanent dwellings on the housing market and receive (organisationally separate) personal support by social workers from advice centres as long as they need it. To delimitate it from general advice and support services, '*support*' for the purposes of this report has to have a binding character as well as a certain intensity and continuity. However, the range is relatively large from intensive individual support limited in time (with a ratio of staff to client of 1 to 2.5) to housing-related advice services (with a ratio of staff to client of 1 to 50). The guidelines of different *Bundesländer* on '*Supported housing for single homeless persons/persons with an unsettled way of living*' as well as probably most existing projects schedule a ratio of staff to client ranging from 1 to 12 to 1 to 20 (more details in chapter 3). Support in housing usually also means that

formerly homeless persons in need receive advice and support by social workers at home and are not solely dependent on external advice centres.

It has to be pointed out here that the delimitation of the term 'support in housing' as it has been made in this report does not reflect theoretical preferences of the author but is adequate to the standard of the national discussion on this question and to the way the term 'supported housing' is generally used in the practice of services for the homeless in Germany. Of course this does not preclude that there are differences of opinion on the correct definition of the term in Germany, too, and that in isolated cases the term 'support in housing' is used for hostels and traditional residential institutions. But in general the term 'support in housing' is delimited from 'support in institutions' and excludes institutions for residential care and hostels, unless these institutions have undergone decentralisation and set up external residents groups and self-contained housing.

Concerning the organisation of tenancies/housing-administration and support there are roughly four types⁴:

Chart 2:

Types of combination of support and housing

Type of combination of support and housing	agency in charge of provision with housing	agency in charge of provision with social support
a) Tenancy and support are strictly separate and are managed by different organisations	private landlord, housing enterprise or welfare organisation in the voluntary sector not acting as support	usually welfare organisation in the voluntary sector
b) Tenancy or housing administration are managed by the same organisation	agency same agency as the one responsible for social support (voluntary welfare organisation)	usually welfare organisation in the voluntary sector
c) Supported housing in a dwelling which is (part of) an institution and let to homeless persons for use (no tenancy contract)	same agency as the one responsible for social support (voluntary welfare organisation)	usually welfare organisation in the voluntary sector
d) To avoid danger to public order and security a dwelling is assigned to homeless person by municipality without any legal tenants' rights where the homeless person receives personal support	municipality	usually welfare organisation in the voluntary sector

Later in this report, types of housing acquisition and personal support will be dealt with and advantages and disadvantages of different types of combination of housing and support will be discussed. At present, it is to be stated that there are exam-

⁴ The following typology follows the typology given in the recommendations of the *Bundesarbeitsgemeinschaft Wohnungslosenhilfe* (BAG Wohnungslosenhilfe 1998), but has been changed and supplemented for this report. It must be clear that the typology in this report is not intended to be a recommendation but an attempt to describe reality which means to cover the range of types usually rated among supported housing in Germany.

ples where organisations providing personal support and landlords are separate agencies (type a) as well as others where agencies providing support at the same time act as landlords and provide housing (either their own or rented dwellings) (type b). In respect of the latter type (b) the provision of housing and social support may be organised by one single body, or there may be two different departments or at least two different persons responsible for housing provision and support within the organisation.

While the first types a) and b) result in standard tenancy contracts, types c) and d) do not include tenancies with residents. Either a dwelling which belongs to or is rented by an agency is part of an institution and clients are supposed to be users of this institution (without protection of tenancy laws; type c), see 2.43), or a homeless person is put into a dwelling by municipal authorities according to police law (to avoid danger for public security and order) and receives support from a voluntary welfare organisation (type d). In this latter case we cannot speak of a tenancy but only of a temporary right to use the dwelling. The persons concerned are still homeless for the purpose of the law and excluded from legal tenancy protection (on assignment of a flat according to police law see Busch-Geertsema 1999). From a legal point of view, types c and d are borderline cases, because they can be rated among institutional settings or measures of temporary accommodation of homeless persons combined with support (type c) focussing on remedy of social difficulties and type d) on prevention of rooflessness) and do not facilitate independent, private housing. In practice, however, '*supported housing*' is often realised in such legal forms and is still called so.

Some implications of the afore-mentioned types are evident. Only types a) and b) grant standard tenancy rights to residents, whereas residents of supported housing of types c) and d) are excluded from them. So in the latter cases the process of re-housing strongly depends on the course of the relationship between client and the social worker or the institution providing support (usually a refusal of support means an end to being provided with housing). Only type a) grants a clear separation of housing and support. Type b) has the consequence that the risks implied in tenancy or housing administration lie with the agency responsible for support. On the side of the agency this may result in interferences between the role of providing support and the role as a landlord, which makes the situation of residents precarious. Their legal insecurity may be partly compensated for only if there is an internal division of responsibilities between housing administration and support within the organisation. As to types c) and d), the '*risk*' for housing administrations is reduced because residents have no tenancy protection and may be deprived of housing when, for example, they offend against house rules or other instructions. For all types, welfare organisations in the voluntary sector usually act as agencies of support. In principle it is possible that state agencies do not restrict themselves to financing, but also actually provide support. But in providing personal support the Federal Welfare Act gives priority to voluntary welfare organisations against state agencies (principle of subsidiarity, Section 10 BSHG).

Whereas the *Bundesarbeitsgemeinschaft* emphasises a separation of housing and personal support as an essential requirement as well as it points out each citizen's right to an own, individually fashioned, separate dwelling with full tenancy protection and the basic principle of non-compulsory support, the practice of supported housing has been predominated so far by such types which closely link housing and support and are organised by one agency, which restrict or cancel tenancy rights or force residents to share sanitary facilities, kitchen and communal rooms. As there is

no well-founded national survey on this subject, the description of concrete reality of supported housing can only lean on single case studies, conceptual papers and annual reports of single projects, expert opinions and on my own knowledge and experience from almost ten years of research and advocacy in the field of services for the homeless.⁵

1.3 Present background of services for the homeless, political and legal aims, development of extent and risks of homelessness in Germany

The historical background of support for (formerly) homeless persons in dwellings has been briefly mentioned above. It can be taken as a fact that the aim of providing homeless persons with standard housing has been broadly established in the sector of services for the homeless, at least in public statements, trend-setting declarations and recommendations. Demands on housing policy to accept more responsibility for groups particularly disadvantaged on the housing market instead of leaving responsibility for them to social policy had some effect. Several examples give respective evidence:

- The Federal Department on Spatial Planning, Construction and Urban Development has participated in several research schemes, e.g. on quantity of homelessness and prevention of homelessness in practice, temporary accommodation and reintegration of homeless persons into normal housing (Busch-Geertsema/Ruhstrat 1994), on permanent housing provision for homeless persons by housing construction (the afore-mentioned EXWOST research field), on the feasibility of statistics on homelessness (Koenig 1998) and on housing acquisition by cooperation of housing enterprises, municipalities and voluntary welfare organisations (findings of these research schemes are to be expected for the beginning of 1999).
- In 1995 the Federal Department on Spatial Planning, Construction and Urban Development introduced a regulation providing that an annual sum of 50 million DM from the budget of federal subsidies to social housing has to be invested for the housing provision of homeless persons. Several *Bundesländer* started schemes to promote housing projects for homeless persons.
- There have been plans for a reform of the Federal Housing Construction Act aiming at an inclusion of homeless persons as a special group in need of housing into the act and at a concentration of housing construction and allocation rights on particularly disadvantaged groups of persons in need of housing.

⁵ Concerning the guidelines of social welfare organisations which have been quoted before and to which the following text will refer several times, attention has to be paid to the fact that German regulations on services of voluntary organisation in the sector of social welfare are being revised at present. The cause of this revision is a new legal regulation in the Federal Welfare Act (Section 93 BSHG) which will be in force from 1999 on prescribing detailed agreements on contents, extent and quality of services (as well as on financing and control) between voluntary organisations and financing state agencies. In this context new frame work contracts and guidelines were negotiated in 1998, but were not available for this report.

- Parliamentary reports on action against homelessness with responsibility of the Federal Department on Spatial Planning, Construction and Urban Development have been introduced.⁶

The second report of the Federal Government published in 1998 takes up a clear position in respect of the aims of services for the homeless. On the one hand it underlines the fact that providing and maintaining dwellings is often not sufficient in itself. *'Although homelessness does not generally go along with social difficulties and need of support, strategies for a permanent solution of the problem may not be restricted to housing provision, but their conception has to include services in support of housing from the start: aids and support to secure the standard of living, to organise everyday life, to restore and maintain health and to establish social contacts.'* In the following, however, the report also highlights the relevance of normal housing for a further integration of homeless persons: *'In principle, a provision with 'normal housing' has to be the aim, meaning housing with usual standards in intact neighbourhoods. Spatial and social exclusion do not serve integration but make effective support more difficult. Accommodation in shelters and other special forms of housing or a concentration of disadvantaged households in poor housing areas may rather increase social problems than solve them. Moreover, such forms of housing are in most cases especially expensive.'* (Deutscher Bundestag 1998, 2).

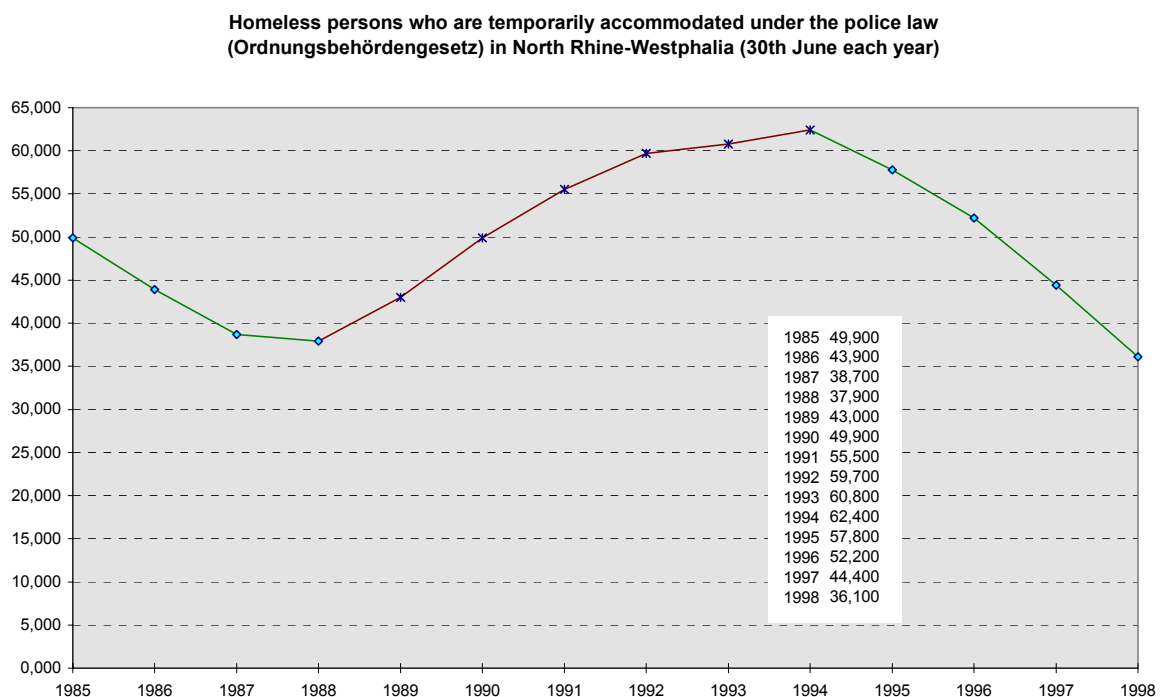
As early as in 1984, an important amendment was made to the Federal Welfare Act which laid down a priority of so-called *'open forms of support'*. An amendment of the law in 1996 gave even more emphasis to this provision. The wordings of the law (section 3a) are now: *'Necessary support is to be given as far as possible outside residential establishments, homes or similar institutions.'*⁷ Although the main intention was to cut social welfare expenses, it is also pointed out in the reasons for this amendment that open forms of support are often *'more appropriate and more humane'*. For debates on the de-institutionalisation of services in the social sector the afore-mentioned legal rule is of central importance, although it does not form any individually suable right and although there is hardly any indication for its systematic realisation.

As the development of supported housing in the sector of services for the homeless is closely related to the housing shortage and greatly increasing numbers of homeless persons in (west) Germany at the end of the 1980s, it has to be mentioned as well that this situation clearly changed in past years. In fact, several indicators show a decrease of the number of homeless persons in west Germany. The only statis-

⁶ However, there is frequent argument on the relevance of housing provision for the necessary support of homeless persons, and in consequence on the responsibility of housing policy, municipal housing offices and housing market for the problem of homelessness. Mentioning the fact that homeless persons are also afflicted by personal, social and health problems - which is often true - it is attempted to narrow the range of responsibility for homeless persons to the sole responsibility of social policy and administration. A frequent argument is that these problems have 'priority' and have to be coped with before a provision with standard housing will be possible, or that social policy is responsible to accommodate persons *'unable to live in dwellings'* outside the stock of standard housing at lower standards. The fact that social integration of one part of the homeless requires *'more than just a dwelling'*, however, does not diminish the importance of a normal, separate dwelling as a precondition for further integration in most cases. Despite continuous debates, this conclusion has been broadly acknowledged in recent years in Germany, although there are considerable deficits in its practical realisation (which would mean: direct promotion of provision of the homeless with standard housing, provision of social support in dwellings).

⁷ Since 1996 this provision has had the reservation that it will only be applicable if such support does not cause *'disproportionately high additional cost'*.

tics assessing at least the quantity of a subgroup of homeless persons on an annual basis, the assessment of homeless persons in temporary accommodation in Germany's most densely populated *Bundesland* North Rhine-Westphalia, proves this positive trend: According to this assessment, the number of persons provided with temporary accommodation by measures of public order laws reached its peak on the statistical fixed day (30. June) in 1994 with 62,400 and has been declining since then. By the 30th June 1998 (36,100) a decline of more than 42 % could be noted (LDS NRW, various years).⁸ As to the (mainly single) homeless persons in institutions of welfare organisations in the voluntary sector, who are not included in the afore-mentioned statistics in North Rhine-Westphalia, several organisations running respective institutions report that their number is declining and that institutions have problems to fill their places.



There are different reasons for this development. Certainly, increased efforts of municipalities to prevent cases of homelessness and to improve chances of homeless persons of being provided with social dwellings are of particular relevance, although there are great local and regional variations in this respect. The same is true for the supply of rented accommodation in the general housing market, which, however, has increased on the whole. Trends on the housing market, again, were strongly influenced by increased construction until 1994 when a peak was reached with more than 500,000 newly constructed dwellings in west Germany. A decline of immigration of German repatriates as well as foreign refugees also contributed to an

⁸ However, families benefited much more from this trend than single homeless persons, so the ratio of single homeless persons to the total of homeless households increased from 44.4% on the 30 June 1994 to 51.1% on the 30 June 1997.

easing of the housing market.⁹ Eventually, the continuous economic recession caused a subdued demand of more housing space.

In contrast with the development of homelessness figures in west Germany, first studies on quantity and development of homelessness in east Germany show a strong increase compared with low homelessness figures in the first years after the German unification. Numbers are still below the level of west German cities, but are obviously approximating to the quantity of homelessness in west Germany, in particular in larger east German cities. (Busch-Geertsema/Ruhstrat 1997a).

But in west Germany, too, only a part of the homeless benefits from the easing of the housing market. First of all, the segment of the housing market available to recipients of social welfare is small, because social welfare offices accept an assumption of rent cost only up to a fixed '*appropriate*' limit. Beside these financial barriers, many homeless persons also meet with social barriers in respect of landlords who doubt their contractual fidelity (punctual and continuous rent payments, careful treatment of the dwelling) and fear conflicts with neighbours. In particular those homeless persons who have already been evicted once have poor chances of finding a dwelling on the housing market. Finally, there is a strong disproportion of supply to demand of dwellings for single households, as housing policy and social housing construction clearly favour families.

While the situation on the housing market has on the whole relaxed, other trends increase the risk of homelessness. Among them are the constantly high level of unemployment in Germany (in 1998 the number of officially registered unemployed persons was still at more than 4 million on an annual average), an obvious increase of poverty indicated by continuously rising numbers of social welfare recipients (a new peak was reached in 1997 with 2.92 million recipients) as well as a growing rent burden for many households because since 1992 rent costs have increased more than available incomes (see BMBAU 1997, p. 21, 41). Rent allowances by the state, however, have not been increased since 1990. Other risk factors are overindebtedness, high rates of divorce, weakening social networks and cuts of state welfare benefits or a tightening up of preconditions for the entitlement to such benefits.¹⁰

Eventually, it is questionable whether the easing of the housing market is of lasting effect: The development of important factors concerning the demand of housing is uncertain. Although immigration to Germany has decreased in recent years, any prognosis on further trends is difficult. Even with constant figures of population¹¹,

⁹ For the first time since 1985, in 1997 the number of foreign migrants leaving Germany was greater than the number of newly immigrated foreigners. The decline of immigrating German repatriates ('*Aussiedler*') is also strong. In 1990, their number had reached a peak with almost 400,000 persons and was only at about 200,000 persons a year until 1995. Since then it has continued to drop definitely (1996: 178,000, 1997: 134,000) (Presse- und Informationsamt der Bundesregierung 1998, p. 12; Busch-Geertsema 1999, p. 7).

¹⁰ The growing number of basic need services for homeless persons as well as for poor people in general has to be seen in this context. In recent years, more and more hand-out stores for second-hand clothes or second-hand furniture, action groups to distribute donated food, day centres and other basic support services have been set up in Germany. Beside the established welfare organisations, a new sector of action groups has emerged which are based mainly on the work of voluntary members.

¹¹ At present, the population figure in Germany is rather stable with about 82 million inhabitants. At the end of 1997 it had risen by only 0.1% (45,000 persons) (Presse- und Informationsamt der Bundesregierung 1998, p. 12).

the number of households is increasing owing to a constant reduction of the average size of households. Any improvement of the economic situation might easily cause a stronger demand of more housing space by the better-off part of the population, as it has been the case several times in post-war times. As to the supply of housing, it has to be considered that the number of newly constructed dwellings in west Germany has been clearly decreasing since 1995. In particular in the sector of social housing construction the number of subsidised newly constructed dwellings has been far smaller than in the years before 1995. At the same time, allocation rights and rent restrictions of social housing (which are limited in time in Germany) are presently running out on a large scale with the result that the total stock of social housing is rapidly diminishing. While there were about 4 million social dwellings in west Germany in 1980, their number will have halved to about 2 million by the year 2000. Another division in half to only one million of social dwellings is expected for the year 2005 (see GDW 1998, p. 23). Most parts of the remaining stocks are concentrated in large housing estates in the suburbs. Additionally, many municipalities sold their shares in housing enterprises in past years due to serious financial difficulties and therefore lost influence in the allocation of dwellings. As allocation rights have to be concentrated on a still diminishing housing stock, the debate on an emergence of '*ghettos*' or '*overstrained neighbourhoods*' (title of a present study on behalf of the housing business, GDW 1998) is gaining in vehemence, and '*problematic*' tenants are increasingly excluded even from those housing stocks for which municipalities still possess allocation rights.

On the one hand, the present situation in Germany is suitable for a further expansion of support in housing for formerly homeless persons. At present it is much easier than in previous years to rent dwellings in the privately rented sector of housing. Promises to provide support help landlords to give up fears (in the sector of social housing, too). Financial considerations also favour a reduction of expensive places in institutions for the homeless and an expansion of support in standard housing (see Busch-Geertsema 1998b). On the other hand, there is a growing risk that social support is required by landlords and doubtful neighbours as an essential precondition to make standard housing available and, thus, is understood and used mainly as a means of social control.

A more consistent change from institutional accommodation to support in standard housing seems to be probable at present, but it meets with difficulties as well. One of them is the fact that welfare organisation in the voluntary sector, which might expand ambulant support in housing, also provide places for homeless persons in institutions. Economic interests in a further occupation of these places might impede their readiness to expand capacities of support in standard housing.

Another obstacle is the division of financial responsibilities for support in institutions and for support outside institutions into two financing agents in most *Bundesländer*. While in most cases the financing agent of social welfare at the level of the *Laender* (nonlocal agent ¹²) is responsible for financing accommodation in stationary institu-

¹² In some *Bundeslaender* the responsibility for social welfare at the *Laender* level again is divided into two regions. In the *Bundesland* North Rhine-Westphalia the *Landschaftsverband Rheinland* and the *Landschaftsverband Westfalen-Lippe* are responsible for the respective parts of the *Land*, in the *Bundesland* Baden-Wuerttemberg responsibility is divided between the *Landeswohlfahrtsverband Wuerttemberg-Hohenzollern* and the *Landeswohlfahrtsverband Baden*. In both aforementioned *Bundeslaender* the nonlocal agents are associations of the municipalities, in most other *Bundeslaender* administrations of the *Land* work as nonlocal agents.

tions, municipal (or rural district) offices of social welfare are responsible for other forms of social welfare (thus including the financing of rent cost, cost of living and support of formerly homeless persons supported in housing).¹³ In most of the larger *Bundesländer* financing agents at the level of the *Laender* do finance non-stationary support (thus including support in housing), but in most cases this support is restricted to the group of '*persons with an unsettled way of living*' (i.d. non-local single homeless persons) and aims at a '*settlement*' of these persons. Responsibility for the remaining homeless persons lies with municipalities. These intricate legal regulations, which are further complicated by different *Laender* directions, give frequent cause to problems of delimitation and arguments about responsibilities. Attempts to amend the Federal Welfare Act on a national level in order to achieve a clearer and more homogeneous regulation of responsibilities failed in 1997 because of opposition from the *Laender*. Quite often the present system leads to absurd situations as attempts to turn the accommodation of homeless persons in institutions into provision with standard housing combined with additional social support are prevented, although this form of housing is less expensive, offers better conditions for integration and corresponds to the explicit wishes of most homeless persons to have a separate dwelling. But municipalities object to such projects as they imply the transition of responsibilities and therefore costs from the level of the *Laender* to municipalities, either at once (because municipalities are responsible for ambulant support) or after some time (because '*persons with an unsettled way of living*' have become local recipients of social welfare).¹⁴

So it is obvious that financing agents of social welfare at the level of the *Land* are the ones who are mainly interested in an expansion of supported housing (and in a reduction of places in institutions) for homeless persons in their present responsibility. Quite a number of *Bundesländer* as well as the Federal Association of financing agents of Social Welfare at the *Laender* level (*Bundesarbeitsgemeinschaft ueberloertlicher Traeger*) have therefore elaborated recommendations and guidelines for an expansion of supported housing for '*Nichtsesshafte*' ('*persons with an unsettled way of living*' (nonlocal single homeless persons)), including target figures.¹⁵ The most detailed of these target figures are those for the *Bundesland* Hesse (about 6 million inhabitants): For the group of '*persons with an unsettled way of living*' alone an expansion of places in supported accommodation from about 215 places at the moment to 1,065 is planned (however, there is no time schedule for this project). For rural districts near larger cities a target number of 40 places for each district has been calculated, whereas rural districts in regions with a more rural character are supposed to get 20 to 25 places per district. Target figures for lar-

¹³ This is a regulation of the Federal Welfare Act (Section 100) which, however, may be changed explicitly by implementing orders of the *Laender*. It is not only applicable to support for homeless persons according to Section 72 of the Federal Welfare Act, but according to Section 39 Federal Welfare Act to so-called integrative support for persons with mental health problems or learning disabilities, persons with drug dependencies and other groups of persons in special need of support as well.

¹⁴ There are exceptions from this practice in some *Bundesländer*, and there are regions where social welfare offices at the level of the *Land* and social offices at the level of municipalities join in financing the costs of ambulant support. There are other deviations from this practice: In the *Land* Saxony the social office at the level of the *Land* is responsible for ambulant support not only for the integration of '*persons with an unsettled way of living*' but of other (local) homeless persons, too, if they are affected by special social difficulties (Section 72 BSHG).

¹⁵ It is not certain whether these target figures cover the real need. Rather, they are pragmatic figures for planning, which are surely not least influenced by financial considerations.

ger cities depend on the number of inhabitants and may range from 40 to 250 places per city (LWV Hessen 1998). These target numbers do not include local homeless persons under responsibility of municipalities.

2. CURRENT PRACTICES: SUPPORTED HOUSING PROVISION

This chapter deals with the types of buildings available for support in housing and with ways of acquisition of dwellings. Questions of tenancy law and financing of housing costs will also be considered.

2.1 Requirements imposed by financing agents of social welfare

Considering requirements which are imposed by financing agents of social welfare at the *Laender* level in single *Bundeslaender*, differences of types of housing in supported housing for homeless persons become obvious. Guidelines published by the federal association of these agents which deal with the organisation of support for single homeless persons only state that supported housing takes places '*in single or shared dwellings*' and recommend in respect to the former: '*If support is given in single flats, the conception shall usually provide for a remaining of the dwelling in the use of the (former) recipient of support after termination of support.*' (BA ueoeTr 1995, p. 163). Thus, the widespread practice of limiting the stay in shared dwellings to the duration of support which means a change of dwelling after termination of support is implicitly confirmed. However, this is only partly compatible with the German tenancy law as will be explained in detail below, so shared dwellings are quite often declared to be part of institutions and residents are excluded from tenants' rights.

Guidelines at the *Laender* level, again, deviate from recommendations of the Federal Association.

- For example, the *Landschaftsverband Rheinland* does not rule out support in self-contained dwellings, but its guidelines state that supported housing '*... may comprise up to 12 places which should be provided in two housing objects if possible.*' And it continues: '*The majority of recipients of support living in residents groups or house communities should have rooms of their own. There has to be a legal contract concerning the duration of support with them.*' (LSV Rheinland 1996). It is obvious that realised projects mainly consist of shared housing (see 2.2) and that legal tenancy contracts, if they exist at all, are limited in time.
- A new agreement on supported housing in the *Bundesland* Hesse recommends the following: '*Supported housing should take place in single or if necessary two-person dwellings. If so-called 'supported residents groups' are set up, it is to be regarded that they may comprise maximally 3 to 4 persons and that each of them has a room of his own (...). On the termination of support a change of dwellings should be avoided to prevent any endangering of successful integration.*' (LWV Hessen 1998). Thus, in Hesse more emphasis is put on separate single dwellings, and the maximal size of residents groups is smaller. For practical reasons, however, permanent tenancies (which meet the afore-mentioned recommendation) will be most likely achieved for single and two-person dwellings.

As municipalities and rural districts also finance supported housing under their responsibility, respective guidelines vary to an even higher degree. The City of Stuttgart, for example, includes not only residents groups and support in single dwellings into its definition of supported housing, but residential homes and supported shelters which are only open in winter as well. So the number of places in supported housing for homeless persons in Stuttgart's responsibility came to 789 in 1994 (Landeshauptstadt Stuttgart 1994, p. 12). But this definition is not compatible with the delimitation of the subject in this report.

2.2 Prevailing types of accommodation

It has already been mentioned that the majority of places in supported housing for homeless people can be assumed to be places in shared dwellings, in which two to six (sometimes more) persons share kitchen, sanitary facilities and sometimes a communal room, but in most cases have also rooms of themselves. However, there is no secure empirical data at a national level. Many welfare organisations provide support for persons in individual housing (separate dwellings for single persons or couples with separate front doors, sanitary facilities and kitchen or kitchenette) as well as in residents groups or in shared dwellings.

Reports of welfare organisations often point out that the organisations themselves as well as the homeless prefer accommodation in separate individual housing, particularly because this is the usual form of living in present-day society and thus grants a maximal degree of normality in housing. Owing to the afore-mentioned structure of the housing stock in Germany, it is however much easier to rent or purchase larger flats than small flats. In the conceptional paper of an organisation providing shared supported housing for homeless persons in Munich it is stated: *'The fact that the homeless men temporarily live in shared housing for utilitarian reasons has to be explained with the situation that we were only offered dwellings containing several rooms. It is not true that our clients would prefer this type of accommodation to living alone. Many years of experience in this field show that residents in shared dwellings with two rooms had definitely less conflicts with co-residents than residents in shared dwellings with three rooms.'* (Teestube 'komm' 1994, p. 2 f.). In the city of Munich all the 120 places of supported housing for single homeless person were situated in shared dwellings (total number of dwellings: 31) in 1991. The research report quoted above however recommends to make more use of single dwellings for supported housing of homeless persons: *'A better supply of support in single dwellings would make support more effective, beside the fact that independent living can be learned better in such types of housing, so problems of transition which can be observed particularly for this clientele may be reduced'* (Landeshauptstadt Muenchen 1995, p. 20, 84). As early as in 1987 a report by a welfare organisation in the voluntary sector stated: *'In our experience, far more single-room dwellings are needed. However, it is extremely difficult to acquire such dwellings due to the situation of the housing market. The existing dwellings with several rooms could only be rented as several single rooms and are sublet on this basis as well. Tenants actually use them as single rooms with communal bathrooms and kitchens. Forms of communal living with common housekeeping have not yet evolved and have not been planned for the project either.'* (Sozpaedal 1987, p. 17). In 1995 this organisation had rented altogether 67 housing objects and sublet

rooms to altogether 130 formerly homeless persons on a long-term basis. Only 14 places were separate single-room dwellings (Sozpaedal 1996a, p. 4).¹⁶

A study on supported housing in the area of the *Landschaftsverband Rheinland* from 1995 showed that 16.4% of altogether 184 persons in special need of help according to Section 72 Federal Welfare Act lived in single dwellings, 24.2% of them lived in shared dwellings with two to three persons and 54.3% in shared dwellings with more than three persons (Landschaftsverband Rheinland 1997, p. 101). Only 15.6% of the total number of persons receiving support in housing were principal tenants of their dwellings, the rest lived in dwellings let by the organisation providing support.

A recent study in the city of Bremen showed that in 1997 only 47 (little more than one quarter) of altogether 176 places of supported housing or 'Assisted Housing' (as classified by social administration) for homeless ex-convicts, drug-consumers or persons therapeutically provided with drug substitutes and other single homeless persons lived in separate individual dwellings with tenancy contracts. The rest of them were accommodated in 'housing projects' (shared dwellings or houses) with up to 12 places (Busch-Geertsema 1997b). This study also names advantages of shared dwellings in the eyes of providers of support: For example, coordination of staff is easier, times for journeys to work are shorter and if support is only financed for a limited time (like in most cases) an effective utilization of support capacity can be managed because the vacant place may be re-occupied immediately. The effects of such priorities on residents will be considered in detail in chapter 4.

There is hardly any well-founded information on location, quality and equipment of supported housing. In most cases dwellings belong to the existing housing stock and have not been built with the purpose of providing supported housing. If providers of support acquire dwellings and sublet them to the homeless (like in most cases), they will certainly try to find surroundings which are as normal as possible, tolerant at the same time, and have a good infrastructure. On the other hand, housing offered by landlords will probably be less favourable in regard of location and equipment, due to strong prejudices against the target group of homeless persons. Whether support providers have an option and are able to enforce their interests is not least dependent on the ratio of supply to demand on the housing market and on the authority of voluntary organisations. The annual report of the afore-mentioned voluntary organisation in Karlsruhe stated in 1993: *'In spite of the specific services of this project, there are hardly any proprietors of 'middle-class' houses who are willing to provide housing for the purpose of subletting it to our clientele. We therefore have to resort to housing from the 'grey area' of the housing market, which means that in many cases old dwellings in bad need of renovation have to be rented at relatively great expense.'* (Sozpaedal 1993, p. 3). However, this organisation did also benefit from the easing of the housing market and was able to rent housing of the municipal housing association for the first time in 1996 (Sozpaedal 1996b).

The setting up of associations for housing acquisition (and social housing administration) for homeless persons, which will be described in detail later on, was one of the responses to the serious problems of acquiring housing. In some cities they

¹⁶ In contrast with many other organisations, this makes long-term tenancy contracts also with tenants in shared dwellings and does not limit support in time, although support is less intense than in most other projects.

also succeeded in creating or renting separate individual dwellings on a larger scale and to sublet them to formerly homeless persons. In some of these dwellings, the formerly homeless residents receive intensive support as well.

The mixing of social classes and types of households within one house is often considered as favourable for the integration of formerly homeless persons, and there are warnings against a strong concentration of dwellings for homeless persons in one building. It is generally unknown how often this mixing is successful and whether it is actually helpful for integration, although demands to promote '*social mixtures*' are presently gaining the status of a new dogma in discussions on housing policy. Findings of scientific evaluation on a housing project of 12 separate housing units exclusively reserved for single homeless persons in one newly constructed house show that even such 'concentration' had no discernable negative effects on chances of integration (Busch-Geertsema/Ruhstrat 1997b).¹⁷ There has not been sufficient research on advantages and disadvantages, limitations and potentials of rather homogeneous or heterogeneous groups of residents in single houses or quarters to give a well-founded judgement on this question. However, it has to be noted that means of control are anyhow narrowly limited and thus the location of dwellings for supported housing of homeless persons depends on offers on the housing market.

It can be assumed that in most cases support in housing for homeless persons takes place in dwellings of the private housing sector. This has to be seen in connection with the fact that Germany has the largest privately rented housing sector in Europe with 36% of the entire German housing stock. Shared supported housing in dwellings of the social housing stock is only possible if exceptional permission is given because in general a shared use of dwellings of social housing is not accepted. But separate individual supported housing for homeless persons takes place quite often in smaller dwellings of social housing as far as such dwellings are available. Finally, a considerable part of dwellings for supported housing of homeless persons belongs to welfare organisations in the voluntary sector, in particular to welfare organisations of the church.

2.3 Tenancy law and supported housing

Usually supported housing is based on tenancies and thus subject to tenancy law protection. Although it is common practice of many service providers to deprive residents of tenancy contracts and to offer them special contracts ('Nutzungsverträge') instead (with regulations on support or combined with contracts of support), usually tenancies are created anyhow (even without formal tenancy contracts) which are subject to indispensable and imperative provisions of the tenancy law.¹⁸ So for example the use of drugs (alcohol or illegal drugs), clashes with co-residents or with support staff, offences against special regulations or fixed time limits on the financing of support may not be taken as reasons for notice to quit, as long as there

¹⁷ However, it has to be taken into account that this is a newly constructed building which is moreover situated in part of the town with a good infrastructure and a heterogeneous population. This model was described in detail in the last National Report (Busch-Geertsema 1998a).

¹⁸ This is not the case if dwellings are assigned to residents according to police laws and if rooms belong to stationary institutions.

are no grave infringements of the contract as defined by tenancy law. However, jurisdiction is not at all consistent in this respect.

Essential protective provisions of the German tenancy law were described in detail in the National Report of 1995 (Busch-Geertsema 1995a). They are applicable to sub tenancies as well as to principal tenancies. It is of special importance to our subject that they also impose narrow restrictions on time limitations for tenancies. As the financing of support is usually limited in time, providers of support may find themselves in difficult situations. If support is closely linked to special places of accommodation and if a continuous employment of support staff and thus a continuous occupation of accommodation places by persons in need of support are to be secured, a limitation of the supported persons' stay in correspondence to the duration of granted support will be necessary.

According to the tenancy law it is legally possible to limit tenancies in time, but if tenants claim an unlimited continuation of tenancies in writing within two months before termination of the contract, landlords may only effectively oppose this by producing specific '*legitimate interests*' (Section 564c BGB). Criteria for '*legitimate interests*' are the same as for justifying regular notice to quit of other tenancies, like for example the landlord's intention to use the dwelling for himself or close relatives or culpable infringements of the tenancy contract by the resident. For the purpose of '*legitimate interests*' it is not sufficient to argue that the use of the dwelling is linked to support and that the stay ends with termination of support (neither for a regular notice to quit of unlimited tenancy contracts). If the dwelling is part of an institution and the place of accommodation is left to the resident for the explicit purpose of providing (time-limited) support and if the provider of support can prove that this accommodation place is needed for providing support to another person, this might be accepted as '*another*' legitimate interest (which is not clearly regulated by the law). But even then a resident may oppose a notice to quit by referring to social reasons (for example if he cannot find a new dwelling) (Section 556a BGB).

The protective provisions mentioned above may be oblivious under certain circumstances, but only in cases of tenancies in which a future personal interest in the dwelling or intended constructional measures have been explicit from the beginning and are mentioned in tenancy contracts as reasons for a limitation in time (Section 564c, para. 2 BGB). This is supposed to promote an interim use of vacant housing for which there are plans for a later renovation or modernisation later. In some cities this provision is also used for subletting housing to homeless persons (e. g. in Frankfurt).

The legally prescribed proceedings of eviction following notice to quit of a tenancy under protection of the social tenancy law usually cause considerable expenditures of time and money to the landlord. In general, there is also a certain period of notice which has to be observed before eviction proceedings can be taken up. Possibilities of giving notice to quit without a period of notice are closely restricted to certain facts (rent arrears and other grave infringements of tenancy contracts) and are ruled out if notice to quit is given owing to the termination of support.

If welfare organisations in the voluntary sector rent housing and sublet it to homeless persons, they set up tenancies which are difficult and intricate in their legal consequences, because they form triangular systems with differing conditions. While (sub-)tenancies between residents and welfare organisations are fully protected by the social tenancy law, welfare organisations do not benefit from this protection against landlords and proprietors of the dwellings, because they have not

rented the dwellings for themselves and, of course, are not considered as natural persons. So it is easier for the landlord to increase rents or give notice to quit on to intermediary agents than for welfare organisations to pass rent increases or notices to quit to subtenants. On the other hand, subtenants (persons in supported housing) cannot claim their right to tenancy protection against landlords in the first place, but only against welfare organisations. In cases of conflict this may easily result in payments of damages the welfare organisation is liable to pay to both the landlord and the subtenant and, in the end, in factual restrictions of tenancy protection for the subtenant. Moreover, the welfare organisation takes on full responsibility against the landlord for the resident and his behaviour and is liable for possible rent losses, vacancies and damages of the dwelling (Roscher 1990).¹⁹ Such intermediary tenancies mean considerable risks for welfare organisations but they are rather common, because there is a relatively great readiness of landlords to let housing to welfare organisations, who relieve them of virtually all tenancy-related risks.

Considering these problems it has been suggested to do without sub tenancies and to complement direct tenancies between landlords and residents in supported housing with additional framework contracts. Such framework agreements concede allocation rights to welfare organisations and transfer the management of dwellings to them either completely or partly. The organisation guarantees rent payments during the life of this contract and takes on administrative tasks on a larger or smaller scale according to the wording of the intermediary. The tenancy contract, however, involves only resident and landlord so that a withdrawal of the welfare organisation does not directly affect the tenancy between proprietor and resident of the dwelling (Roscher 1990, p. 28 ff). Compared with intermediary tenancies, framework contracts therefore improve the legal situation of residents and welfare organisations and reduce their risks. However, they do not mean improvements to landlords. So it is questionable - and has not been studied empirically yet - how frequently this type of contract has been realised in practice.²⁰

Finally it has to be noted that many welfare organisations in the voluntary sector and in particular many homeless persons supported by them do not know this intricate legal situation. So quite often there are contractual agreements which would not be legally valid in case of conflict but which are accepted and observed by both contractual partners for lack of better knowledge. Legal knowledge and assertive competences of formerly homeless persons are far too low to avail themselves of protective provisions of the social tenancy law. Moreover, for practical reasons it is hardly possible for a homeless person to enforce his stay in shared supported housing against the will of the organisation providing support.

¹⁹ In a decision by the Federal Constitutional Court from 1991 and in a new legal provision from 1993 (Section 549a BGB) the legal position of subtenants to proprietors in commercial intermediary tenancies (for the purpose of profit) was improved. Attempts to extend this improved legal protection to subtenancies in dwellings rented by societies for the purpose of subletting them to persons in need have on the whole failed, because the prevalent interpretation of the law does not consider them as commercial intermediary tenancies (see Fischer-Dieskau et al., Kommentar zu § 549a BGB).

²⁰ The manager of the Society for Housing Assistance in Frankfurt considered the suggested framework contract as hardly feasible in his experience because landlords had no interest in such contracts (see Skerutsch 1991, p. 115).

2.4 Typology and different forms of housing acquisition

The aforementioned as well as the typology of chapter 1.2. have already shown some different forms of housing acquisition. Types of housing acquisition existing in concrete reality can further be differentiated as follows (see chart 3).

Chart 3:

Forms of housing acquisition, prevailing types of housing and the legal status of residents according to different types of contractual relationships

Type of contractual relationship	Type of housing acquisition	Prevailing type of housing and legal status of residents
a) Homeless person rents housing from landlord who is organisationally separated from provider of support	aa) Tenant (possibly supported in his attempts to find housing) finds dwelling which belongs to private landlord or housing enterprise (maybe social dwelling)	Tenant has the benefit of full tenants rights and a permanent tenancy. Mainly separate individual housing.
	ab) Tenant is assigned a dwelling with allocation rights of municipality or organisation in the voluntary sector	
	ac) A 'framework contract' between landlord and organisation in the voluntary sector provides that the organisation has the right to name residents and is maybe responsible for administration but does not act as landlord	
	ad) Dwelling belongs to organisation in the voluntary sector (organisationally separate from provider of support) which has been set up for the purpose of acquiring housing for particularly disadvantaged persons	
b) Homeless person rents housing from provider of support	ba) Provider of support is proprietor of housing (by transfer of property, purchase, construction etc.)	Different regulations on tenants rights, tenancy contracts granting full tenants rights as well as special contracts which are limited in time and combined with obligatory use of support. Self-contained and shared housing, probably mostly shared housing with a limited duration of stay.
	bb) Provider of support rents housing and sublets it to homeless persons	
c) Housing is considered as (part of) an institution, homeless person has a special contract (Nutzungsvertrag) with agent of this institution	ca) Provider of support is proprietor of housing (by transfer of property, purchase, construction etc.)	Tenants rights are questionable; stay depends on progress (and duration) of personal support and is mostly (although not always) limited in time. Self-contained and shared housing, predominantly shared housing.
	cb) Provider of support rents dwellings and leaves them to homeless person for use	
d) Homeless person is assigned a dwelling by municipality to prevent danger for public security and order	da) Temporary accommodation in municipal dwellings or in dwellings rented by municipality	No tenants rights, user is officially still considered as homeless. Self-contained and shared housing.
	db) Assignment of social dwelling according to police law in agreement with landlord, maybe prospect of future tenancy contract ('living in dwellings on probation')	

2.4.1 Housing acquisition with an organisational separation of support and housing

Expert discussions and recommendations of the National Coalition of Services for the Homeless (Bundesarbeitsgemeinschaft Wohnungslosenhilfe) speak for an organisational separation of housing and support and thus favour in particular option a). This option guarantees as much social normality as possible and allows that a formerly homeless person may remain in his dwelling still after termination of support. In cases like this housing takes place mostly in self-contained dwellings. Homeless persons have the benefit of full protection as a tenant, and their tenancies cannot be made dependent on the progress of support. It is in their free decision whether or not they receive personal support. Providers of support bear no risk (or if at all a very small risk) related to administration and management of the dwelling. Social workers can concentrate on supporting their clients' integration. Role clashes caused by different demands in respect of landlord's tasks and support can be avoided.

However, this option creates the greatest problems in respect of housing acquisition. If a provider of support does not take the risks of renting and housing administration, someone else will have to assume responsibility. Landlords are usually not willing to do so and prefer prospective tenants who seem to be less 'risky'.

The 'common' option of housing acquisition (option aa), which implies that the homeless person finds a dwelling on the free market on his own has only poor chances of success in providing persons in need of support with housing, in particular if there is a strong disproportion of supply and demand. Organisations in the voluntary sector can provide support in finding a dwelling (by classified ads, use of telephones, assistance for interviews with landlords etc.) and social welfare departments can provide financial support (assumption of rent commissions and rent deposits, flexible application of acceptable rent ceilings).

As such individual support often fails, there are attempts in many places to extend the use of municipal allocation rights to homeless persons, or organisations in the voluntary sector strive to gain allocation rights (option ab). In the first case, a close cooperation with municipal housing offices is necessary, but the influence of these housing offices is diminishing due to the running out of social obligations. Anyhow housing offices differ strongly in the use they make of their potentials to influence the allocation of housing. A general willingness of housing offices to give priority to the provision of homeless persons with social housing can not be presumed. However, in some cities there are model contracts or emergency regulations which give priority to the housing of homeless persons and often also guarantee landlords the provision of support to the rehoused homeless if needed. Economic risks (rent arrears, damages of dwellings, costs of eviction) can also be covered by guarantees of municipalities if necessary. Organisations in the voluntary sector and landlords may enter into direct agreements on allocation rights. Usually, landlords will expect return services by providers in the voluntary sector, such as employment of financial means (low-priced loans or subventions) or the provision of church property for construction projects. Sometimes it will be sufficient if providers in the voluntary sector promise to provide support to residents and if they take on tasks of housing administration. Basically, the framework contract listed as option ac) and described in detail in 2.3 is a form of acquiring allocation rights (which implies, however, that the provider of support will take on management risks in some cases).

2.4.2 'Soziale Wohnraumhilfen' (housing assistance) - a special form of housing acquisition by welfare organisations in the voluntary sector

When it became increasingly difficult for homeless persons to rent dwellings on their own in the late 1980s and departments of social work for different target groups were often competing for the small remaining stock of available housing, in a considerable number of cities these service providers joined and set up associations or charity societies with the main purpose of acquiring housing for socially disadvantaged persons. A wide range of different institutions with various methods developed. A study on the Bundesland Hesse revealed that there alone were eight '*Soziale Wohnraumhilfen*' (housing assistance associations), which held a housing stock of more than 400 dwellings (mainly belonging to the privately rented sector, mainly rented and sublet by the associations) (see Schuler/Wallner et al. 1996, p. 51 f.). Five of them were members of a Protestant welfare agency (Diakonie) or had parishes among their founder members.

There are housing assistance associations focussing mainly on single homeless persons with a special need of support according to Section 72 BSHG, while others include service providers of social work for different target groups (beside for single homeless persons e.g. for persons suffering from AIDS, ex-convicts, consumers of illegal drugs, battered women, persons with disabilities, vulnerable young persons, persons with mental health problems etc.) and which acquire housing for the respective target groups. A great part of these associations mainly rely on the existing housing stock for housing acquisition, others initiate new housing construction or are involved in it, or they carry out reconstruction and extension projects on purchased or rented buildings. Most associations set up social housings administration to relieve landlords of economic risks, act as intermediary landlords and strive to avoid notices to quit in cases of behaviour contrary to the tenancy contract by early intervention and information of providers of support etc. Usually the staff of '*Soziale Wohnraumhilfen*' includes commercial employees as well as social workers. The associations are financed from subsidies of different state agents as well as from church funds, and to a smaller extent from donations and own returns for example for housing management. For construction projects or the purchase of dwellings they can resort to different types of subsidies: Some churches of the different Laender (Landeskirchen) have set up special funds to subsidise housing provision of disadvantaged persons. Some Bundeslaender afford contingents or additional subsidies for projects directed at special target groups beside regular subsidies for social housing. Eventually, there are special funds in some cities supplied by different sources (state and church funds, donations of commercial business).

In most cases, a separation of support and housing management is attained because housing assistance associations are not responsible for the provision of personal support but leave it (if it is necessary at all) to member organisations or other social services. In most cases the support provided by housing assistance associations according to their conceptions is restricted to the settlement of problems which are directly linked to the dwelling or tenancy (agreements on payment by instalments in cases of rent arrears, settlement of conflicts within the house community, settlement of damages of the dwelling etc.). Even though not every tenant might receive support by social workers, the general willingness of service providers to intervene in cases of need is often preconditional for an arrangement of tenancies. The degree of actual separation of organisation of housing and support varies, too: As service providers are usually members of the housing assistance association at

the same time, this separation is weak from the start. If the support relationship between the original service provider and the resident fails, many housing assistance associations will feel obliged to provide support in cases of urgency by themselves.²¹ Some associations work on projects in parts of their housing stock in which they act as providers of social support. Eventually, there are housing assistance associations which object to a separation of housing arrangement/management on the one hand and support on the other and combine both instead. They will be further described in chapter 4.2.

While most housing assistance associations concentrate on acquiring standard housing at standard tenancy conditions and on the task of managing this stock of housing, there are some associations which assume further responsibilities. For example the Evangelische Verein fuer Wohnraumhilfe in Frankfurt/Main has taken on major guidance and control tasks concerning temporary accommodation of homeless persons (native and immigrants, families and singles) from municipal authorities. This association owns hostels for temporary accommodation and runs a scheme for a limited interim use of dwellings which are to be renovated or demolished (see Evangelischer Verein fuer Wohnraumhilfe 1996, 1997).

Evangelischer Verein fuer Wohnraumhilfe in Frankfurt is one of the oldest and probably largest organisations of its kind. It had a total stock of 221 dwellings under its own administration at the end of 1997 (71 of these dwellings were for limited interim use) and 253 subtenancies with altogether 688 persons (see Evangelischer Verein fuer Wohnraumhilfe 1997, p. 19). Beside activities in the sector of intermediary housing arrangement and temporary accommodation of homeless persons, the association cooperates closely with the municipal housing office to provide homeless persons in shelters with social housing and is provider of social support for vulnerable young adults.²²

Another example is the Neue Wohnraumhilfe gGmbH in Darmstadt, which was founded in 1991. Associates are 21 social work organisations in South-Hesse (from the sectors youth welfare, feminist movement, services for ex-convicts, services for the homeless, services for persons with disabilities and services for persons suffering from AIDS). This association acquires housing by renting and subletting as well as by purchase and new construction. At the end of 1997 it had altogether 95 dwellings at its disposal: 17 of them were owned by the association, 73 were rented and for 5 dwellings the association had only taken on administration. In cases in which the association acts as an intermediary landlord, a principal tenancy contract between resident and proprietor of the dwelling will be aimed at if integration turns out successfully. In their great majority the dwellings are one-person or two-person flats, which are let exclusively to single households (single persons, single parents with children and in few cases to couples or families). As homes for battered

²¹ 'There is an increasing number of cases when delegating organisations are no longer able to provide necessary aftercare in cases of trouble with tenancies. Then we ourselves have to be able to become active as social pedagogues.' (Neue Wohnraumhilfe Darmstadt 1998, p. 7). This problem was already described in last year's National Report with reference to the model of Social Housing Assistance Hannover (*Soziale Wohnungshilfe Hannover*) (Busch-Geertsema 1998a). This organisation is special because it mainly focusses on new construction projects and because it was not founded as an independent association but as part of an advice centre for homeless persons. At the beginning of 1998 *Soziale Wohnungshilfe Hannover* also became an independent organisation (non-profit society), which nowadays however have their own staff for social support of residents.

²² This part of its activities would therefore rather belong to chapter 2.4.3.

women are among the associates, more than half of all tenants are women. A strict separation of housing and support as intended in the association's conception has been abolished for parts of this project as well, as in the middle of 1996 a separate social-pedagogical support service for the target group of homeless women was set up (Neue Wohnraumhilfe Darmstadt 1998).

Housing assistance associations strive to prevent notices to quit and evictions by early interventions in cases of problems which affect tenancy contracts (like delay of rent payments, noise nuisance, clashes with neighbours) and by arranging appropriate personal support. They are frequently successful, but in very grave cases even these associations return to legal procedures of giving notice to quit and moving for eviction.

The housing stock for which housing assistance associations act as intermediary landlords contains in the majority of cases less than 150 housing units, mostly even less than 100. As the number of housing units which are newly acquired each year or become vacant by fluctuation is definitely smaller still, the contribution of associations to housing provision of homeless persons is limited in quantity despite its qualitative importance. Moreover, only in a part of these dwellings continuous and intensive social support characterised as supported housing in this report is provided. Thus, where housing assistance associations exist, supported housing takes place neither in all dwellings of the housing stock of these associations nor is it by any means exclusively restricted to dwellings acquired by these associations.

2.4.3 Housing acquisition with the provider of support as landlord

In a considerable number of cases of supported housing the provider of support is landlord of the dwelling at the same time (option b) of our typology). This model has definitely some advantages for providers of support. Housing required for providing support can be controlled by the provider of support himself, and if the use of housing is limited to the duration of support, the service provider can offer support without having to acquire dwellings for persons in need of support first, and is thus not dependent on successful housing acquisition. His support services are more attractive for homeless persons, as they are combined with housing provision. To put it the other way round and in more negative terms, it must be stated that for many homeless persons the optional nature of support services is in question as an acceptance of support is the indispensable 'price' for being provided with a dwelling.²³ A time limit on tenancies also threatens to destabilise residents after termination of support because they have to change into new dwellings or are even threatened by homelessness. The aim of integration is thus at jeopardy.

But for providers of support an intermediary arrangement of housing contains considerable risks as well. Residents may successfully oppose a time limitation of tenancies, and the aforementioned risks of intermediary housing arrangement are as real to them as to any housing assistance organisationally separated from the provider of support. Eventually, the staff providing support might easily get problems with their role as they have to observe not only the aim of integrating and supporting residents but also the service provider's interests as landlord. This means more control for residents and possibly a disturbance of their confidential relationship to

²³ However, this is also true for some types of supported housing with a separation of support and housing.

social workers who should support their integration. For this reason some service providers have separated housing management and arrangement from support within their organisations (as it has been mentioned above), and respective responsibilities are taken on by different persons or departments.

While experts frequently vote for a separation of housing arrangement and support, there is a number of service providers deliberately opposing such separation. Among them are some housing assistance associations acting as intermediary landlords which had to realise that there was no immediate and active intervention by other organisations of social work in cases of tenancy-related problems and that they themselves were forced to step in. If housing arrangement and support are in one hand, such problems can be tackled with faster and more effectively, and chances of maintaining tenancies and avoiding financial losses are in most cases better.

A housing assistance association in Karlsruhe which has been active in housing acquisition since 1983 (Sozialpaedagogische Alternativen e.V. with the scheme '*BuergerInnen ohne Wohnung*' = 'Citizens without a home') assumes that about 80% of little less than 130 residents of dwellings rented and sublet to formerly homeless persons with unlimited tenancies by the association need long-term support to secure their tenancies (sozpaedal 1983, p. 9). This organisation argues against a time limit on support and considers a separation of housing arrangement and advice/support to be hardly feasible.

However, the majority of providers of support acting as landlords are supposed to insist on time limits on housing corresponding to the duration of support (in most cases 12 to 18 months) and usually record it in contracts. Special contracts ('*Nutzungsvertraege*') which also include regulations on support are quite frequent despite the widespread demand for regular tenancy contracts. Housing used for support is either rented from private landlords and further sublet, or it is property of providers of support or organisations related to these providers. As providers of support and housing welfare organisations in the voluntary sector tend to have best chances of acquiring adequate housing. It was quite frequent at least in the past to rent larger dwellings and to sublet single rooms. So there is still a great number of residents in shared supported housing. In 1992 the Caritasverband in Stuttgart for example had more than 300 places in shared supported housing for homeless persons of different target groups, which were situated mainly in dwellings rented by the organisation (Brenner 1992). The organisation had made support contracts including regulations on the use of the dwelling ('*Nutzungsvertraege*') with most residents. After single lawsuits had generally confirmed that tenancy law is applicable to such cases, recently a decision was taken to provide residents with regular tenancy contracts (Brenner 1998).

But in particular church organisations may also resort to housing belonging to their welfare organisation or parish and use it for supported housing. Purchase and new construction of housing fall under the same framework conditions as described for housing assistance associations.

2.4.4 Housing acquisition of dwellings as parts of institutions

Several times the Federal Welfare Act differentiates between support provided in homes, residential establishments or comparable 'institutions' ('*stationary or partly*

stationary support') and support provided outside institutions (*'ambulant support'*). The results of this differentiation for financing have already been mentioned. However, the term *'institution'* is not clearly defined by the law. According to recent jurisdiction, the definition of a place in an institution does not presuppose specific constructional requirements. So supported housing in dwellings and even in self-contained individual dwellings can be defined as being part of an institution, if support is granted for a certain period of time and directed at a large and fluctuant group of persons. For this purpose, the dwelling has to be a legal and organisational part of the institution as a whole (so there are no tenancy contracts), and the organisation running the institution has to provide comprehensive support and to take on responsibility for the conduct of life of supported residents (see to this effect a decision by the Federal Administrative Court from 1994, Gefaehrdetenhilfe 4/1994).

As a result of this, *'stationary support'* can take place in shared or self-contained dwellings as well. Usually intensity of support and chances of intervention are higher²⁴, although the dwelling may be the same as for ambulant support in dwellings (so concerning details of housing acquisition therefore see preceding paragraphs). This means for organisations running institutions that they can strive at a considerable normalisation of the exterior of housing (standard housing) for their clients (however without tenants rights) without changing the base of their financing (and responsibility of financing agents). As larger institutions are losing their attractiveness for homeless persons, this opportunity is increasingly used.

For persons in receipt of support, however, stationary support means a definite diminishment of their legal autonomy in comparison with ambulant support. They are considered as users of the institution and are subject to home rules and directions of the staff. Their place in a dwelling depends to a considerable degree on the progress of support. Deviating behaviour (like use of legal or illegal drugs, clashes with co-residents, offences against house rules) may result not only in a cancellation of support but in an immediate loss of the dwelling at much shorter notice than in cases of tenancies under protection of the tenancy law.²⁵ Usually residents do not pay rent, but costs of accommodation are part of the total services of the institution.

A considerable part of supported housing relationships in shared dwellings belong to partly stationary institutions. In these cases a delimitation of supported housing and accommodation in an institution is particularly difficult and often arbitrary.

Recently an increasing number of support relationships in self-contained dwellings developed which are organised as *'decentralised stationary self-contained housing'*. Some institutions have started to rent self-contained housing with the option of transferring tenancies to residents after a successful completion of intensive support. So residents have a prospect of remaining in their dwellings and receiving a

²⁴ This is a description of the present situation. However, there is no legal rule preventing a more intensive ambulant support in housing than support as it is nowadays usually financed for single homeless persons.

²⁵ It has to be taken into account, however, that if there are alternatives and an independent examination, stationary support is reserved for persons with considerable social difficulties and personal problems, who thus have a high need of support for social integration. Agents of institutions therefore consider it necessary to be able to step in quickly and find the protection provided by the tenancy law too extensive for this purpose.

tenancy contract.²⁶ In comparison with accommodation in large residential buildings with their typical architecture and organisational structure, this type of support has unquestionable advantages: An enforced sharing of accommodation and hygienic facilities can be avoided as well as conflicts among residents, who usually have special problems. Supported persons may set their minds on a longer stay in the dwellings (which increases their motivation) and start to make contacts in their new surroundings. They may practice self-support under realistic circumstances and can resort to intensive personal support in working on possible problems (conflicts in the neighbourhood, problems with solitude, alcohol, fears etc.) (see Kaemper/Soehl 1996; Wohnungslosenhilfe Bethel 1998, Bodelschwingh-Haus Hamburg 1997, p. 37 f.). But these advantages are the same for ambulant support in self-contained housing. Compared with ambulant support, *'decentralised stationary self-contained housing'* is only distinguished by the pragmatic advantages of maintaining financing structures and financing agents of stationary support as well as a higher intensity of support in practice. A more intensive support, however, might also be demanded for ambulant support in dwellings with tenancy contracts.

2.4.5 Housing acquisition by assignment of dwellings according to police law

For this type of housing acquisition, legal responsibility lies with municipalities which assign dwellings to homeless persons to avoid danger to public security and order according to the police law (for details see Busch-Geertsema 1999). As it has been mentioned above, these dwellings may be owned or rented by municipalities. However, it is more common to assign social dwellings to homeless persons in agreement with landlords. Municipalities are liable to landlords for rent payments and possible damages of the dwellings. Residents in assigned dwellings are still considered as homeless, have no tenants rights and may be moved into another accommodation by administrative action. They have to pay a compensation which in most cases corresponds to the amount of rent. In a greater number of cities assignments of social dwellings imply the prospect of receiving a regular tenancy contract after a certain time of living in the dwelling provided that residents have shown a well-adjusted behaviour and have regularly paid the compensation (*'living in a dwelling on probation'*). However, housing enterprises are often reluctant to realise this promise, as assignment of dwellings by police law means a far-reaching guarantee of municipalities for any tenancy-related risks and is therefore preferred to regular tenancy contracts by them.

So far there have been no empirical studies on the extent of assignment by police law as housing acquisition for supported housing. We can assume strong local varieties in this respect. In some (but not in all) municipalities social support is provided mostly by welfare organisations in the voluntary sector. As it has been pointed out above, it is difficult to delimitate this sector of housing acquisition from the sector of temporary accommodation of homeless persons.

²⁶ Like in cases of ambulant support, the willingness of landlords to accept respective agreements is a necessary precondition. This readiness, however, is difficult to achieve.

2.5 Financing of housing costs

In cases in which support is provided ambulantly and the dwelling is allocated for the main purpose of housing rather than for the purpose of providing support, the framework for financing rent costs is the same as for rent costs of other tenancies. If their income is below certain ceilings, residents may claim rent allowance, if their income is even lower or if they have no own income at all, they may claim full or supplementary social assistance which includes costs of housing (as long as these costs are *'appropriate'*). In cases of housing as part of institutions the rent is included in the remuneration which agents of support receive and which is usually calculated on a daily basis. It is usually paid by social welfare departments, but residents with own incomes have to contribute to the costs and are only allowed to keep a small part of their incomes at their own disposal.

Some departments of social welfare at the level of the *Laender* do not only pay remunerations for personal support, but will additionally assume costs of housing administration if support agents provide housing as well. In some *Bundeslaender* costs of housing administration are calculated as a lump sum ratio of personnel expenditure (for example in Baden: 15% of personnel expenditure), in others extra costs for administrative staff are assessed (Hesse: one administrative employee for 60 recipients of support).

As a positive example of covering tenancy-related risks of landlords statements of guarantee are to be mentioned in which social welfare offices engage themselves to assume rent arrears and other costs caused by failing tenancies.

3. CURRENT PRACTICES: INTEGRATION OF SUPPORT AND CARE WITH HOUSING PROVISION

Considering guidelines of social welfare agents at the level of the *Laender*, the agreement of Hesse may be taken as an example of support services in the sector of supported housing. According to this agreement, supported housing includes *'the following main measures which have to be ranked in importance according to individual cases:*

- *support in settling into a dwelling and managing everyday life. This includes among other things the handling of financial matters, housekeeping, self-catering, organisation of leisure time, settlement of debts, arrangement of medical treatment,*
- *securing of means of existence (securing of means of living and housing),*
- *intervention in cases of crisis,*
- *establishing contacts in the community,*
- *passing on of information on local support and advice services for different problems as well as*
- *support in gaining access to education and work.'* (LWV Hessen 1998, p. 4).

Financing agents in charge of a large part of shared housing and time-limited tenancies also mention support in dealing with conflicts in shared housing and support in arranging housing after termination of support.

Financing agents of support for homeless persons according to Section 72 Federal Welfare Act generally emphasise the temporary character and necessary time limit

of support as well as the basic principle of social welfare which is to enable recipients as far as possible to help themselves (Section 1 Federal Welfare Act). Concerning the question of time limits, a national framework recommendation of all social welfare agents at *Laender* level suggests: *'The regular duration of support should not be longer than 12 to 15 months'* (BAG ueoeTr 1995, p. 163), but there are also exceptions from this rule. The afore-mentioned agreement of Hesse for example states a maximum time limit of two years, which is not to be exceeded *'as a rule'*, although exceptions are possible. The *Landschaftsverband Rheinland* assesses the maximum period of time allowed for the *'settlement'* of *'persons with an unsettled way of living'* at 12 months (LWV Rheinland 1996). The city of Stuttgart limits the duration of supported housing (for local homeless persons) to usually 18 months, *'in special cases it may be extended on specified application to altogether three years at a maximum'* (Landeshauptstadt Stuttgart 1994, p. 16).

The afore-mentioned service provider in the voluntary sector in Karlsruhe which refuses to separate housing administration and support and is financed by annual lump sums is rather an exception. Its effective ratio of personnel to clients is consequently far lower (1:50) than that of other providers of support, but there is no time limit on financing, and support capacities can focus on respective residents corresponding to their needs.

Intensity of support usually depends on ratios of personnel to clients. The framework recommendations state: *'The ratio of support personnel to clients should usually not be lower than 1:16'* (BAG ueoeTr 1995, p. 163). In some *Bundeslaender* this recommendation is followed exactly as one social worker is responsible for 16 clients (e. g. in Hesse), in others one social worker is responsible for more (Saxony: 1:14 to 1:20) or for definitely less clients (Rhineland: 1:12).

Eventually there are agreements at local levels with a higher degree of differentiation and with better ratios of personnel to clients corresponding to the problems of supported persons (e. g. 1:6, 1:8 and 1:10 in supported housing of the *Caritasverband* in Stuttgart).²⁷ Usually financing of support is based on individual cases and requires an examination of the respective person's need for support. In several *Bundeslaender* with a fixed ratio of personnel to clients a monthly lump sum is paid for each supported homeless person (*'person with an unsettled way of living'*) to support providers. It amounted to 669 DM in Hesse in 1997 (about 352 ECU, see LWV Hessen 1998, p. 5).²⁸ But there are also single agreements which assess the

²⁷ At this point it has to be mentioned that we mainly refer to financing guidelines for support according to Section 72 Federal Welfare Act (persons with particular social difficulties). The Federal Welfare Act (Section 39/40) also provides for so-called integrative support for persons with special needs, like drug addicts and persons with physical and mental disabilities. This means that in individual cases more intensive personal support in housing may be afforded (like e.g. for formerly homeless persons suffering from AIDS and drug consumers with specific additional problems in Bremen on the basis of a ratio of personnel to clients of 1:2.5, see Busch-Geertsema 1997a). If support is financed according to Section 72 Federal Welfare Act, more intensive forms of support are also possible. Finally, more intensive support is afforded for *'decentralised stationary housing'* with dwellings as parts of institutions (see above).

²⁸ In Hesse this lump sum per case covers personal support with a ratio of personnel to clients of 1:16. It includes 20% for nonpersonnel costs. Applications investment costs (for office furnishing and the furnishing of rooms for shared use) can be made separately. Cost of living and housing costs of the formerly homeless persons are not included in the amount. They are covered by own incomes or by (sometimes supplementary) social assistance (and partly by housing allowances).

expenditure of support on the basis of hours of support.²⁹ First of all, financing by social welfare agents depends on an acceptance of the conception of service providers by financing agents.³⁰ These service providers are usually institutions or advice centres in the voluntary welfare sector.³¹ Services for the homeless in this sector are dominated by welfare organisations (*Diakonisches Werk* and *Caritas*) belonging to the two main churches in Germany.

Since 1996 the Federal Welfare Act has ruled in section 72 that individual support must be planned. It has not been evaluated yet how far and by which means such planning does actually take place. Different conceptions and guidelines on personal support usually demand reports by support providers on supported persons, their need of support and individual progress at the time of admission and afterwards at fixed dates (often after 6 or 12 months), on which decisions on approval respectively continuation (or termination) of personal support are based.

The ordinary system of financing support on the basis of individual cases brings it about that providers of support are much interested in using their staff to capacity to gain necessary remunerations and to be able to afford continuous payment of wages. This may sometimes lead to differences in the assessment of need of support by providers of support on the one hand and by financing agents or supported persons on the other. This problem can partly be tackled by involving supported persons, providers of support and financing agents in support planning conferences if conflicts arise.

Generally, financing agents demand that support is provided by qualified staff (mostly graduated social workers). Some financing agents also insist that women are supported by female qualified staff as far as possible.

With regard to practical experiences with supported housing of formerly homeless persons it is frequently criticised that requirements on intensity and duration of support are often too inflexible. Findings of evaluation on single projects which provided

²⁹ For example a project in Gevelsberg (Westphalia) works with such an agreement. For this rather new project in which eight social dwellings with regular tenancy contracts for homeless women were created by reconstructing a building classified as a historical monument an agreement was made with the financing agent of social welfare saying that personnel costs and non-personnel costs for the personal support of these eight women are to be calculated monthly on the basis of the hours spent on the project (and a fixed hourly rate) and that the annual expenditure should not exceed 70,000 DM (about 36,850 ECU) (verbal statement by project manager, see Drev-ermannstift 1998). However, in this example the maximum sum was assessed on the basis of an average ratio of personnel to clients (1:12) again.

³⁰ It has been mentioned above that from 1999 on there will be new and more detailed legal regulations of the Federal Welfare Act on procedures of financing of services. According to Section 93, para. 2 social welfare agents and service providers will have to make agreements on contents, extent and quality of services as well as on remunerations and to make provisions for controlling economic efficiency and quality. Preparations for such agreements have not been finished at the time of writing this report.

³¹ According to the principle of subsidiarity of welfare organisations in the voluntary sector laid down by the Federal Welfare Act (Section 10), these organisations are of priority importance in providing personal support. According to para. 4 of Section 10 Federal Welfare Act social welfare agents are to refrain from providing services if support in individual cases is granted by voluntary welfare organisations. This does not affect the granting of financial support. However, legal changes and a growing relevance of private commercial providers for services of social assistance in recent years have reduced the importance of the traditional corporative model in Germany. More commitment by self-supporting providers or by private commercial companies (or for example of housing enterprises) in providing personal support for formerly homeless persons are also possible, but have hardly been realised so far (see Muender 1998).

personal support to formerly homeless persons in self-contained housing show that the actual need for personal support is difficult to predict in individual cases and can change in the course of time (see respective descriptions in last year's National Report, Busch-Geertsema 1998a). Although there are many homeless persons with a need of personal support definitely receding in time, this is not the case for every homeless person. It should be made clear at this point, however, that there is a considerable percentage of homeless people who do not need additional support at all, but just a dwelling and the usual financial support. In some cases a new acute need of support occurs no earlier than after a rather long period of time (caused for example by a relapse into alcoholism), in others the need of support varies in the course of time and contents of support vary as well (in the beginning questions of furnishing the dwelling and settling financial matters are of foremost relevance, while later on job and training situation, social contacts, organisation of leisure time and personal as well as health-related problems are of growing importance). The intention of support is not only to cope with problems, but to enable clients to avail themselves of necessary support by contacting regular services and advice centres (which are not specialised on problems of homeless persons, like general advice centres for problems of overindebtedness or drug addiction, job or health centres) and to become independent from special support for the homeless. It is debatable (and different according to individual cases) how long this process takes³² and whether in cases of crisis regular support services are sufficient or more intensive support is needed.

In addition, opinions on necessary extent, form and contents of personal support provided in standard housing (with a separation between functions of landlord and support provider) often differ greatly between landlords and social workers (but also between different social workers). Landlords are interested in fast interventions in cases of tenancy-related problems. They mostly demand an active and permanent support by social workers, who are also expected to call on their clients and are to impose some control on them. In cases of crisis a fast and active reaction may be quite time-consuming. However, financial and organisational circumstances of social workers are often not adequate to these demands. Finally, some social workers refer to their role as an 'advocate' of their clients who only takes action on instruction. But not every resident is capable to articulate his need of support and to approach social workers with it.

4. THE USERS' PERSPECTIVE - PROBLEMS, ISSUES AND DEBATES

Unfortunately, there are only very few well-founded studies on the perspective of users of services for the homeless.³³ There are, however, scientifically sound and very important findings on requests of homeless persons concerning housing. Sev-

³² For example the project in Wilhelmsdorf (Bielefeld) which was described in last year's National Report achieved to provide residents, who had been long-term clients of a stationary institution before being rehoused in self-contained dwellings, with intensive personal support for more than five years (while available staff was gradually reduced, see Busch-Geertsema 1998a, p. 30). But this long duration of guaranteed special support for formerly homeless persons has to be considered as exceptional.

³³ Hopefully, the users' perspective will be given more attention in quality control and quality securing of services of welfare organisations in the voluntary sector which will become more important in future, and hopefully this will also have effects on the sector of services for the homeless (see Sellner/Rohden 1998).

eral scientific surveys show that the majority of homeless persons want to live in self-contained dwellings.

In interviews with single homeless persons in Lower Saxony in 1989 more than two thirds of 726 interviewed persons stated that they wanted to live in small self-contained dwellings, 19.3% wanted to live in furnished rooms (see Ruhstrat et al 1991, p. 89).

73.3% of 258 single homeless persons who were questioned in Schleswig-Holstein in 1992 on their housing requests declared that they wanted to live in small self-contained dwellings, 17% wanted to live in furnished rooms. Only 5.4% wanted to continue their old way of living or did not want to live in a dwelling. Another important result of these interviews was the fact that only 1.6% of all questioned persons wanted to live in shared dwellings and less than 1% in stationary institutions (Evers/Ruhstrat 1994, p. 241).

Table 2:

Requests concerning future housing of homeless persons in Schleswig-Holstein according to a survey of 1992 (Evers/Ruhstrat 1994, p. 241)

Requested housing	number	per cent
(small) self-contained dwelling	189	73.3
furnished room	44	17.0
shared housing/residents groups	4	1.6
stationary institution for the homeless	2	0.8
caravan/house-boat	2	0.8
others	1	0.4
dwelling not requested/continuation of former way of living	14	5.4
no answer	2	0.8
total	258	100*

* deviation from 100% as a result of rounding off

Data from the electronic data system of the National Coalition of Services for the Homeless confirms a clear preference of standard housing by homeless persons. According to the latest published analysis, 72.9% of more than 16,000 registered homeless persons stated in 1996 that they requested a dwelling of their own, 8.9 % wanted a furnished room (BAG Wohnungslosehilfe 1998b, p. 37, own calculations).³⁴ So altogether more than 80% of all homeless persons wanted a normalisation of their housing situation. This data soundly disproves the frequently held as-

³⁴ It is striking that the fraction of homeless persons who request furnished rooms is lower in more recent surveys than in previous ones. Although a direct comparison of findings is not possible because findings are related to different regions it can be assumed that furnished rooms are less preferred because they have become a less frequent type of standard housing for the rest of the population as well. Shared dwellings, which are probably the most frequent type of supported housing for homeless persons, do not meet the housing requests of the majority of homeless persons either. In general, housing requests of homeless persons reveal a strong orientation towards social standards of normality.

sumption that a considerable part of homeless persons had taken a deliberate decision for a life without dwelling or refused reintegration into normal housing.

Findings of evaluation on model schemes for a permanent housing provision of homeless persons (promoted by the Federal Department of Housing Construction as part of the research scheme '*Innovative housing construction and urban development*' (*Experimenteller Wohnungs- und Städtebau*)) have also given proof that even long-term homeless persons with considerable social and personal problems are capable of living permanently in standard dwellings with regular tenancy contracts if they receive necessary complementary support. The main results of two out of seven evaluated model projects were presented in the National Report of 1997 for Germany (Busch-Geertsema 1998a). Meanwhile the final report which summarises the findings of all evaluated projects has been published. It states: '*The findings of the model projects which have been to a high degree positive prove that social integration of homeless persons and households is possible if certain material and organisational requirements are met.*' (Bundesamt für Bauwesen und Raumordnung 1998, p. 137). Beside legally and financially secured good-quality housing the report mentions complementary social support for homeless persons with a respective need as one important requirement of successful integration.

Statements of formerly homeless persons who were provided with self-contained dwellings in the model projects described in last year's National Report (in Bielefeld and Hannover) and were questioned several times for the purpose of evaluation show the strong relevance of personal autonomy and privacy which living in dwellings had for these persons: '*Being one's own master again*' was the most common expression of residents in newly constructed dwellings for homeless persons in Bielefeld to describe their new situation in comparison with accommodation in institutions and shelters. Many residents declared that they had become calmer and more independent, that they were no longer disturbed by others and had made new contacts. Important indicators for integration and normalisation of life were the purchase of telephones and undisturbed invitations of visitors as well as making and intensifying social relationships (see Kaemper et al. 1997, p. 83, 85). Homeless persons rehoused by *Soziale Wohnraumhilfe Hannover* also appreciated increased autonomy and a new scope of action as a result of self-contained dwellings, as the following authentic quotations show: '*A shower and a kitchen of one's own at last! When I got my own keys for the flat I thought, well, now you can start again to get something going.*' '*Now it is me who is responsible for everything and there is nobody to make you feel angry.*' '*I had a feeling of breathing again at last. I am no longer under control of social workers and can arrange my days as I like to.*' '*This here is my home. I have become much calmer and more relaxed.*' (Busch-Geertsema / Ruhstrat 1997b, p. 161). However, problems affecting tenancies occurred in each of the two projects. There were problems concerning rent payment, conflicts with neighbours, cases of noise nuisance, and a number of residents had problems with drug addiction and social isolation as well as health-related and other difficulties. But these problems did not result in homelosses. It has to be pointed out, however, that these were residents of model projects which provided the formerly homeless persons with housing subject to tenancy contracts. It was optional for residents to avail themselves of complementary support by social workers. As it has been described above, this type of supported housing is by no means the prevailing type in Germany.

The major part of supported housing might rather be characterised by the following statement in the afore-mentioned report on supported housing for different target

groups in the city of Munich: *'In spite of all efforts to promote residents' independence and autonomy, in particular the model of shared housing which is predominant in housing provision at the moment contains a potential tension or even conflict between the (pedagogically intended) target of individual organisation of life and the reality of housing and support practice. Although residents of supported housing projects are conceded the right to share in decisions on the organisation of everyday life (e. g. organisation of meetings, housekeeping, working plans) and furnishing of rooms by almost every service provider, they are only given a hearing at best in the crucial question of allocating places. This reflects ... the interest of service providers in an optimal use of places to capacity. The restricted right to share in decisions becomes especially obvious in the frequent linkage of rights related to housing with progress of support, a linkage which is not without legal problems.'* (Landeshauptstadt Muenchen 1995, p. 118). The same study gives reasons for this linkage of right to housing with support relationship: *'In cases of residents groups this is almost inevitable for pedagogical reasons, as otherwise infringements of rules regulating communal life could not be coped with. But in respect of self-contained housing with social-pedagogical support there are also pedagogical reasons (like motivation to accept support, sanctions to prevent a premature termination of support) which speak against a provision of supported persons with principal tenancies.'* (ibid., p. 95). These statements show the specific problems of shared supported housing and the problematic combination of pedagogical aims with the possible sanction of housing deprivation.

In many aspects shared housing with social-pedagogical support proves to be a special type of housing with negative structural elements like other special institutions for the homeless which run counter to any integration of residents. On the one hand it is a type of housing which does not correspond to requests of the majority of homeless persons as it has been demonstrated above. In shared dwellings they are enforced to live together with persons they have not chosen themselves. Sometimes they are allowed a right of veto, but usually this right is restricted by financial requirements of support providers. It is hard to understand why of all people persons with problems are supposed to benefit from living together and sharing kitchen, bathroom and other communal facilities with other persons who are afflicted by considerable problems, too.³⁵ Moreover, although providers of special types of supported housing claim to prepare residents for an independent life in self-contained housing, this claim is very often not fulfilled or even counteracted. Residents rather learn strategies of behaviour to survive in enforced communities with an institutional structure which strengthen their capacity to adapt to group pressures and a life under social-worker control with obvious restrictions of self-reliance and individual responsibilities instead of building up competences for coping independently in individual housing. Although there is more privacy and more room for independent action than in large residential establishments with shared bedrooms and full board catering, important structures of shared supported housing and these institutions are similar. While the official aim is the personal stabilisation of homeless persons, attainment of this aim and/or termination of support are followed by a radical disruption of a resident's life caused by compulsory leaving of his former place of residence. Only those homeless persons who receive support in

³⁵ This is not meant to be an argument against voluntary sharing of dwellings by formerly homeless persons. But generally homeless persons in supported housing have neither an option concerning the question of living in self-contained or shared dwellings nor are they entitled to select co-residents.

standard housing with regular tenancy contracts may stay in their dwellings after termination of support and successful stabilisation.

Advocates of special types of housing (without tenancy contracts and limited in time) use to refer to the notion of a so-called 'staircase system' (*'Stufensystem'*) which contains several types of accommodation a homeless person ideally has to pass through until he arrives at the ultimate goal which is a standard dwelling in which he lives independently and without any special social-worker support. Supported housing and *'living in a dwelling on probation'* are higher steps in this system, whereas large residential establishments and night-shelters are rather at the bottom. Going on to 'higher' steps means more personal autonomy, responsibility and privacy, whereas control and possible sanctions by social workers become less.

In several articles and in her Swedish National Report of 1997 for the European Observatory on Homelessness, Ingrid Sahlin described this staircase model and its practice in Sweden and criticised it on the basis of empirical research (Sahlin 1995, 1996, 1998). In Germany there are obvious parallels to the model of *'staircase of transition'*, and many issues of criticism made by Sahlin are also applicable to German special types of housing. In Germany, the opinion that many homeless people were *'incapable of independent living'* (*'wohnunfähig'*) and had to learn certain abilities in residents groups and *'dwellings for training'* before being capable of moving into normal dwellings is widespread, too. There is also the practice of many municipalities to grant dwellings only *'on probation'* if persons move into a permanent dwelling (for example by assignments of dwellings according to police law - as it has been described above - without tenancy contracts, but with the prospect of receiving a tenancy contract after about one year; but also by way of defining the dwelling to be part of an institution).³⁶ Similar to Sweden, in Germany housing enterprises will quite frequently refuse to grant tenancy contracts to formerly homeless households after the fixed period of living in the dwelling *'on probation'* even if no rent arrears or complaints by neighbours have occurred, because they prefer the guarantee given by social offices for rent payment and possible damages. Finally, in German like in Swedish practice there are many cases in which the *'staircase of transition'* turns out to be a *'staircase of exclusion'* (Sahlin 1998, p. 40), because the lower steps of the system are used as negative sanctions for misdemeanour of residents for example in supported housing. However, there has been no scientific analysis of negative effects of the staircase model in Germany so far. Some case studies (for example on accommodation of homeless drug consumers, see Busch-Geertsema 1995b) nevertheless prove that considerable downward mobility, *'revolving-door effects'* and periods of stay in special housing which exceed intended durations of stay by far can be observed for the German staircase system of accommodation as well.

Sahlin also points at problems caused by a mingling of functions of support provider and landlord. Protection of personal data against landlords is reduced, the mixing of

³⁶ Following the same principle there is the possibility of leaving households threatened by eviction in their former dwellings with special contracts (*'Nutzungsverträge'*) and without tenancy contracts in Germany, too (*'re-assignment'* - *'Wiedereinweisung'*). Legally these households are considered as homeless households with own dwellings assigned to them as temporary accommodation according to police law in order to prevent homelessness. Municipalities guarantee for all risks (rent losses, damages of the dwelling) to landlords and are entitled to remove the households into other places of accommodation. If landlords oppose this use of the dwelling, the household has to leave the dwelling within 3 to 6 months at most.

business functions of landlords with social tasks and relationships of personal trust as essentials of support may easily result in role problems and increases the risk of sanctions for residents in cases of infringements of rules or conflicts with social workers, in particular if the rights of residents are restricted by special contracts.

In special types of supported housing house rules and obligations concerning support are far more extensive and require more cooperation of residents (like participation in group meetings, regulations concerning visitors, abstinence, special duties etc.) than in normal dwellings. The potential for control of residents, which may even include admission to residents' rooms, is far greater.³⁷

Model projects like the ones described in last year's National Report for Germany attempt to avoid these negative aspects of certain special forms of housing and to grant as much normality as possible concerning legal and material essentials of housing and support. Separate organisations for tenancy arrangement and support, self-contained dwellings as well as regular tenancy contracts for residents are part of these essentials. Although this standard is widely approved by German experts, it has not been realised in the practice of supported housing in Germany by far.³⁸ On the opposite, a recent increase of the number of cases of '*living in housing on probation*' can be noticed, although relevant recommendations of the Standing Conference of German Municipalities (*Deutscher Staedtetag*) explicitly advise against such measures of '*living in dwellings on probation*' (see *Deutscher Staedtetag* 1987, p. 31). Like in Sweden a relatively weak position of municipal social and housing administrations with regard to housing enterprises - which is still being weakened by expiring social obligations - becomes obvious in this practice (the same is true for service providers for the homeless in the voluntary sector if they acquire housing for homeless persons). Even if they strive at a far-reaching integration of homeless persons into standard housing and at full tenure security of residents, they will need the willingness of landlords to cooperate. Landlords, however, are mainly interested in a maximal reduction of possible risks. Both parties often see a 'solution' by way of reducing rights and securities of persons or households who are homeless or threatened by homelessness.

Compared with temporary accommodation in institutions and special types of housing with time-limits, '*living in dwellings on probation*' may be considered as an improvement of provision in the eyes of households who are homeless or threatened by homelessness, as they are provided with self-contained housing and given the prospect of an unlimited right of residence. However, as the rest of the population enjoy a rather high standard of tenure security, '*living in dwellings on probation*'

³⁷ In respect of admission to rooms in shared supported housing the legal situation is intricate, too. In cases of tenancies (also without tenancy contracts) social workers are generally not legally entitled to enter clients' rooms without permission. But in this question, too, practice differs considerably from legal regulations.

³⁸ For this reason the comparison of different types of settlement strategies in selected European countries by my Irish colleague Brian Harvey might suggest a too positive picture of the situation in Germany. Referring to my own descriptions of innovative projects of housing provision, Harvey (1998) characterises German approaches to integration as '*the normalization model*' and contrasts them with the Swedish '*staircase of transition*' and the Austrian '*tiered model*'. This may be useful as a heuristic method of typology contrasting different theoretical approaches which Harvey has soundly elaborated. But it has to be kept in mind that elements of the Swedish and Austrian practice of different staircase and tiered models are quite common in Germany, too, and that German practice - maybe different from public debates - is more influenced by them than by the normalisation model.

means discrimination. It cannot be denied that there is a certain danger that the interest of housing enterprises in '*tenancies on probation*' for all sorts of households which they consider as potentially '*risky*' might lead to a continuously growing number of special contracts without tenure security and therefore to an expansion of the 'second housing market'.

5. CONCLUSION: EFFECTS AND OUTCOMES

Our analysis has shown that there is a strong tendency to expand *support in housing* in many sectors of social work. Standard housing is considered as a central aim and essential precondition for the normalisation of the life of persons with special needs of support as far as possible. It is required by a large majority of homeless persons, and legal provisions also clearly prioritise housing in self-contained housing to support in institutions.

However, places in institutions still outweigh support in normal self-contained housing for most target groups with special need of support. The reasons are, among others:

- Institutions are the traditional type of support and have an interest in maintaining their existence. If support requires a high level of staff (24-hour-services) and comprehensive care (catering, cleaning etc.) it is easier to be organised in institutions than in decentralised housing.
- The housing market, especially the shortage of cheap small dwellings severely restricted attempts to extend support capacities in normal housing in Germany in the past ten years.
- There are considerable differences of opinion on the question to what extent a reduction or abolition of places in institutions is reasonable and on the percentage of persons in need of support who depend on services of institutions either permanently or at least temporarily.
- While places in institutions are generally registered completely and continuously, the assessment of support in normal housing depends largely on intensity and type of financing of support (therefore the total number of persons receiving ambulant support in housing might be higher than existent statistics show).

As a result of changes of the German housing market, conditions for a change of structures of services have improved in recent times. Support in normal housing is easier to realise as appropriate dwellings are available even for the support of persons with social and economic disadvantages. However, there is a risk that landlords might make the letting of dwellings to special target groups (like formerly homeless persons) conditional on ambulant support, financial guarantees and restricted tenants' rights.

It can be predicted that the afore-mentioned tendency will contribute to an increased reduction of places in institutions. Many institutions complain about problems of using their places to capacity. There are studies which prove that ambulant support in normal housing is clearly less expensive for financing agents of social welfare than accommodation in residential institutions and special types of housing (see Busch-Geertsema 1997b, 1998a, b). Not least for financial reasons, the reduction of places in institutions is going to be enforced.

To prevent a new demand of places in institutions for the accommodation of homeless persons and other target groups as a result of the next (predictable) crisis of the German housing market, the presently favourable situation of the housing market has to be used to secure long-term allocation rights. This requires legal changes. A reform of the German Housing Law in order to create new dwellings with allocation rights as well as allocation rights on the existing housing stock is overdue. Municipalities as well as welfare organisations in the voluntary sector should take every opportunity to agree on long-term allocation rights with landlords without restricting tenants' rights of residents. There should be an exchange of ideas on ways of creating allocation rights for socially and economically disadvantaged households (concerning the construction of new social housing as well as the private housing stock) on a European level. They should be one of the future subjects of the European Observatory on Homelessness.

A self-contained dwelling is in most cases an essential precondition for the integration of homeless persons and other target groups into society, but the dwelling alone is often not sufficient. Integrative support has the prior aim of maintaining the dwellings, but a further integration into society cannot be achieved by the maintenance of tenancies alone. So sufficient capacities and services of support in different sectors (like health, housekeeping, financial management, organisation of leisure time, social contacts etc.) have to be available. These services, however, do not have to be reserved for single target groups. Case management and the use of regular social support (like advice centres for different problems like indebtedness, addiction, health problems etc.) are relevant in this context. The same is true for the organisation of services with a strong regional context (of the quarter of town). But the capacity of active visiting services for individual cases has to be expanded as well. It has to be examined whether results from pilot projects in the sector of housing for the elderly ('focus housing') are transferrable to housing and support for other target groups with a particular high need of support.

In future it will be more relevant which specific services are needed to which extent and how an exaggerated provision of support on the one hand and an abandonment of persons in need of support (whose standardised duration of support has expired or who no service feels responsible for) on the other hand can be avoided. Present changes in the financing of services in Germany will hopefully result in more transparency of services and their financing and create more flexibility concerning type and intensity of support for persons in normal housing. (However, there is a conceivable risk that these changes will have the contrary effect and that the need to cut costs will counteract attempts for more adequate services.)

A more detailed assessment of individual needs of support and better means for an assessment of 'success' of social work in providing support in normal housing is another demand on research which has not yet been fulfilled.

It is hard to decide and object of constant discussions how far the reduction of places in institution can go and where the model of support in self-contained housing has its limits. Again and again examples of homeless persons are mentioned who are not capable of living in a self-contained dwelling because of particularly grave health problems caused for example by alcohol abuse or mental illness and a missing willingness to accept specialised support as well as serious dissocial behaviour. However, there are no reliable data on the actual quantity of this group of persons in Germany. On the other hand, support schemes for persons with mental disabilities or drug-consuming AIDS patients or formerly long-term homeless person in self-contained housing prove that supported housing is possible even for

in self-contained housing prove that supported housing is possible even for 'difficult' clients. It may be true that a part of these persons will never achieve complete independence of personal support. But this is no argument against enabling them to lead a life as normal and independent as possible.

It is certainly unquestionable that basic and emergency services will be necessary in future as well. Places in institutions for older people and other persons in need of care, for children and young people, for persons with physical or mental disabilities, for homeless persons and other persons will continue to exist. Their future quantitative dimension, however, will depend on the question whether ambulant support in housing will be developed, expanded and secured in a flexible way adequate to people's needs or not. In the sector of prevention of homelessness personal support in cases of need should rank higher, too. Eventually, an access to standard housing has to be secured on a long-term basis for persons in need of support without establishing a new second housing market with its own mechanisms of exclusion.

Support in self-contained housing is no miracle cure for every single case, but it is a promising approach which deserves attention to its further development on a European level as well.

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