

EVICCTIONS OF PEOPLE IN VULNERABLE SITUATIONS DURING THE PANDEMIC

(Barcelona, 14 September-23 October 2020)

1. CONTEXT AND GENERAL DATA

This report refers to the eviction of people in a highly vulnerable situation in Barcelona from 14 September, the date on which courts resumed the judicial activity interrupted by the first wave of COVID-19, up to 23 October.

The extreme vulnerability of these families can be put down to various circumstances, such as the fact we are dealing with elderly people or people with chronic illnesses, single-parent families and families with children. These situations are always accompanied by economic vulnerability. In other words, households with no savings or equity, on minimum incomes that fluctuate between those provided by the guaranteed minimum of €430 a month and €1,500. In short, people who cannot afford to rent on the open market.

This information comes from the Barcelona City Council Anti-Eviction Unit, set up to mediate with property owners to prevent people losing their family home. With this aim in mind, the Anti-Eviction Unit offers various kinds of financial and other support, from paying the rent and accumulated arrears, provided it is to small property owners – this type of municipal aid amounted to €1M in 2019 – to including the property in the city's Social Rental Pool, which offers a guarantee against non-payment and subsidies of up to €20,000 for flat renovations. Since the unit was set up in 2015, it has intervened in over 10,000 evictions.

More specifically, between 14 September and 23 October this year, in just over a month, the City Council has been informed of 443 eviction orders. Nearly 500 evictions affecting 748 adults in a vulnerable situation, with 463 children. That means in little more than a month and at the height of a pandemic, 1,211 vulnerable adults and minors have been victims of at least one attempt to evict them.

We are talking about evicting people living in poverty who cannot appeal to the Spanish government's moratorium because their economic and social vulnerability predates the pandemic or because they are not legally entitled to be where they are living.

In fact, 80% of the households in the process of losing their home live below the poverty threshold, meet the requirements for accessing public housing and, in the event they are living in housing owned by big property owners, often have the right to be offered a social rent according to the housing emergency laws currently in force in Catalonia (see point 2 of this report).

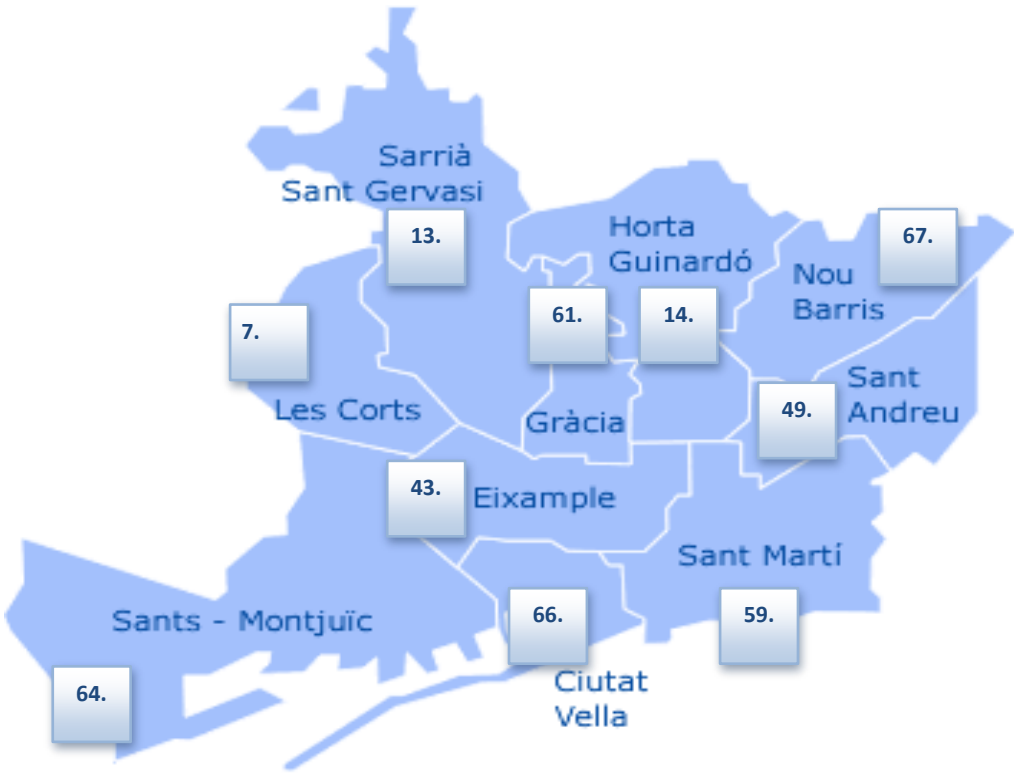
So, despite being in possession of social and economic vulnerability reports, the current regulations exclude these families from the moratorium. A never-ending situation that hits particularly hard those parts of the city worst affected economically, where residents and their associations assemble outside the same doors to once again stop evictions that had previously been postponed.

Our teams on the ground report an alarming increase in neighbourhood tension and anger. The feeling of desperation and, above all, lack of institutional protection in the current harsh situation, is aggravated by the increasingly frequent and forceful actions of the Mossos d'Esquadra (Catalan police).

The disproportionate police presence, the attempts to evict people in the early hours of the morning or at night in this second wave of the pandemic, not only violate international commitments on human rights but also threaten the health of the families concerned as well as that of the professionals at the scene.


The territorial distribution of the evictions shows they are concentrated in neighbourhoods hard hit by the pandemic, for example, Raval, Carmel or Antiga Esquerra de l'Eixample. In fact, during the period analysed, evictions have been identified where at least one member of the family concerned was infected or there were minors in isolation.

Unfortunately, in addition to the 1,211 vulnerable people in the process of being evicted that have been attended to by the City Council (a number that exceeds the capacity of the municipal teams) there are households evicted under penal procedures (not necessarily linked to criminal activity but many property owners are requesting these kinds of procedures to evict vulnerable families) that the City Council is not notified of, even though they often affect children. We do not have the exact figure for these kinds of evictions but some sources put them at several hundred more, in addition to the figure of almost 500 that we do know about.

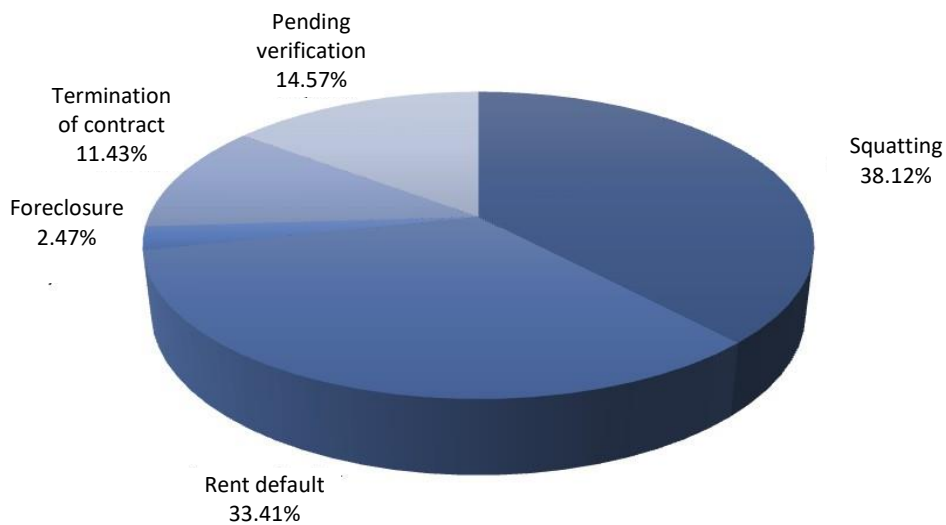


Total population affected: 1211

 748 adults

 463 minors

In the following image it can be seen that most evictions affect families in extremely vulnerable situations who are squatting in vacant flats (38.12%), mostly owned by banks, other financial institutions or limited companies that refuse to offer them a social rent despite being legally required to do so under Catalan legislation.



The second group are households who were renting a property and were paying regularly until one of the adults lost their job and their economic situation made it materially impossible to pay the rent (33.41 %).

Finally, it should be pointed out that a lack of communication with the courts means that 14.5% of families become known to the City Council in the days running up to the eviction. That means the time is so tight that it is almost impossible to mediate with the owner.

2. CHARACTERISTICS OF THE PROPERTY

The Housing Emergency and Energy Poverty Act approved by the Catalan Parliament in 2015 included the definition of *big property owner*. So, Act 24/2015 establishes that legal persons who own a habitable surface area of more than 1,250 square metres are regarded as big owners and are required to offer a social rent to families in a situation of proven vulnerability with the aim of avoiding their eviction. In 2019, Decree Law 17/2019, on urgent measures to improve access to housing, changed the definition of *big owner* and established that it means any legal or natural person with more than 15 dwellings.

In the analysis of the 443 eviction orders, we can see that over 50% have been requested by big owners. In other words, companies, banks and natural persons that have more than 15 dwellings in their name in Catalonia and who, in many cases, are not complying with the current laws. The other evictions (36%) stem from “small property owners”, a category that encompasses people and companies with less than 15 registered dwellings. As has already been pointed out in point 1 of this report, in the case of small owners, financial and other support is made available during the mediation process to cover rent arrears and provide help with rent payments. In addition, owners are offered the possibility of letting their property through the municipal rental pool, which offers various guarantees (arrears, repairs) and covers renovations up to €20,000.

The duty of big property owners to offer a social rent is giving rise to bad practice, consisting of registering housing in the name of different companies which, in fact, belong to the same business structure. To date, we have detected and penalised this offence on three occasions in Barcelona.

Big property owner	222
Small property owner	161
P. verification	60
TOTAL	443

1. CONCLUSIONS

This report documents the situation of over a thousand people in extremely vulnerable circumstances who have been helped by Barcelona City Council because they are about to lose their home at the height of a pandemic, with no housing alternative.

We are only talking about cases in Barcelona known to the City Council. The lack of official data at regional and state level makes it difficult to calculate how many people are in the same situation around the country. Nevertheless, whatever the exact figure, we can say that local councils are overwhelmed, that we lack the thousands and thousands of public dwellings required to decently house all those families in need.

The municipal teams, social entities, residents' associations and families affected are all warning us there is a very worrying level of tension and desperation. The alarm bells are ringing and we fear there could be a social explosion that could be avoided by expanding the moratorium to all families in a vulnerable situation, regardless of whether their precarious situation is a direct consequence of COVID-19 or not.

In this situation, and faced with the outbreak of the second wave of the pandemic, it is of the utmost urgency that the moratorium on evictions be applied to everyone in a vulnerable situation. In reality, many countries have banned evictions during cold spells, even without a pandemic.

