**Contribution of the Government of the Republic of Poland to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context**

The most important aims of the housing policy in Poland are as follow:

* satisfying of the **basic housing needs** of people in danger of social exclusion because of low incomes or especially difficult living situation,
* supporting **access to housing** of people whose incomes are insufficient to buy or rent a dwelling on a commercial basis, as well as stimulating the supply of affordable housing.
* improvement of **technical condition of existing housing stock**, including improvement of energy efficiency.

The responsibilities within the housing policy in Poland are divided between local authorities (municipalities) and central government. Municipalities are responsible for the majority of spending on housing and housing-related infrastructure. This includes spending on:

* **Housing allowances**, which are means-tested, granted to the beneficiaries and paid directly to the administrator of the building.
* **Rental dwellings within the municipal housing stock**, which are managed by municipal governments and offer below-market rent (although there is no upper limit in municipal dwellings, in practice municipalities charge between 1-3% of replacement costs). Eligibility of the tenant is only checked at the time of application.
* **Emergency housing**, which accommodates the very poor and homeless persons (state funds are available to assist with these programmes).
* **Technical infrastructure and communal services** related to housing. Spending in this category covers water and sewage systems, waste collection, greenery, street lighting and other public services.

The state government is responsible for general housing regulations and general (nationwide) housing finance measures.

The three primary active programmes administered by the Ministry of Infrastructure and Development include:

* **Housing for the Young programme (so called “Mieszkanie dla Młodych” programme)** is a co-financing mechanism introduced in 2014 with applications to be accepted until 2018. Beneficiaries can apply for the financial support in covering the own contribution demanded in mortgage loans. Housing for the Young targets first-time home-buyers aged 35 and under who are applying for a mortgage in the primary market. Additional eligibility criteria include a maximum dwelling size and maximum price per square meter (75m2 for a flat, 100m2 for a house, plus an additional 10m2 for families with at least three children); the price of the square meter cannot exceed local limits, which is based on the average housing construction cost plus 10%).
* **The thermal modernisation and renovation support programme** consists of two parts. The thermal modernisation bonus has been in operation since 1999, providing subsidies to reduce the energy consumption of residential buildings. In 2008, the programme was supplemented with an opportunity to obtain a renovation bonus for multi-family buildings developed before 1961. The majority of beneficiaries include housing cooperatives and condominiums.
* **Financial support for the emergency housing programme**, introduced in 2007, provides 30-50% of co-financing to local authorities for the purchase, construction or refurbishment of very low-income rental housing. In the case of construction or refurbishment of premises that will serve as night shelters or homes for the homeless, local authorities as well as NGOs are eligible for support.

There are also inactive programmes that still require considerable state resources:

* The **Family’s Own Home** programme (*Rodzina na Swoim*), the predecessor of the *Housing for the Young* programme, accepted applications between 2007 and 2012. This programme offered support to families and persons to purchase a home in the form of a temporary mortgage interest subsidy (lasting for eight years). Eligibility criteria included maximum useable floor space and maximum price per square meter, adjusted regionally. Although applications to this programme ended in 2012, resources from the state budget will have to be allocated to fulfil the open liabilities of the programme through 2021.
* Additional pre-transition liabilities stem from **support for loan repayment and guarantee bonus**, which aim to mitigate the negative impacts of the transition for persons who repay housing loans taken up prior to 1992 and persons saving via the so-called housing saving booklets. These subsidies were introduced following high inflation in 1990. The support to loan repayments are subsidies enabling the repayment of interest on mortgages taken up by co-operatives up to 1992. The guarantee bonus, on the other hand, ensures that individuals who have used housing saving booklets do not encounter losses resulting from inflation.

Moreover, two housing instruments, which are based on VAT refunds and reductions, also affect the state budget:

* **a refund of part of the VAT** paid by natural persons related to construction materials for the construction of a house. The system was introduced after Poland joined the European Union and VAT rates for construction materials increased dramatically (from 7% to 22%). To compensate for the increase, the state budget refunds the difference between the baseline and the reduced rate paid in connection with purchase of construction materials for renovation or construction of dwellings. However, by the end of 2013, this programme was terminated as it has dominated housing budget expenditures and was geared towards higher-income people. Since 2014, VAT compensation is limited to persons who are constructing their first home and who fulfil the criteria of the “Housing for the Young” programme.
* **a reduced VAT rate (from 23% to 8%)** for residential housing construction, renovation and maintenance. Until the end of 2010, there were no floor space limits; after 2010 the reduced tax rate concerns services related to the construction or renovation of single-family residential buildings with the usable floor space of up to 300 m² and residential apartments with the usable floor space of up to 150 m².

Currently, under consideration of the government there is **a new social housing programme** aimed to the people with low and medium income. Governments’ plans provide to implement new financial instruments (preferential investment credit) dedicated to social housing associations, housing cooperatives and municipal companies. The new programme is expected to be introduced in 2016.

Apart from the above mentioned financing instruments, the law in Poland regulates such areas connected to the housing conditions as:

* **Tenants protection**, e.g. rules of lease of the dwelling, conditions of increasing the rents, situations in which evictions form the dwellings are possible and so on.
* **Rules of maintaining** of the multifamily buildings,
* **Rules of functioning of some housing entities**, e.g. condominiums, housing cooperatives and social housing associations.