Finding a place to live in Germany

A guide for migrants



Federal Ministry
for Housing, Urban Development
and Building

Federal
Anti-Discrimination
Agency

Publication data

Published by
Federal Ministry for Housing, Urban Development and Building, 10117 Berlin
www.bmwsb.bund.de
Article no. BMI22010

Content editing
Society for Innovative Social Research and Social Planning (GISS)

Project design/support
Federal Ministry for Housing, Urban Development and Building

Federal Anti-Discrimination Agency

Federal Institute for Research on Building, Urban Affairs and Spatial Development

German Association for Housing, Urban and Spatial Development

Version date
June 2022

Design
VorSprung Design & Kommunikation, 10555 Berlin

Download this publication in PDF format at:
www.bundesregierung.de/publikationen

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Finding a place to live in Germany

A guide for migrants

This booklet aims to help you find a home!

The first thing people coming to settle in Germany from abroad have to do is find the place they want to live. Settling in happily here, finding friends and a job, and ensuring your children get a good school education – all of these things depend on your new neighbourhood. Part of settling in and staying here is finding your own home.

This booklet aims to help you do this. **You may need to be patient – it might not happen straight away. It could take a while to find your new home. In big cities in particular, there is a limited supply of housing and the demand is high.**

This booklet will give you lots of tips to help you find a home as quickly as possible. You will find out what is important when you start looking for a place to live. You will gain a brief overview of important rules governing tenancy law in Germany, and also of residence law. You can read about state subsidies for housing, and will find out how to protect yourself from discrimination in the housing market. There is space at the end of each section for your own notes. You can use it to write down the names of contact people; important telephone numbers; addresses; or pieces of useful information.

The most important piece of advice is one that cannot be repeated too often:

Seek help and ask for advice if you are not sure what to do next! Making sure you are well informed increases your chances of finding a place to live. Hopefully it won't be long before you have a tenancy agreement and keys to your new home in your hand!

Content

1. Start looking 4

2. German tenancy law – a few things you should know 15

3. Things to be aware of when moving to Germany from abroad 21

4. State support and assistance 25

5. What to do if you encounter discrimination when looking for a place to live 35



1. Start looking

More than half of Germany's housing is rental housing. In major cities, the majority of accommodation is rented. Large numbers of rental properties are owned by private landlords and landladies. It is therefore worth looking on the private rental market for a place to live.

In many cities, affordable accommodation is also available through housing companies that manage large numbers of flats. There are both local authority and private housing companies. There are also cooperative housing associations (Wohnungsgenossenschaften) that generally only rent homes to their members. To become a member, you must buy a share in the cooperative, and in exchange you receive the right to live in a home owned by the association when something suitable becomes available.



1 Rental price and size of accommodation

How big does a flat or house have to be, and how much can I afford?

2 Where should I look?

- ✓ *Private rental market*
- ✓ *Housing companies*
- ✓ *Cooperative housing associations*

How much does housing cost in your town?

Before you start looking for a place to live, you should find out how much rent you can afford and what size of home is available for that price.

Important:

Many housing providers like to make sure that the size of the household looking for a place to live is appropriate for the size of the flat or house. They assume, for example, that a family of five will need at least four rooms, plus a kitchen and a bathroom.

Lots of towns have a rent comparison index, known as a *Mietspiegel*. This is a table of the average prices for housing in your town or city. You can obtain the *Mietspiegel* table free or for a small charge from your municipal, town or district administration, from tenants' associations, and sometimes free of charge online.

You can read about important things to consider in regard to rental prices if you are receiving benefits from the *Jobcenter* (employment office) or the *Sozialamt* (social benefits office) in section 4 of this booklet.

How do you find a place to live?

The **internet** is a good place to start. As a search term, you can enter *Immobilienangebote* (housing listings) or simply *Wohnung* (accommodation), together with the place you want to live. As well as being a good starting point when you are looking for a place to live, many online portals also let you publish your own "accommodation wanted" advertisement. Listings for housing companies and cooperative housing associations are also often available on the company or association's own website.

Placing notices on notice boards and in local businesses or publishing an "accommodation wanted" notice in an advertising paper can be helpful, too. It can also be useful to ask around among people you know. It might be that someone has heard about a flat that is about to become vacant where the landlord or landlady or the current tenants are looking for new tenants. Large numbers of vacant homes are not advertised publicly for rent.



Local newspapers are also a good place to look. Housing listings are usually only published on specific days of the week (for example Wednesdays or Saturdays). They are also often published on the website of the local newspaper. Ask around in your neighbourhood or in advice centres, or contact the newspaper directly, to find out when the housing listings are published. It is important that you contact the landlord or landlady as quickly as possible when you see an advert that has potential; flats and houses are often rented out within a day or two.

GLOSSARY OF IMPORTANT TERMS

The most important abbreviations in housing listings:

BK	*Betriebskosten* (running costs for utilities such as electricity and water, waste collection, etc.)
HK	*Heizkosten* (heating costs)
KM	*Kaltmiete* (rental price before the addition of running costs)
KT	*Kaution* (deposit)
MM	*Monatsmiete* (month's rent)
mtl.	*monatlich* (monthly)
NK	*Nebenkosten* (additional costs; includes running costs plus expenses such as the building management fee)
Wfl.	*Wohnfläche* (area of the accommodation in square metres)
Whg.	*Wohnung* (flat)
WM	*Warmmiete* (total rent, including additional costs)
WG	*Wohngemeinschaft* (flat- or house-share)



You can also apply **directly to housing companies or housing cooperative associations** to rent accommodation. To do that, you will need to go to the office in person. You may be added to a waiting list. You can find the addresses for local housing companies and their customer service centres on the internet.

Is there a **local authority housing office *(Wohnungsamt)*** in the place where you live? You may be able to get help finding a place to live from there. For example, some accommodation can only be rented to people who have what is known as a "WBS". This is a *Wohnberechtigungsschein*, a document that qualifies the holder to apply for social housing in Germany. You can apply for a WBS from your local housing office (you will find more information on this in section 4).

An **estate agency *(Maklerbüro)*** can also help you to find a place to live. If a flat or house is advertised through an estate agency, the landlord or landlady must pay the fees *(Provision)* for this.

Get help early in your search for a place to live:

Lots of advice centres can help you by providing addresses for housing providers and housing offices. Many towns and cities also have integration assistants *(Integrationshelfer)*, who can provide personal help in your search for a place to live.



What do you need when you are looking for a place to live?

You will usually need certain documents when applying to rent a place to live. It is a good idea to get these documents ready in advance and to make copies of them. Never submit your original documents – always use copies. You will sometimes be asked to scan your documents and send them by email. The person who gets the flat or house is often the person who submits all of the correct documents first.



LANDLORDS AND LANDLADIES WILL USUALLY ASK FOR THE FOLLOWING DOCUMENTS

- **Official identification documents *(Ausweispapiere)*** and **documents showing your residence status**, e.g. a temporary residence permit *(Aufenthaltserlaubnis)* (see section 3)
- For **social housing *(Sozialwohnungen)***, you need a ***Wohnberechtigungsschein*** (WBS, a document that qualifies the holder to apply for social housing in Germany), if applicable with an official note stating that your application should be given priority *(Dringlichkeitsvermerk)*. You can find out more about this in section 4.
- **Proof of income**, e.g. salary statements for the last three months (if you are in regular paid employment) or your last tax return. If you are receiving benefits from the social benefits office *(Sozialamt)* or the employment office *(Jobcenter)*, you should submit the notice of this.
- Information on your creditworthiness: **SCHUFA**, the German Protective Association for General Collateral Security, gathers details of all official debts in Germany and provides information on these. Almost all landlords and landladies ask for this information. It should be no older than three months. You can find application forms for this information online.
- Often, before you sign a tenancy agreement, you will be asked to fill in a **self-declaration form for tenants *(Mieterselbstauskunft)*** with your personal details. You can also find forms for this online. It can be helpful to fill out a self-declaration form in advance.
- Some landlords and landladies will also ask for **confirmation that you have no outstanding unpaid rent *(Mietschuldenfreiheitsbestätigung)***. This confirms that you have always been a reliable tenant and that there are no outstanding debts from any previous tenancy.
- If you are asked for a ***Vorvermieterbescheinigung***, this is a reference from your previous landlord or landlady in which they provide information on your behaviour as a tenant.

If you do not want to submit a *SCHUFA* credit report (an official credit report from the German Protective Association for General Collateral Security) or a reference from your previous landlord or landlady *(Vorvermieterbescheinigung)*, you do not have to. There is no obligation to do this. However, it is normal practice to submit these documents. If you do not submit them, the landlord or landlady may decide to rent the flat or house to someone who has done so. If you are unsure of the possible consequences, it is important to seek advice before you sign a tenancy agreement.

Making contact with landlords or landladies

If you find suitable accommodation advertised, contact the landlord or landlady by telephone or email. Ask for an appointment to see the house or flat. It is a good idea to make a list in advance of questions that are not answered in the advert. If you are not confident doing this in German, ask for help. German-speaking acquaintances or relatives, or integration assistants, can help you with interviews and telephone calls.

YOU CAN GET INFORMATION AND ADVICE FROM THE FOLLOWING ORGANISATIONS:

Deutscher Mieterbund e.V. (the German Tenants' Association)
www.mieterbund.de

Mieterschutzbund e.V. (the German Tenant Protection Association)
www.mieterschutzbund.de

Consumer protection associations *(Verbraucherzentralen)*
www.verbraucherzentralen.de

Viewing places to live

Bringing someone with you who speaks German well can also be helpful when you are viewing potential places to live. Arrive at the appointment in good time.

Bring a copy of all of the necessary documents with you to the appointment (see the list on page 9). Be aware that there may be lots of other people at the viewing appointment.

Check that the rental price, the size of the accommodation and the number of rooms are the same as in the advertisement. What condition is the place in? Can you see mould anywhere? Is all of the electrical wiring and are all of the water connections in good condition? What condition are the windows and doors in? Are there internet and cable television connections? Is redecorating necessary? Does the accommodation have heating? Make notes. Ask the landlord or landlady whether any problems you have noticed will be resolved before the accommodation is rented out.

It is important to introduce yourself so that the landlord or landlady has a good impression of you. If you do want to rent the house or flat, tell the landlord or landlady as quickly as possible.



What is important when you are viewing potential homes

- Ask someone who speaks German to help you/come with you
- Arrive on time for the appointment
- Bring all of the necessary documents with you
- Check the details from the advert (rent price, size, number of rooms)
- Check the condition of the accommodation
- Find out whether problems will be resolved by the landlord/landlady
- Introduce yourself/state that you are interested.

Important!

If you are receiving benefits from the employment office or the social benefits office, you need approval from the relevant office before you can rent a new home or move house. You may not sign a tenancy agreement until you have this approval. If you do not have this approval, your housing costs may not be recognised and you may not be able to pay the rent.

Ask the landlord or landlady for a rental offer. You should then submit this to the employment office or the social benefits office as quickly as possible. The authorities will need information on the size of the accommodation and the number of rooms. You must know exactly how much the net rent is (excluding additional costs and heating costs (see section 2)). Many employment offices and social benefits offices have forms available for this.

RENTAL OFFER FOR THE EMPLOYMENT OFFICE OR THE SOCIAL BENEFITS OFFICE

A rental offer should include at least the following information:

- Size of the accommodation in m^2 (number of rooms and the size of each in square metres)
- Net rent before additional costs *(Netto-Kaltmiete)* (see page 16)
- Running costs *(Betriebskosten)*
- Heating costs *(Heizkosten)*
- Total rent *(Gesamtmiete)*
- Amount of deposit/rental security *(Kaution/Mietsicherheit)* to be paid
- Type of heating (oil, district heating or gas)
- Type of water heating (central or not)





When you have signed a tenancy agreement …

- When you receive the keys to your new home, you should **check** the **meter readings** (electricity, water, gas) and make a note of them.
- You have the **right to all keys** to the flat or house, the cellar, the mailbox, etc. Landlords and landladies may not keep a key, and they may not enter your home without your permission.
- Ask your landlord or landlady to give you a **confirmation of tenancy** ***(Vermieterbescheinigung)***. You will have to show this at the residents' registration office. The form for this is available online.
- It is normal practice to make a note of the condition of your new home in a **handover certificate** ***(Übergabeprotokoll)***. If there are any problems when you move in, these are noted in this certificate so that you cannot be held responsible for them at a later date. Both you and the landlord or landlady sign this certificate. If there are any problems, for example a crack in the bathroom sink, and these are not noted, then when you move out, the landlord or landlady can require you to pay for repairs. It is best if you take photographs of your new home.
- You must register with your new address at the relevant residents' registration office, for example the Residents' Office *(Bürgeramt)* within two weeks of moving in. The office will provide you with a **registration certificate** ***(Meldebestätigung)***.
- **Make sure that you inform all of the relevant places** of your change of address (e.g., the foreigners authority *(Ausländerbehörde)*, your health insurance company, the tax office, your bank, other insurance companies, your telephone provider, etc.).
- Always pay the rent, additional costs and electricity bills on time. Set up **standing orders with your bank** for this.
- Introduce yourself to your neighbours. Simply ring their doorbell and introduce yourself.



NOTES ON FINDING A PLACE TO LIVE:
THIS SPACE IS FOR YOU TO MAKE YOUR OWN NOTES

Key points:

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2. German tenancy law – a few things you should know



If you are looking for a place to live, you need to be able to make decisions quickly. Find out about the key points in tenancy law in advance. If you do this, you will know what rights and obligations a tenancy involves for landlords and landladies, and for you. German tenancy law is regulated by the Civil Code *(Bürgerliches Gesetzbuch, BGB)*.

The tenancy agreement *(Mietvertrag)*

Every person over the age of majority in Germany has the right to enter into a tenancy agreement. Tenancy agreements are usually made in writing for an unlimited period of time. Ready-written forms are available for this. It is usually the landlord or landlady who draws up the tenancy agreement.

The tenancy agreement sets out arrangements that apply throughout the tenancy (for example, responsibility for redecorating). Sometimes, landlords and landladies may include rules for the tenancy that might not be allowed. Make sure you read through the arrangements made in the tenancy agreement carefully, especially additional points included by the landlord or landlady. Ask for advice if you are unsure. You should also check the house rules in blocks of flats. You will often be given these with the tenancy agreement.

A tenancy agreement may only be limited in time for three reasons: first, if the landlord or landlady wants to use the flat or house themselves (or for members of their household or for relatives) at a later date; second, if the building is to be demolished or converted; and third, if the landlord or landlady wants to use the flat or house for employees. The reason for the time limitation must be stated in the tenancy agreement.

It is possible to agree on a clause excluding termination of the agreement (known as a *Kündigungsausschluss*) or a clause waiving the right to terminate the agreement (known as a *Kündigungsverzicht*) in a tenancy agreement. Both parties can commit not to terminate the agreement for a maximum of four years. During this time, you are protected against regular termination of the tenancy agreement, but you also cannot move out.

Rent and additional rental costs

You should expect the following monthly costs:

HOUSING COSTS	TO WHOM DO YOU MAKE THE PAYMENTS?
BASIC RENT (= net rent excluding additional costs and heating cost): • Living space • Parking space/garage	LANDLORD/LANDLADY
ADDITIONAL COSTS: • Heating (in some cases you will arrange and pay for this service separately) • Water • Buildings insurance • Waste disposal • Street cleaning • Property tax • ...	LANDLORD/LANDLADY (forwarded to the relevant provider)
OTHER SERVICES YOU ARRANGE YOURSELF: • Electricity • Telephone/internet • Heating (sometimes included in the additional costs)	ENERGY COMPANY, TELEPHONE PROVIDER

The rent is agreed in the tenancy agreement. Rent must always be paid at the start of the month.

Additional costs are paid in the form of a monthly advance payment to the landlord or landlady.



An exact bill for them is issued once per year, when you will receive a statement of additional costs.
The law regulates exactly what you must pay and how the costs are divided if you live in a building with more than one dwelling.

Note:

You should always assume that you will have to pay extra additional costs when these are billed exactly. Keep some money aside for this.

You can have your statement of additional costs checked for you, for example by a tenants' association or consumer advice office. You can find contact details for a consumer advice office near you on the website of the consumer protection association *(Verbraucherzentrale)*, for example.
You can influence your heating and water costs yourself: using heat and water sparingly will reduce your costs.

Deposits and shares in cooperatives

Usually when a flat or house is rented, a deposit *(Kaution)* must be paid. Another word for this type of deposit is *Mietsicherheit*, or rental security. Your landlord or landlady must keep this money in a specific account. If everything is in good order when you move out, then you will get your deposit back. The landlord or landlady may keep money from your deposit if you still owe any rent or if you have caused damage to the flat or house. The deposit can generally not be any higher than three months' rent before additional costs. You can pay the deposit in instalments with your rent during the first three months of your tenancy.

To rent housing that is owned by a cooperative, you must buy a share in the cooperative. That is how you become a member of the cooperative. In some cooperatives, you must be a member even to be included on the waiting list for a place to live. In others, you do not need to buy a share in the cooperative until you move into one of their flats.
You can apply for a loan from the employment office or the social benefits office to cover a deposit or buy shares in a cooperative. This loan is then paid back in instalments. You can find out more about this in section 4.

Notice periods for ending tenancies

An open-ended tenancy agreement can be terminated by either party. The minimum legal notice period must be given: **If you decide that you want to move out, you must give notice to the landlord or landlady in writing (!) three months before you plan to move out.** If the landlord or landlady terminates the tenancy agreement, you will have three, six or nine months to find a new place to live, depending on how long you have been living in your current home.

Under what circumstances can your tenancy agreement be terminated?

Your landlord or landlady may only terminate your tenancy agreement if there is a justified reason for doing so, for example if they need the flat or house for themselves or for relatives. However, your tenancy agreement may be terminated without notice if you do not pay the rent or if you violate the tenancy agreement in any other way.

Subletting and visitors

You may be offered a room as a sublet *(Untermiete)*. To sublet a room, you enter into a tenancy agreement with someone who has rented the flat or house themselves. Make sure you check that the landlord or landlady is aware of the situation and has agreed to the sublet. If this is not the case, you could run into problems and lose your room.

As a subtenant, your tenancy agreement can be terminated at any time without justification. This also applies if you live in an annex in the same building as your landlord or landlady.

Unless they are given full information, your landlord or landlady cannot differentiate between a long visit and a sublet. If you plan to have a visitor for more than six to eight weeks, you should discuss this with your landlord or landlady. Otherwise, they may think that you are violating the tenancy agreement. You should be aware of this if you are staying with friends or relatives on a temporary basis, too.

Family reunification

It may be that you are planning on having family members join you. Perhaps your spouse and your children are to come to Germany and live with you in your new home.
In terms of tenancy law, this is no problem. You are allowed to have members of your family move into your home with you as long as the accommodation is big enough.
However, it is still important to discuss this with your landlord or landlady. It may be that your additional costs increase if your household grows in size.

AVOIDING POTENTIAL PROBLEMS – IN CERTAIN CASES YOU SHOULD SEEK ADVICE IMMEDIATELY!

- Do not make any payments for your new home until you have signed the tenancy agreement. Make sure you are given a receipt for every payment!
- Do not rent a place to live that does not have a cooking area, bath/shower, or heating system. Housing without these things is not in line with the usual German standards.
- Be wary of what are known as *Abstandszahlungen*. This is the name given to payments to the previous tenant if you are taking over items and equipment in the flat or house (for example, a fitted kitchen). Do not make any payments of this type until you have signed the tenancy agreement. Make sure you are not being overcharged. Important! If you take over items or equipment from the previous tenant, you will be responsible for removing them yourself before you move out if your landlord or landlady requests this or the subsequent tenants do not want them.
- Structural changes (e.g. changing flooring or building or removing partition walls) that are made without permission from your landlord or landlady can be very expensive when the time comes to move out. You should therefore always ask permission!
- Seek advice immediately if you are concerned that you can no longer pay your rent.





NOTES ON TENANCY LAW:
THIS SPACE IS FOR YOU TO MAKE YOUR OWN NOTES

Key points:

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3. Things to be aware of when moving to Germany from abroad

The things to be aware of when looking for a place to live depend on your residence status. This section will explain the most important rules. These rules are listed in the Residence Act *(Aufenthaltsgesetz)* or in the Freedom of Movement Act/EU.

EU citizens



Citizens of the European Union (EU) can look for a place to live in Germany for any purpose. However, they must pay their housing costs themselves and must have a regular income or sufficient savings. Non-German EU citizens who are unemployed cannot initially claim long-term unemployment benefit or social assistance. However, they can claim housing benefit. You can find out how to do this in section 4.

As an EU citizen, you are considered an "employee" even if you are only working in a low-paid part-time job. If your income is not enough to cover your living expenses and your rent in full, you can claim additional social benefits. You may also have the right to support if your children attend a German school.

After five years in Germany, non-German EU citizens acquire the right of permanent residence. This provides them with the right to claim social benefits, including housing benefit. In some cases, the right of permanent residence may be acquired sooner. However, periods of more than six months in a year spent outside of Germany generally (with a limited number of exceptions) mean that the counting of the five-year period begins again from the start.

Applicants for asylum whose asylum procedure is pending

If your application for asylum is still being processed, you cannot yet rent your own home. When you have applied for asylum, you will be housed in an (initial) reception centre. You must live there while your asylum application is being processed. At the latest on completion of the asylum procedure, the federal states "distribute" those who are given the right to stay among different districts, towns and municipalities. The relevant authorities will continue to provide you with accommodation.

However, please note: the regulations vary between the different federal states. There may be exceptions to the provision of accommodation by towns and municipalities. Some towns allow asylum applicants to move out of shared accommodation while their application is still being processed in order to make it easier for applicants to integrate.

Residence restrictions for those who have been granted protection

You can start looking for a place to live

- if you have been granted asylum status;
- if you have been granted refugee protection or protection for specific human rights reasons (subsidiary protection); or
- if a deportation ban applies in your case.

RESIDENCE RESTRICTION
(Wohnsitzauflage)

- You must live in the federal state allocated to you
- Exception: you have a job and live independently without state benefits
- Length of the restriction: three years
- Restriction may be lifted earlier on health grounds



However, you cannot freely decide where in Germany you live. Your temporary residence permit is subject to a residence restriction *(Wohnsitzauflage)*. You may only move into a flat or house in the federal state allocated to you during the asylum procedure. The residence restriction ends after three years. In exceptional cases, you can apply for it to be lifted earlier, for example if you need to live somewhere else for health reasons. There is no residence restriction if you have a job and live independently without state benefits.

Looking for a home in case of temporary suspension of deportation

Many people have a temporary suspension of deportation *(Duldung)*. This means that they are required to leave the federal territory, but that their deportation has been suspended. They are often given a temporary suspension of deportation just for a few months. The suspension is then extended if their situation or the situation in their country of origin remains unchanged.

If you have a temporary suspension of deportation, you can look for a place to live. Your suspension of deportation must usually be valid for a minimum of one year if you are going to apply for a *Wohnberechtigungsschein* (WBS, a document that qualifies the holder to apply for social housing in Germany) so that you can rent social housing (you can find out more about this in section 4). It is easier to obtain a WBS with a temporary suspension of deportation for the purposes of training, *(Ausbildungsduldung)*. The housing office *(Wohnungsamt)* for your local area will be able to give you information on this.

Landlords and landladies almost always prefer long-term tenants. If your temporary suspension of deportation is only valid for a short time, they will be concerned that you may move out again straight away. If you have any questions, contact an advisory service or a lawyer.

Refugees from Ukraine

Anyone entering Germany as a refugee from the war in Ukraine may enter the country without a visa. Refugees from Ukraine will be granted the right of residence for a minimum of one year. They can rent a flat or house immediately. If they do not have their own income, they will receive basic income support (see section 4).





NOTES ON RESIDENCE STATUS:
THIS SPACE IS FOR YOU TO MAKE YOUR OWN NOTES

Key points:

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4. State support and assistance

Costs for housing and heating for those receiving basic income support

Those who are in need of assistance can claim basic income support in Germany.

There are three types of support:

- long-term unemployment benefit *(Arbeitslosengeld II*, also known as *Hartz IV)*,
- social assistance *(Sozialhilfe)*, and
- benefits under the Act on Benefits for Asylum Seekers *(Asylbewerberleistungsgesetz, AsylbLG)*.





All of these benefits include housing costs *(Kosten der Unterkunft und Heizung, KdU)*. This means that rent and heating are paid by the relevant benefits office if these costs are considered "reasonable". Reasonable means that the accommodation cannot be too expensive and that it must be appropriate for the size of the household. The determining factor is the rent level, not the size of the accommodation.

The *Jobcenter* (employment office) or the responsible benefits office usually transfers the cost of housing and heating, together with the standard amount of your benefits, directly to you. As the tenant, you must then pay the rent to your landlord or landlady. If you wish, you can arrange for the *Jobcenter* or the relevant office to transfer the rent directly to your landlord or landlady.

How much can your home cost?

The more people who live in your household, the more your home can cost. The amount of housing costs that will be paid depends on where you live. There are different guideline amounts for this in every town and district. Before you start looking for a place to live, you should find out about the housing cost guidelines *(KdU-Richtlinien)* for where you live. You can find all the key information at the relevant employment office or your local town or district administration offices.



What costs are covered?

The employment office or the relevant benefits office will generally only cover the cost of net monthly rent before additional costs, the additional costs, and the heating costs (see section 2). Depending on how your water is heated, in some circumstances a contribution to water heating will also be paid. **Electricity costs are not covered.** You must pay these yourself from your monthly benefits.

The authorities will always check first whether the rent is reasonable and whether they will cover the full amount of housing costs. You can only assure the landlord or landlady that the rent will be paid once you have confirmation of this from the employment office or the benefits office.



SPEED IS OFTEN OF THE ESSENCE!

Sometimes you only have a few days to tell the landlord or landlady whether you want to rent the flat or house. Explain to your benefits officer that you need confirmation as quickly as possible that housing and heating costs will be covered.



Deposit, shares in cooperatives, moving costs and initial basic furniture and appliances

If you cannot pay the deposit *(Kaution)* for a rented home yourself (see section 2), the employment office *(Jobcenter)* or the relevant benefits office can provide these amounts in the form of a loan. In this case, the deposit would initially be paid by the employment office or the benefits office. They would then deduct monthly instalments of up to 10 per cent of your regular benefits until the loan is repaid.

Shares in cooperatives can also be paid for in this way if the relevant benefits office considers this to be necessary. Again, the loan would be deducted in instalments from your regular benefits.

If you are moving into your own home for the first time and you have no domestic appliances (e.g. refrigerator or washing machine) or no furniture, the employment office or the relevant benefits office can help with a one-off grant. You will be provided either with money (for example a lump sum) or with vouchers for basic furnishings and appliances. Moving costs can also be covered by the benefits office if you have furniture to move.

YOU WILL NEED THE FOLLOWING DOCUMENTS WHEN APPLYING FOR SOCIAL BENEFITS AND HOUSING COSTS (KDU):

- the completed **application form** for long-term unemployment benefit *(Arbeitslosengeld II (ALG II))*, social assistance, or benefits under the Act on Benefits for Asylum Seekers,
- the completed **annex to ascertain the appropriate cost of housing and heating *(Anlage zur Feststellung der angemessenen Kosten der Unterkunft und Heizung)***,
- **national identity documents** (a copy of your national identity card or your passport),
- proof that you hold a **temporary residence permit *(Aufenthaltserlaubnis)*** (copy),
- proof of the **rental offer** including the net monthly rent before additional costs and the monthly additional rental costs,
- **bank statements** for the last three months (copy),
- if applicable, a written **application for a loan to cover the rental deposit** and written confirmation from the landlord or landlady of the amount of the deposit (copy),
- if applicable, a written **application for initial furniture and appliance costs**.

Housing benefit *(Wohngeld)*

Once you have managed to rent a place to live, you may be eligible to claim housing benefit *(Wohngeld)*. Housing benefit is a state rent allowance. Its aim is to ease the burden of housing costs on low-income households. Those who own a flat or house can also receive housing benefit in the form of mortgage and home upkeep support.



You can get all the information you need on housing benefit from the relevant authority within your municipal, city or district administration. The officers there will explain your rights and obligations under the Act on Housing Benefits *(Wohngeldgesetz)* and can in some cases help with your application.

Who is entitled to housing benefit and how much is it?

The determining factors that decide whether you are eligible for housing benefit and how much you will receive are:

- the number of people in your household,
- the annual income of each person living in your household, and
- your monthly rent, including additional costs but excluding heating costs.

In addition, when ascertaining your eligibility for housing benefit, what are known as rent levels *(Mietstufen)* play a key role. The place you live will be assigned one of seven rent levels. The higher the level for the place you live, the higher your rent may be. You can find out more in the *Wohngeldtabellen*, which are tables showing the levels of housing benefit payable. There are available for example on the website of the Federal Ministry for Housing, Urban Development and Building at https://www.bmwsb.bund.de/Webs/BMWSB/DE/themen/stadt-wohnen/wohnraumfoerderung/wohngeld/wohngeld-node.html (German only).

You can only find out definitively whether you are eligible for housing benefit, and how much, from the relevant authority.

Important:

You are only eligible for housing benefit in the form of *Wohngeld* if you receive no other state benefits that already cover your accommodation costs. These are covered, for example, as part of long-term unemployment benefit *(Arbeitslosengeld II)* and social assistance. If you receive benefits under the Act on Benefits for Asylum Seekers, you are only entitled to housing benefit in the form of *Wohngeld* in exceptional cases. If, for example, you have a residence title in accordance with the Residence Act, you are eligible for housing benefit. Ask the relevant authority for more information.

Apply in good time

Housing benefit is generally paid from the month in which your application is submitted. It may take several weeks to process your application. You should therefore submit your application as early as possible. After the period for which housing benefit is granted (usually one year), you will need to reapply. You should submit your new application around two months in advance, so that there is no interruption in payments.



YOU WILL NEED THE FOLLOWING DOCUMENTS WHEN APPLYING FOR HOUSING BENEFIT IN THE FORM OF *WOHNGELD*:

- the completed **application form**,
- **national identity documents** (a copy of your national identity card or your passport),
- proof of a **temporary residence permit *(Aufenthaltserlaubnis)*** (copy),
- **certificate of tenancy agreement *(Mietbescheinigung)***, to be filled in by the landlord or landlady with the size and year of construction of the flat or house),
- **tenancy agreement** (copy),
- **registration certificate *(Meldebescheinigung)*** from the residents' registration office (copy),
- **certificate of income *(Einkommensbescheinigung)*** (to be filled in by your employer),
- **proof of income** (employment or apprenticeship contract and salary statements for all those living in your household (copy)).

The legal provisions governing housing benefit are complex. Even if you are not sure whether you are eligible for housing benefit, you should apply anyway. The worst thing that can happen is that your application is rejected. You will find comprehensive information on housing benefit in the booklet *Wohngeld 2020 – Ratschläge und Hinweise* (Housing benefit 2020 – Advice and tips). The booklet can be downloaded in German from the website of the Federal Government: www.bundesregierung.de/breg-de/service/publikationen/wohngeld-2020-1709174

State-funded housing with a *Wohnberechtigungsschein*, a document that qualifies the holder to apply for social housing in Germany

The state specifically funds the construction of social housing. Such homes are therefore less expensive to rent. They are intended solely for households with income within specific limits. A *Wohnberechtigungsschein* (WBS) confirms that you meet the criteria for moving into social housing.

In many towns and districts, a WBS can be obtained from the housing office *(Wohnungsamt)*. However, in some cases the social benefits office *(Sozialamt)* or a different authority may be responsible. Find out from your town or district administration or online (simply enter *"Wohnberechtigungsschein"* and the place you live as search terms) which office is responsible for the WBS in the place you live. They can provide information and answer all your questions about the WBS.

Who is entitled to a *Wohnberechtigungsschein*?

Any adult can apply for a WBS. You will be given one if your income does not exceed a certain threshold. The federal states set this threshold. There may be different limits in different towns and cities.

Useful information: There is publicly funded housing for which a WBS can be awarded even if your income is slightly higher. Ask at the relevant office whether this might be an option for you.

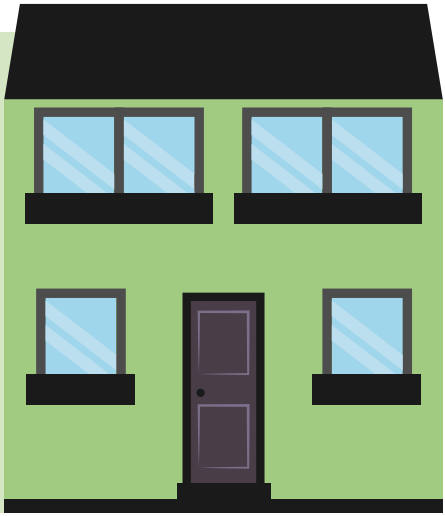
A WBS is only given to those who can justify "permanent residence" in Germany. This means that your temporary residence permit must be valid for at least one year. In some federal states, a WBS may also be granted to those with permission to remain pending the asylum process and those with temporary suspension of deportation. You should seek information on this matter, too.

Important:

If you urgently need a place to live, you can apply for a WBS with a priority category *(Dringlichkeitsstufe)*. This will give you priority over others when housing is allocated. This can be helpful if you are homeless or ill and if you cannot find a place to live yourself on the private rental market. The priority category is given by the housing office responsible for you and is noted on your WBS.

SOCIAL HOUSING *(Sozialwohnungen)*:

- For tenants on low incomes
- Requirement: permanent residence in Germany
- This is confirmed with a *Wohnberechtigungsschein* (WBS), a document confirming that you meet the criteria for moving into social housing
- Responsible authority: housing office *(Wohnungsamt)* in the place you live







TO APPLY FOR A WBS, YOU WILL NEED

- the completed **application form**,
- a **registration certificate** ***(Meldebescheinigung)*** from the residents' registration office (copy),
- **national identity documents** (a copy of your national identity card or your passport),
- proof of a **temporary residence permit** ***(Aufenthaltserlaubnis)*** (copy),
- **proof of income** (employment or apprenticeship contract and salary statements for the last 12 months) for all those living in your household, ***Einkommensbescheinigung*** (certificate of income, to be filled in and signed by your employer) and your **most recent tax statement** ***(Steuerbescheid)*** (copy) or **certificate of receipt of social benefits** such as long-term unemployment benefit *(ALG II)* or social assistance,
- depending on your individual living situation, you may need further evidence of, for example, income such as parental allowance *(Elterngeld)* or sickness benefit *(Krankengeld)*, your marriage certificate (copy), birth certificate(s) for your child(ren) (copy) or your certificate of university enrolment if you are a student.

Missing documents or unclear information will result in your application being returned to you unprocessed, so make sure this does not happen! Ask for help when filling in the application form, for example from a general social advice centre or an advice centre specifically for migrants.

Important information on your application

You can get an application form directly from the relevant office or on the website of your town or district administration. It is best if you apply personally for a WBS. This will allow you to clarify which WBS is most suitable for you or your household and whether any additional documentation is required.

You will be asked about the annual income of everyone in your household.

- Annual income includes, among other things, your net wages or net salary, and social benefits such as long-term unemployment benefit *(Arbeitslosengeld II)*.
- Annual income does not include child benefit *(Kindergeld)*, housing benefit *(Wohngeld)* or income from child support payments for joint children.

Processing your application will usually take up to four weeks, but it may take longer, particularly in large cities. Each WBS is valid for 12 months from date of issue. Once you have moved into your home, you do not need to extend the WBS. If you have not found a suitable place to live within 12 months, then you must reapply for a new WBS. You will also need a new WBS if you intend to move into new social housing. In most towns and municipalities, you will need to pay a fee for a WBS. This is usually between € 5 and € 30.

Renting a flat or house with a *Wohnberechtigungsschein*

It is unusual for the relevant office to be able to offer you funded social housing directly. This means that once you have received your WBS, you must look for a rental home of this type yourself. Along with your WBS, many offices will provide you with a list of housing companies and housing associations that rent out social housing. These homes are flagged with "WBS" in housing listings and online adverts. Such accommodation is rented only to people with a WBS. When you have found suitable social housing, submit the WBS to the landlord or landlady.



NOTES ON STATE SUPPORT AND ASSISTANCE:
THIS SPACE IS FOR YOU TO MAKE YOUR OWN NOTES

Key points:

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5. What to do if you encounter discrimination when looking for a place to live

If you feel you are being discriminated against during your search for a place to live or when the decision is made of who is chosen to rent a flat or house, there are steps you can take. Everyone in Germany is protected by law against unjustified discrimination. This protection is provided by the General Act on Equal Treatment (*Allgemeines Gleichbehandlungsgesetz*, AGG).

What is discrimination and what does the law say about it?

The General Act on Equal Treatment prohibits discrimination on grounds of race or ethnic origin, gender, religion, disability, age or sexual orientation.

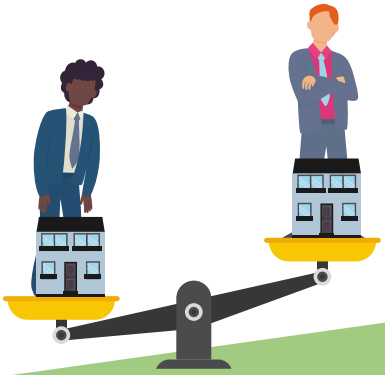
Discrimination is where one person is treated less favourably than another in a comparable situation where there is no objective reason for this.

However, not being successful in your application for a place to live is not always an indication of discrimination. In major cities in particular, there are often several hundred people applying for a single flat. It is simply not possible for the landlord or landlady to invite every single applicant to view the flat, and only one household can be successful. Being turned down often has nothing to do with you personally.

GENERAL ACT ON EQUAL TREATMENT

You can find information on the General Act on Equal Treatment on the website of the Federal Anti-Discrimination Agency:

http://www.antidiskriminierungsstelle.de



EXAMPLE:

A landlord advertises a flat. He only invites German nationals to an appointment to view the flat. A Syrian family is not given an appointment to view the flat because the landlord does not want "foreigners" living in his flat.



In this case, the Syrian family is the victim of discrimination based on ethnic origin. This discrimination is against the law. Skin colour or ethnic origin cannot be considered when choosing tenants, regardless of the applicant's residence status or language skills.

Discrimination during the tenancy, such as rent increases for no reason or threats of eviction by the landlord or landlady, are also not allowed.

Exceptions

This prohibition of discrimination does not apply if your landlord or landlady lives in the same building or on the same piece of land as you. Certain forms of discrimination are only prohibited if a landlord or landlady rents out more than 50 properties.

However:

There are no exceptions in the case of discrimination on grounds of race. If you experience discrimination due to your ethnic origin, you can still take action even if the landlord or landlady only rents out one or two flats or houses.

How do you recognise discrimination in the housing market?

One example would be if, during an appointment to view a flat, the landlord or landlady says, “No foreigners!” or “No refugees!” This would clearly be prohibited discrimination. You can take action against this!

However, there is also discrimination in the housing market that is not so obvious. For example, you might suspect that a landlord or landlady is not being truthful when they say that a flat or house has already been rented out. You may think that they only do not want to rent to you because you do not come from Germany. However, you may be unsure about the situation and be concerned about complaining.

Some landlords and landladies are not aware of the General Act on Equal Treatment and do not know that they are guilty of discrimination.

What should you do if you think you are a victim of discrimination?

If you have experienced discrimination, you should seek advice and support. Talk to your family and friends and to your acquaintances about your experience. This can help you to understand the situation better. Discuss with your family or with people you know what sort of support you might need.

No one needs to put up with discrimination! Everyone has the right to take action against discrimination.



ADVICE CENTRES CAN HELP!

Many federal states and local communities have advice centres that can help you if you have been a victim of discrimination.

The Federal Anti-Discrimination Agency has a search function to help you to find advice centres in your area: www.antidiskriminierungsstelle.de/beratungsstellen.

Other advice centres can also often help, for example migration services, inclusion representatives or tenants’ associations.

What action can you take?

Gather evidence

Write an account from memory of what happened and make a list of witnesses. Your notes should include key words for the following questions:

- What happened?
- When?
- Who said what?
- Who was involved?
- What indications are there of discrimination?
- Are there any witnesses?
- How can you contact the witnesses?

Save all the evidence you can. For example, take screenshots of discriminatory online adverts or save emails and voice messages in which you are the victim of discrimination.





Try and discuss the matter – make a complaint

The first thing you can do is to try and discuss the matter with the landlord/landlady – ideally with the help of an advice centre. You can make your complaint in person, by telephone or in writing. By doing this, you can make the other party aware of the discrimination and you can formulate your expectations.

Larger housing associations and cooperatives often have their own offices that are responsible for resolving conflicts. If your neighbours have discriminated against you or been hostile to you, you should contact your landlord or landlady or the property management company as soon as possible. This will help prevent further conflicts.



File a lawsuit.

If you want to take legal steps, you must take certain time limits into account. You only have two months in which to make a claim on the basis of the General Act on Equal Treatment. A claim may lead to you receiving compensation or payment for damages. However, you will not obtain any right to rent a specific place to live. To help you decide whether filing a lawsuit is a good idea, you can contact the Federal Anti-Discrimination Agency. They will provide you with an initial legal assessment. If necessary, they will also put you in touch with other advice centres.

Help and support

If you have experienced discrimination, you should seek advice and support. This may be people in your immediate circle whom you trust, but can also be advice centres.



FEDERAL ANTI-DISCRIMINATION AGENCY

The Federal Anti-Discrimination Agency provides legal advice for victims of discrimination:

Federal Anti-Discrimination Agency
Email: beratung@ads.bund.de
Telephone: 0800 – 546 546 5
Telephone hotline: Monday to Thursday from 9:00 a.m. to 3:00 p.m.

You can find more information at:
www.antidiskriminierungsstelle.de/beratung

TENANT PROTECTION ASSOCIATION

The Mieterschutzbund e. V. tenant protection association can advise you on all of your questions regarding renting and housing. They provide their paying members with advice and support. If you are receiving long-term unemployment benefit, social assistance or benefits under the Act on Benefits for Asylum Seekers, the relevant benefits office will often cover the cost of membership:



Website: www.mieterschutzbund.de
Email: office@mieterschutzbund.de
Telephone: 02361 / 406470



NOTES ON DISCRIMINATION:
THIS SPACE IS FOR YOU TO MAKE YOUR OWN NOTES

Key points:

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Space for additional text or sketches:

www.bmwsb.bund.de