

Right to an adequate standard of living - Housing (Article 11)

The Office of the High Commissioner for Human Rights in conjunction with UN Habitat produced [Factsheet No. 21 on the Right to Adequate Housing](#). It sets out that '[a]dequate housing must provide more than four walls and a roof', it must also take into account security of tenure, location, cultural adequacy, accessibility, affordability and habitability.

[General Comment No.4 of the Committee](#) defines the right to adequate housing as including the legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy. In relation to affordability, the Committee elaborates that housing and household costs should not interfere with or compromise other basic needs.

In addition, [General Comment No.7 of the Committee](#) on the right to adequate housing (forced evictions) requires the State to 'refrain from forced evictions' and enforce the law against anyone who carries out forced evictions.

Components of the right to housing



Some housing-related issues raised by the Committee in 2002

The Committee was concerned that many new households cannot secure adequate and affordable housing.

The Committee was concerned that some 1,200 families of the Traveller community are living in roadside encampments without access to water and adequate sanitary facilities, and are liable to be forcibly evicted.

The Committee was concerned at the persistent discrimination against persons with physical and intellectual disabilities, in particular in relation to employment, social security benefits, education and health.

Issues raised by the Special Rapporteur on Extreme Poverty and Human Rights during her 2011 visit

Following her country visit in 2011, the Special Rapporteur expressed concern that several areas of law that are particularly relevant for people living in poverty, such as eviction proceedings and local authority housing issues, are not included in the Civil Aid Act 1995.

The Special Rapporteur noted:

- That the 36% reduction in the allocation of social housing will impact significantly on the capacity of local authorities and housing associations to both finish existing projects and provide new housing to those who have lost their jobs and their homes.
- The State must honour its commitment made in Towards 2016 to eliminate “long-term homelessness” by the end of 2010.
- The substandard housing conditions in some of the rent-supplement accommodation and urged the government to ensure the effective enforcement of the Housing (Standards for Rental Houses) Regulations 2008 and 2009.
- The Government should consider adopting a legislative framework for a National Public Housing Estates Regeneration Programme to ensure that international human rights standards and community participation are ensured in all regeneration projects in the country.
- The Government’s decision to reduce reliance on the rent supplement and move eligible applicants to the Rental Accommodation Scheme. She called on the State to ensure that this process is done efficiently and in accordance with a human rights approach.
- More than one third of asylum-seekers spend more than three years in direct provision and called on the Government to quickly adopt a single procedure for determining refugee and Subsidiary Protection claims.

The Special Rapporteur called on the State to:

- Ensure that lone parents have access to adequate housing as a matter of priority, and to eliminate requirements of the rent supplement payment that could disproportionately impact them.
- Ensure that local authorities take steps to provide safe, authorised halting sites with adequate amenities, in consultation with Traveller organisations and groups.
- Heed the advice of the National Disability Authority and to establish a statutory framework of standardisation and regulation of residential services for persons with disabilities.

Some issues arising at consultations

- Rent allowance issues and issues of top-up payments to landlords
- People who have already voluntarily surrendered their house, cannot be assessed for social housing
- Young people (especially LGBTI) feel trapped at home – lack of options available to them
- General standards on Traveller halting sites
- Where a tenant is in receipt of rent allowance, clarity is needed as to whether the landlord or local authority has a responsibility to the tenant
- Local authorities providing inadequate housing to tenants
- Issues around older people accessing housing grants and providing evidence of tax returns
- Difficulties in accessing social housing waiting lists
- Direct provision
- Link between homelessness and LGBTI persons
- The need for access to transport in communities is essential to ensure that older persons can reside in their own home and are not put in nursing homes
- Cuts to communication services e.g. housing allowance, phones etc
- Property tax