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PERMANENT MISSION OF THE REPUBLIC OF SLOVENIA

No. MGE - 37/2012

The Permanent Mission of the Republic of Slovenia to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has, with reference to the latter's Note dated 5 April 2012, the honour to enclose herewith a reply of the Republic of Slovenia to the Questionnaire on housing financing policies and programmes.

The Permanent Mission of the Republic of Slovenia to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 25 May 2012



Office of the United Nations
High Commissioner for Human Rights

GENEVA

OHCHR REGISTRY

30 MAY 2012

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QUESTIONNAIRE ON HOUSING FINANCES, POLICIES AND PROGRAMMES – Reply of the Republic of Slovenia

1. Is your country promoting housing finance policies or programmes aiming to enable access to homeownership and/or other affordable housing by the poorest segments of society, by providing credit through financial institutions (public, private or quasi-private)?

Current measures for promoting access to affordable housing in Slovenia are rent subsidies that are income based. Subsidies are given when renting a non-profit housing unit or when renting a dwelling on a free market (i.e. profit housing).

- Subsidised rents for non-profit rental housing

A subsidy can amount from 1% to 80% of non-profit rents. The higher the income of the applicant is, the lower is the recognised subsidy.

- Subsidised rents for profit rental housing

This measure was introduced in January 2009. Rules for acquiring such subsidy are the same as for the subsidy for non-profit housing. The measure was introduced so that tenants who are waiting for the subsidy for non-profit housing unit, and have meanwhile solved their housing situation by renting a dwelling on the market, would not be in worse position in comparison to tenants who already have solved their housing situation by acquiring a non-profit rental dwelling (in which case they may also be entitled to a subsidy for non-profit rent as was mentioned before). Eligibility criteria are written in Rules on renting non-profit apartments (enclosed).

Table: Subsidised rents for profit rental housing 2009 -2011

Year	Number of municipalities	Number of eligible tenants	Total Amount(€)
2009	49	307	153.516
2010	68	782	402.000
2011	67	813	606.000

If the answer is positive:

- Please indicate whether these policies or programmes involve public subsidies, tax exemptions or other public financing. Public subsidies.
- Please indicate whether these policies or programmes involve the participation of international finance institutions? No.
- Please indicate the period of time during which these policies and programmes have been implemented.

Subsidies for renting a profit housing unit are granted from 1.1.2009. From 1.1.2012 all rent subsidies are managed through Social Work Centres since all subsidies became part of a broader social legislation enshrined in Exercise of Rights to Public Funds Act

- Please indicate whether these programmes have been developed or implemented as part of recovery measures in the context of the global financial and economic crises that started in 2008? The measure was introduced because of the growing gap between the demand and supply of available non-profit housing units.

2. Please provide any available assessment of the impact of such policies and programmes on the housing situation of the poor or other categories of beneficiaries. N.A.

Specifically, please provide the following data:

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- a. The percentage of the population living in informal settlements before and after the implementation of these policies. N.A.
- b. The percentage of households with access to improved sanitation (including in rural areas) before and after the implementation of these policies. N.A.
- c. The percentage of population with access to electricity (including in rural areas) before and after the implementation of these policies. N.A.
- d. The percentage of houses with ownership or clear title on their dwelling before and after the implementation of these policies. N.A.

3. Please also provide information on programmes or policies concerning construction or provision of public housing for sale or rental in the country (including privatization of public housing). Please describe any significant reforms or developments in this sector over the last thirty years. Please provide (in annex) any relevant documents, laws, regulations or policies.

Major significant housing reform/measure was privatisation of dwelling stock in 1991.

In 1991 Slovenia turned from a socialist into a market economy. The privatisation of dwellings started in 1991. Around one third of the dwellings, almost all 400,000 dwelling houses, had been in the private ownership at that time. Apartments, particularly in apartment houses were rarely in private hands. The stock of apartments was around 250,000 and 90% of that was under the privatisation process.

The bulk of privatisation was realised in the period of less than two year – somewhere in the October 1993. The legal basis is still valid. There are some cases that the privatisation has been going on – due to several reasons (de-nationalisation, people involved in the process went on court etc).

After the privatisation of the dwelling stock in 1991-93, the structure of ownership changed rapidly. Around 88% of all dwellings were in private ownership. That means that 88% was owner occupied and 12% was rental dwellings. Those 12% dwellings was in the central government, local government and even in the corporate ownership. At the end of 2000 around 84,000 apartments or around 11% of the total dwelling stock in Slovenia was state-owned. These apartments are used for social policy purposes (e.g. household pays non-profit rent).

Today the percentage of private owned dwellings in Slovenia is very high; more then 75% of occupied dwellings is privately owned (77% in 2011); while only 9% of occupied dwellings is rental dwelling stock.

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R U L E S

on renting non-profit apartments

I. GENERAL PROVISIONS**Article 1**

(Application of the Rules).

Municipalities, the State, public housing funds and non-profit organisations (hereinafter, the lessors) shall use these Rules in awarding non-profit rental housing.

Article 2

(Content of the Rules)

These Rules lay down:

- general terms and conditions to be met by the applicants (hereinafter, the applicants) in order to be entitled to the award of non-profit housing;
- the criteria and standards for assessing the housing and social conditions of the applicants;
- the criteria for possible payment of an own share and security for the use of housing and persons liable therefor;
- the spatial standards for awarding non-profit housing;
- the procedure for awarding non-profit housing;
- the instructions for the use of non-profit housing;
- exchange of non-profit housing;
- extraordinary awarding of non-profit housing;
- the procedure of changing the amount of rent after awarding non-profit housing;
- the Explanatory Notes for the Application of the Rules and the Form for Assessing the Housing and Social Conditions and the Priority Categories of Applicants, which shall constitute an integral part of these Rules in the form of an Annex.

II. GENERAL CONDITIONS FOR ENTITLEMENT TO THE AWARD OF NON-PROFIT RENTAL HOUSING**Article 3**

(General Conditions for Entitlement to the Award of Non-Profit Housing)

(1) The general conditions to be met by the applicants to be entitled to the award of non-profit housing shall be:

- citizenship of the Republic of Slovenia;
- permanent residence in the municipality or in the area of activity of the public housing fund or non-profit organisation, in which the applicant applied for the non-profit housing;

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– the applicant or any of the persons using the housing along with the applicant (hereinafter, the household) must not be a lessee of non-profit housing rented for an indefinite period of time and for a non-profit rent, or an owner or a co-owner of another dwelling or residential building, unless the dwelling or residential building has been rented for an indefinite period of time for non-profit rent by law;

– the applicant or any member of the household must not be an owner of another property that exceeds 40% of the value of an appropriate housing unit;

– in the year prior to the tender for awarding non-profit housing, the monthly income of the applicant's household has been within the thresholds specified in Article 5 of these Rules.

(2) Women and women with children, victims of domestic violence with a temporary residence in maternity homes and shelters-safe houses, places of refuge, and centres for providing assistance to criminal offence victims, may participate in the invitation to tender for awarding non-profit housing also in the place of temporary residence.

(3) Disabled persons, who are permanently dependent on a wheelchair or require the permanent assistance of another person, may, regardless of their place of residence, apply for the award of non-profit housing also in another municipality with greater employment possibilities or where the assistance of another person and healthcare services are provided for.

(4) In addition, the tenants of the dwellings seized according to the nationalisation regulations – the former housing right holders – shall also be entitled to the award of non-profit housing if they meet the general conditions for the entitlement to the award of non-profit housing according to these Rules.

Article 4

(Additional Conditions)

In a particular invitation to tender for awarding non-profit housing, in addition to the general conditions according to these Rules, the lessors may prescribe additional conditions to be fulfilled by the applicant, whereby the points achieved with additional conditions may exceed the total points according to the Form for Assessing the Housing and Social Conditions and the Priority Categories of Applicants, which is the integral part of these Rules (hereinafter, the Form), as the sum of the highest values of particular points from the Form, up to a maximum of 25%.

Article 5

(Household Income Upper Threshold)

(1) The applicants shall be entitled to the award of non-profit housing if, within one year prior to the invitation to tender, the income of their household shall not exceed:

Household size	The income may not exceed the following % of the average net salary in the State
single-member	200%
two-member	250%
three-member	315%
four-member	370%

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five-member	425%
six-member	470%

(2) For every further household member, the upper scale shall continue by adding 25 percentage points.

Article 6

(Priority Categories of Applicants)

(1) In deciding the applications for the award of non-profit housing, families with several children, families with fewer employed persons, the youth and young families, disabled persons and families with a disabled family member, and citizens with a longer employment period who are without housing or who are subtenants, women and women with children, domestic violence victims, persons with the status of war victim, and applicants who, in view of the profession and activity they perform, are important for a particular municipality, which the municipality must specify specifically in the invitation to tender.

(2) In a particular invitation to tender for awarding non-profit housing, the lessors shall define the priority category or categories of applicant referred to in the previous paragraph of this Article, whereby other priority categories of applicants may be included in the invitation to tender at their discretion, which must be specifically substantiated in the invitation to tender.

(3) In a particular invitation to tender for awarding non-profit housing, the lessors shall define explicitly, which group of applicants shall have priority in awarding non-profit housing if one or more applicants achieves the same number of points with regard to the assessment of housing and social conditions determined in the Form.

Article 7

(Undue Entitlement to the Award of Non-profit Housing)

Persons who were already awarded a socially-owned housing unit up to the entry into force of the Housing Act in 1991 and lost their housing right based on a court's decision, as well as those whose tenancy agreement, concluded after 1991, was terminated due to a fault based on a court's decision, may not participate in the invitation to tender for awarding non-profit housing.

III. CRITERIA AND STANDARDS FOR ASSESSING HOUSING AND SOCIAL CONDITIONS OF APPLICANTS

Article 8

(Priority in Awarding Non-profit Housing)

(1) In awarding non-profit housing, those with poorer housing conditions, a larger number of family members and who live in poorer social and health conditions shall have priority.

(2) The criteria and the point system of the criteria for assessing the housing and social conditions affecting the priority in awarding non-profit rental housing shall be determined in the Form.

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IV. CRITERIA FOR POSSIBLE PAYMENT OF AN OWN SHARE AND SECURITY AND PERSONS LIABLE THEREFOR

Article 9

(Exemption of Paying an Own Share and Security)

(1) The households, where the income does not exceed the percentages of income stated below within one year prior to the invitation to tender, shall not be liable to pay their own share and security.

Household size	Income in % of the average net salary in the State
single-member	90%
two-member	135%
three-member	165%
four-member	195%
five-member	225%
six-member	255%

(2) For every further household member, the upper scale shall continue by adding 20 percentage points.

Article 10

(Persons Liable to Pay Their Own Share and Security)

The household, where the income exceeds the limit specified in the previous Article of these Rules, shall be liable to pay their own share and security.

Article 11

(Definition of the Term, Amount of Own Share)

(1) Own share is repayable funds of the tenant intended for the acquisition of non-profit housing owned by the lessor.

(2) The amount of own share may amount to a maximum of 10% of the value of non-profit housing according to the Rules pursuant to Article 116 of the Housing Act (Official Gazette of the RS, No. 69/03; hereinafter, the Act) without the impact of the location.

Article 12

(Agreement on the Payment of Own Share and the Time Limit for the Repayment of Own Share)

The conditions relating to the possible payment and repayment of own share shall be regulated by the lessors and the persons entitled to the award of non-profit housing in a

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mutual agreement, whereby the own share of the tenant of non-profit housing shall be repaid within 10 years in euros with a 2% interest rate.

Article 13

(Definition of Security in the Tenancy Agreement, Possibility of Payment in Monthly Instalments, Repayment of Security)

- (1) A security payment for using the dwelling may be requested by the lessor as the funds required for establishing the original condition of the dwelling in case of the tenant's moving out, while taking into account the normal use of the dwelling.
- (2) The security for the use of the dwelling may amount to a maximum of three monthly rents.
- (3) The lessors and the persons entitled to the award of non-profit housing shall define mutual obligations relating to the payment, repayment and maintaining of the value of security for the use of the dwelling in the tenancy agreement, while taking into account the principle of maintaining the value of security in euros.
- (4) Based on the prior consent of the lessor, the person entitled to the award of non-profit housing may pay the security for the use of the dwelling in instalments.
- (5) The security shall be repaid or used for offsetting at the termination of the tenancy relationship, whereby the lessor shall be obliged to repay the security in tolar in the actual value of the security or the remaining amount of security in euros.
- (6) The security shall be kept and not repaid if the tenant of non-profit housing did not provide a dwelling suitable for living, or paid the rent or the operating costs at the time of moving out.

V. SPATIAL STANDARDS FOR AWARDING NON-PROFIT RENTAL HOUSING

Article 14

(Spatial Standards)

- (1) In awarding non-profit housing, the lessors shall use the following spatial standards:

Number of household members	Dwelling area without payment of own share and security	Dwelling area with payment of own share and security
single-member	from 20m ² to 30m ²	from 20m ² to 45m ²
two-member	over 30m ² to 45m ²	over 30m ² to 55m ²
three-member	over 45m ² to 55m ²	over 45m ² to 70m ²
four-member	over 55m ² to 65m ²	over 55m ² to 82m ²
five-member	over 65m ² to 75m ²	over 65m ² to 95m ²
six-member	over 75m ² to 85m ²	over 75m ² to 105m ²

- (2) For every further household member, the area of the lower and upper class shall increase by 6m².

- (3) The lessors may also rent a smaller dwelling if the person entitled agrees or so desires.

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(4) The lessors may also rent a larger dwelling if the person entitled agrees or so desires, whereby the difference in m² shall be calculated as a freely formed rent.

(5) The spatial standards under the first paragraph of this Article relating to the dwellings without the payment of own share and security shall be used as the upper threshold in calculating the subsidy to the rent in accordance with the third paragraph of Article 121 of this Act.

Article 15

(Taking into Account the Additional Living or Sleeping Room)

(1) In awarding non-profit rental housing, the spatial standards under the previous Article may be exceeded by taking into account the additional living or sleeping room if so required by the family or social and health conditions such as, for example, three generations living together, a severe level of disability, serious illness that requires permanent care, and similar.

(2) The lessors shall determine the deviation from the spatial standards referred to in the previous paragraph by taking into account the opinion of the Social Work Centre submitted by the person entitled.

Article 16

(Elimination of Architectural Obstacles)

If a non-profit housing unit is intended for a disabled person or family with a disabled family member with difficult or impaired normal movement, it shall be necessary, in awarding non-profit housing, to consider the need to eliminate the architectural obstacles in the dwelling, or at the entry to or exit from the residential building, as well as adequate surfaces providing for movement with a wheelchair.

VI. PROCEDURE FOR AWARDING NON-PROFIT HOUSING

Article 17

(Invitation to Tender)

(1) For awarding non-profit rental housing, the lessor must publish an invitation to tender in the mass media, except when it concerns a lessor established with the purpose of solving the housing issues of a particular population group, which may publish an internal invitation to tender for awarding non-profit rental housing.

(2) In the invitation to tender, the lessor may decide to form two priority lists, separately for dwellings intended for rent to the applicants, who are not obliged to pay their own share and security due to the social conditions in accordance with Article 9 of these Rules, and for dwellings intended for rent to the applicants, who are obliged to pay their own share and security with regard to their income.

(3) The mayor (hereinafter, the mayor) may authorise a public corporation owned by the municipality to carry out the tender procedure.

Article 18

(Content of the Invitation to Tender)

The tender for the award of non-profit rental housing must determine in particular the following:

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1. the conditions to be fulfilled by the persons entitled to non-profit rental housing;
2. the data that must be provided in the application by the applicants;
3. the documentation to be enclosed by the applicants to the application;
4. the data on the lessor's decision relating to the payment of own share and security and the payment conditions;
5. the data on the lessor's decision relating to the formation of separate priority lists in accordance with the second paragraph of the previous Article of these Rules;
6. an indicative number of available non-profit dwellings, whereby the dwellings intended for rent to the applicants, who are not obliged to pay their own share and security for using the dwelling due to the social conditions in accordance with Article 9 of these Rules, shall be defined separately;
7. the definition of priority categories of applicants;
8. the data on the priority category of applicants if one or more applicants achieve the same number of points in the invitation to tender according to the form for assessing the housing conditions;
9. an indicative time limit, in which non-profit housing that is the subject of the invitation to tender shall be available for rent;
10. the time limit for submitting the applications and an indicative time limit for publishing the results of the invitation to tender;
11. the amount of rent for the average dwelling that is the subject of the invitation to tender and the reference to the regulations determining non-profit rents and subsidising of rents;
12. the possibility of changing the rent in the event of changed conditions for awarding non-profit housing pursuant to Article 90 of the Act.

Article 19

(Tender Documentation)

- (1) To the application for awarding non-profit rental housing, the applicants must attach the following documents:
- information on receipts as well as a statement on financial conditions in accordance with the regulations in the field of social security, with which the applicant and other adult household members allow access to their personal data to other personal information database managers;
 - the tenancy or sub-tenancy agreement if the applicant does not live at the home of his parents or relatives;
 - the last decision on the assessment of personal income tax;
 - other items for the invitation of tender relevant documentation that identifies the material, social and health conditions;
 - documentation on the permanent use of a wheelchair or the permanent need for assistance from another person in the case of a disabled person under the third paragraph of Article 3 of these Rules.

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(2) The lessors of non-profit housing shall obtain nationality certificates and certificates of residence and the number of household members directly from the competent public authorities.

Article 20

(Tendering Procedure)

(1) The lessors shall appoint commissions that will examine the validity of applications based on received documents to create priority lists for awarding non-profit housing performed by competent authorities, organisations and individuals.

(2) The lessors shall specify a time limit for amending the application to those who will submit incomplete applications.

(3) The applications that will not be amended in the prescribed time limit shall be rejected with a decision.

(4) Until the expiry of the prescribed time limit for amending the application, the priority list for awarding non-profit rental housing may not be created.

(5) For managing the tendering procedure, the provisions of the act regulating the general administrative procedure shall apply.

Article 21

(Application of the Form)

In examining all circumstances relevant for placing and classifying the participants of the invitation to tender to the priority list for awarding non-profit housing, the lessors shall use the form in the Annex to these Rules for assessing the housing and social conditions, in which the participants of the invitation to tender and their immediate family members live.

Article 22

(Completion of Scoring Record, Possibility of Inspecting the Housing Conditions by the Commission)

(1) The commission under Article 20 of these Rules shall complete a scoring record based on the form in the Annex to these Rules and submit one copy of the record to the participant of the invitation to tender.

(2) Within a commission, the lessors may also inspect the housing conditions of the participants of the invitation to tender.

(3) After the inspection of housing conditions, the commission shall complete a scoring record based on the form in the Annex to these Rules.

(4) The record shall be signed by all members of the commission, and one copy of the record shall be handed over to the participant of the invitation to tender after the inspection.

(5) The commission shall not determine the housing conditions by performing an inspection in maternity homes and shelters-safe houses, places of refuge, and centres for providing assistance to criminal offence victims.

Article 23

(Determining the Priority List for Awarding Non-profit Housing)

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(1) Based on the provisions of these Rules, the tender conditions and the form from the Annex to these Rules, the lessors shall determine the priority list for awarding non-profit rental housing and publish it in the same manner as the invitation to tender.

(2) In publishing the priority list referred to in the previous paragraph of this Article, the lessors of non-profit housing must provide for a separate publication of the list of persons entitled to non-profit housing rental according to the criteria under Article 9 of these Rules from the list of other entitled persons.

Article 24

(Legal Protection)

(1) The decision on the classification on the priority list of the persons entitled to housing or the non-classification on the priority list of the persons entitled to non-profit housing shall be issued by an authorised person of the lessor, based on the Act regulating the general administrative procedure, within six months after the conclusion of the invitation to tender.

(2) An appeal addressed to the mayor may be filed against the decision of the competent authority of the lessor – the municipality or the public housing fund.

(3) An appeal addressed to the management board of the public non-profit organisation may be filed against the decision of the competent authority of the lessor – non-profit housing organisation.

(4) An appeal addressed to the Housing Commission of the Government of the Republic of Slovenia may be filed against the decision of the competent authority of the lessor – the State.

(5) The decision on the appeal shall be final. After the appeals have been solved, the list of persons entitled to housing shall be published.

Article 25

(Tenancy Agreement for an Indefinite Period)

(1) In accordance with the published list, the lessors shall invite the entitled persons to conclude the tenancy agreement. The tenancy agreement shall be concluded for an indefinite period.

(2) If the entitled person from the list does not respond to the second invitation by the lessor to conclude the tenancy agreement, he shall be removed from the list referred to in the previous paragraph.

Article 26

(Intended Use of Non-profit Housing)

(1) In the event of vacating the non-profit dwelling awarded in accordance with these Rules, the dwelling shall be awarded for rent based on an invitation to tender unless no application has been submitted to the invitation to tender.

(2) If no application has been submitted to the invitation to tender, the lessor shall publish a public call for awarding non-profit rental housing for a definite period for a freely formed rent.

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(3) In the cases referred to in the previous paragraph, the dwelling shall be rented for a definite period of one year and, after the expiry of one year, the invitation to tender for awarding the dwelling for rent to persons entitled to non-profit housing shall be repeated.

VII. INSTRUCTIONS FOR THE USE OF NON-PROFIT HOUSING

Article 27

(The Use of Non-profit Housing)

In using the non-profit housing, the tenants shall be obliged to observe the provisions of the Act, the tenancy agreement and the house rules, while also observing the principle of prudent use of the dwelling and the shared parts of the building.

VIII. EXCHANGE OF NON-PROFIT HOUSING

Article 28

(Possibility of Exchanging the Housing)

(1) Within their possibilities, the lessors shall enable the exchange of rental housing while observing the changed needs of the tenants of non-profit housing according to the appropriate size, location and position (floor) of the dwelling, the amount of rent, and other costs for using the dwelling.

(2) The lessor shall decide on the eligibility or non-eligibility of exchanging the non-profit housing in accordance with the provisions of the act regulating the general administrative procedure.

IX. EXCEPTIONAL AWARDING OF NON-PROFIT RENTAL HOUSING

Article 29

(Exceptional Awarding of Non-profit Housing)

(1) In the case of demolition, renovation, and natural or other disasters, the municipalities and the public housing funds may award those affected by the disaster, if they do not have any residential units intended for the temporary housing needs of socially disadvantaged persons, a non-profit housing unit for a definite period, until the elimination of the consequences of the disaster, based on the decision of the mayor or director of the public housing fund.

(2) Based on the decision of the mayor or director of the public housing fund and the prior opinion of the Social Work Centre, a non-profit housing unit for a definite period may also be awarded to the family that requires temporary relocation for protecting the interests of their children.

(3) The municipal council or the supervisory board of the public housing fund shall be informed of the decision on the exceptional awarding of non-profit housing according to the first and second paragraphs of this Article.

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(4) People whose applications for the exceptional awarding of non-profit housing are rejected, may file an appeal addressed to the mayor or the supervisory board of the non-profit housing organisation.

X. PROCEDURE OF CHANGING THE AMOUNT OF RENT AFTER AWARDING THE NON-PROFIT HOUSING

Article 30

(Changing the Amount of Rent)

(1) Every five years the lessors may request from the tenants of non-profit housing information on receipts, a statement on financial conditions, and, from the competent tax office, a certified copy of their personal income tax declaration for the previous year.

(2) The information on receipts and the statement on financial conditions shall be requested for the last 12 months prior to verifying the fulfilment of conditions for the use of non-profit housing, and the tenant must submit the supporting documents to the lessor within 30 days of receiving the request.

(3) The lessors shall decide on the eligibility or non-eligibility of the tenant to further the non-profit tenancy relationship within 30 days after receiving all supporting documents referred to in the previous paragraph with a decision in the administrative procedure.

(4) An appeal addressed to the appeal body under Article 24 of these Rules may be filed against this decision, while taking into account the status of the lessor.

(5) If the social conditions of the tenant who is paying a freely formed rent for the dwelling change so that his/her income falls below the threshold determined in Article 5 of these Rules, the tenant may request that the lessor inspects his social situation and changes the freely formed rent to the non-profit rent.

XI. TRANSITIONAL AND FINAL PROVISIONS

Article 31

(Expiry of the Existing Regulation)

Upon the entry into force of these Rules, the following shall no longer apply:

– Rules on Renting Non-profit Apartments (Official Gazette of the RS, No. 26/95, 31/97, 45/98 – Constitutional Court Decision, 9/99 – Constitutional Court Decision, and 31/03).

Article 32

(Entry into Force of the Rules)

These Rules shall enter into force the day after their publication in the Official Gazette of the Republic of Slovenia.

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ANNEX
FORM FOR ASSESSING THE HOUSING AND SOCIAL CONDITIONS AND FOR ASSESSING THE
PRIORITY CATEGORIES OF APPLICANTS

I. HOUSING CONDITIONS**1. Housing status:**

- | | |
|--|------------|
| 1.1. Participant of the invitation to tender who is without an apartment or lives in the premises for temporary stay or other non-residential premises | 180 points |
| 1.2. Participant of the invitation to tender who is a subtenant or tenant of a market rent housing unit | 140 points |
| 1.3. Participant of the invitation to tender resides in a workers' home | 130 points |
| 1.4. Participant of the invitation to tender resides at the home of his parents or relatives | 120 points |
| 1.5. Participant of the invitation to tender is a tenant in an apartment that was seized according to the nationalisation regulations and returned to the original owner | 120 points |
| 1.6. Participant of the invitation to tender is the former caretaker | 160 points |

2. Residence quality:

- | | |
|---|-----------|
| 2.1. Residing in an inappropriate apartment | 30 points |
|---|-----------|

3. Level of crowding in the dwelling:

- | | |
|---|-----------|
| 3.1. Up to 4m ² per family member | 20 points |
| 3.2. From 4m ² to 8m ² per family member | 15 points |
| 3.3. From 8m ² to 12m ² per family member | 10 points |

4. Functionality of the dwelling:

- | | |
|--|-----------|
| 4.1. Dwelling with architectural obstacles | 50 points |
| 4.2. Dwelling with the entrance directly from the yard | 10 points |

II. SOCIAL CONDITIONS**5. Number of household members:**

- | | |
|---|-----------|
| 5.1. For every minor | 30 points |
| 5.2. Family with a family member older than 65 years of age | 30 points |

6. Separated living:

- | | |
|---|-----------|
| 6.1. Separated living of the parents and minors due to inappropriate housing conditions (foster placement, care in a foreign family, institution) | 60 points |
| 6.2. Status of the parent who supports a child (single parent) | 40 points |

7. Health conditions:

- | | |
|---|-----------|
| 7.1. Permanent illnesses of minors due to poor housing conditions | 80 points |
| 7.2. Permanent illnesses due to poor housing conditions | 60 points |

III. PRIORITY CATEGORIES OF APPLICANTS**Young families, youth:**

- | | |
|-------------------------------------|--------|
| Age of family up to 35 years | points |
| Age of the applicant up to 30 years | points |

Family with a large number of children:

- | | |
|------------------------|--------|
| Minimum three children | points |
|------------------------|--------|

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For every further child	points
Disabled persons and families with a disabled family member: Disability	points
Family with a small number of employed persons: Employment in the family	points
Citizens with a long employment period: Without an apartment or subtenants	points
The applicants who, in view of the profession and activity they perform, are important for the municipality:	points
Women and women with children, the victims of domestic violence	points
Persons with the status of war victim	points
Other priority categories of applicants in accordance with the third paragraph of Article 6 of these Rules	points

The number of points shall be determined by the lessor of the non-profit housing in accordance with his competence under Article 87 of the Housing Act and Article 6 of the Rules on renting non-profit apartments for deciding the priority categories of applicants, which must be determined in every invitation to tender separately, taking into account the range between 50 and 150 points.

THE EXPLANATORY NOTES FOR THE APPLICATION OF THE RULES AND THE FORM FOR ASSESSING THE HOUSING AND SOCIAL CONDITIONS
(the back side of the Form)

Explanatory notes for the application of the Rules

To Article 3 of the Rules, Assessment of property

Relating to the property ownership of the applicant and other household members who live with him permanently, the value of business premises and equipment up to the total value of the dwelling if it concerns the activity, with which the applicant earns his livelihood, shall not be included in the property.

If the applicant is a disabled person or family with a disabled family member, the amount that the disabled person spends for the purchase of particular aids he needs due to his disability shall be deducted from the total household income by submitting the appropriate supporting documents.

If the applicant is a woman or woman with a child, the victim of domestic violence, who, due to domestic violence, may not exercise the right to a co-ownership share of the apartment or dwelling, the scope of the housing property shall be recorded separately and observed in the lessor's decision on the duration and amount of rent.

The term "other property" under the fourth indent concerns all other property in the State and abroad, movable or immovable, except the housing property referred to in the third indent of the Article of these Rules.

In assessing other property in relation to the value of an appropriate dwelling, the dwelling with a score of 320 points shall be considered as appropriate, the value of one point being EUR 2.63 and the dwelling size in relation to the number of dwelling occupiers, the latter in the amount of upper ranges foreseen for the dwellings with the payment of own share and security under Article 14 of these Rules.

To Article 4 of the Rules, Additional conditions

Relating to the additional conditions that may be prescribed by the lessor of non-profit housing, a possible example thereof has already been provided in Article 87 of the Housing Act, namely the period of residing in the municipality, and the points achieved with additional conditions may not exceed the allowable 25% deviation from the number of points in the Form. The sum of the highest values of individual points in the Form is 450 points, therefore 25% amounts to 112.5 points, meaning that the total sum may be exceeded by 112 points.

To Article 5 of these Rules, Calculation of the applicant's monthly income

The household income, which is the criterion for the entitlement to non-profit housing, shall be determined in the manner specified by the social security regulations for determining the eligibility for social assistance.

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If the entitled person does not have any income for the entire year prior to the invitation to tender, an appropriate calculation shall be performed by taking into account the information on the average net salary in the State, whereby the average net salary in the State prior to the invitation to tender is divided by the average net salary in the year of the invitation to tender (for the number of months when the applicant received a salary). This quotient is the deflator used for multiplying the applicant's income, thus obtaining the data on the applicant's income serving as the basis for the calculation under Article 5 of these Rules.

To Article 6 of these Rules, Priority groups of applicants

In Article 87, the Housing Act states the priority groups of applicants, thus the Rules explicitly allow that the lessors of non-profit housing also include, at their discretion, in the invitation to tender some other priority category, which must be substantiated in the invitation to tender.

In a particular invitation to tender, the lessors of non-profit housing shall explicitly determine which category of applicants shall have priority on the assumption of an equal number of points.

To Article 9 of these Rules, Exemption from paying own share and security

The household income thresholds refer to the last 12 months prior to the invitation to tender, which are simultaneously comparable to the available data at the national level.

To Article 14 of these Rules, Calculation of subsidies to the rents

As the upper threshold in calculating the subsidies to the rents, the upper spatial standards of dwellings shall be considered (30m² for a single-member household, 45m² for a two-member household, etc).

To Article 20 of the Rules, Commissions

The decision on the composition of commissions shall be under the authority of the lessor.

Explanatory notes for the application of the Form

I. HOUSING CONDITIONS

1. Housing status

1.1. Participant of the invitation to tender who is without an apartment

The participant of the invitation to tender shall be scored who:

- resides in a housing unit intended for the temporary solving of housing needs of socially disadvantaged citizens or in other non-residential premises;
- resides in a maternity home or shelter-safe house, place of refuge, centre for providing assistance to criminal offence victims;
- resides, alone or with a family, occasionally in residential buildings but without the status of a subtenant or dwelling occupier.

If the participant of the invitation to tender is without a dwelling, the scoring under points 2. Residence quality, 3. Level of crowding in the dwelling and 4. Functionality of the dwelling shall be excluded.

1.2. Participant of the invitation to tender who is a subtenant or tenant of a market rent housing

The participant of the invitation to tender, who has concluded a subtenancy agreement or has proof of paying rent for a market rent housing unit, shall be scored.

1.3. The participant of the invitation to tender resides in a workers' home

The participant of the invitation to tender, who has concluded an agreement on using the room built for the accommodation of individuals, shall be scored.

1.4. The participant of the invitation to tender resides at the home of his parents or relatives

The participant of the invitation to tender, who has proof of residing at the home of his parents or relatives (certificate of residence or common household), shall be scored.

1.5. The participant of the invitation to tender is a tenant in an apartment that was seized according to the nationalisation regulations and returned to the original owner

The participant of the invitation to tender, who is a former holder of the housing right, shall be scored.

1.6. Participant of the invitation to tender is a former caretaker

The participant of the invitation to tender, who was already a caretaker before 1991 and who stopped working as a caretaker in the absence of any fault or due to retirement, shall be scored.

2. Residence quality

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Usually these are older dwellings with missing or poor installations, basements and moist dwellings with too little sun, dwellings with a completely non-functional arrangement of rooms, etc., which receive the maximum 110 points according to the existing scoring system.

3. Level of crowding in the dwelling

In the calculation, the data on the dwelling size from the concluded tenancy or subtenancy agreement or the dwelling scoring record shall be taken into account. If the applicant lives at the home of his parents or relatives, the applicant's statement on the size of the dwelling or residential building that the applicant occupies alone or shares shall be taken into account.

The dwelling of the participant, whose housing status falls under point 1, namely from point 1.2 to 1.6, shall be scored.

4. Functionality of the dwelling

4.1. Dwelling with architectural obstacles

The provision shall apply if the participant of the invitation to tender or his family member is physically impaired. The participant of the invitation to tender or the household member, who is permanently dependant on a wheelchair, shall be scored.

4.2. Dwelling with the entrance directly from the yard

It shall be scored only if the entrance leads directly to the living premises.

II. SOCIAL CONDITIONS

5. Number of household members

5.1. Number of household members evident from an appropriate certificate

Pregnancy proved by a doctor's certificate shall be scored as well.

5.2. Family with a household member older than 65 years of age

It shall be scored if the participant of the invitation to tender is obliged to provide for the household member older than 65 years of age.

6. Separated living

6.1. Separated living of the parents and minors due to inappropriate housing conditions

It shall be scored only if it is clear from the decision on foster placement, placement to another family or an institution that the reason therefor was inappropriate housing conditions.

6.2. Status of the parent who supports a child (single parent)

It shall be scored if the parent provides for the child alone, which is proved by a certificate that maintenance is irrecoverable in accordance with Constitutional Court Decision No. 1967 (Official Gazette of the RS, No. 45/98). These points shall also be attributed to the parent who receives maintenance from the Maintenance Fund.

7. Health conditions

7.1. Permanent illnesses of minors due to poor housing conditions This provision shall apply if it concerns illnesses due to poor housing conditions, on which poor housing conditions have a direct impact.

7.2. Permanent illnesses due to poor housing conditions as under point 7.1

Permanent illnesses are proved by a medical report of the level I medical commission of the Health Insurance Institute of Slovenia (HIIS).

III. PRIORITY CATEGORIES OF APPLICANTS

Young families, youth

Young families

The provision shall apply for families with at least one child, in which none of the parents are older than 35 years, whereby not only the cohabitation of both parents and children shall be taken into account but also all other types of family.

The age of 35 years means 35 years completed in the year of publishing the invitation to tender.

Youth

The provision shall apply if the participant of the invitation to tender is not older than 30 years.

The age of 30 years means 30 years completed in the year of publishing the invitation to tender.

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Family with a large number of children

– minimum three children

The participant of the invitation to tender with at least three minors shall be scored. Pregnancy proved by a doctor's certificate shall be considered as well.

– for every further child

The participant of the invitation to tender with at least four children or more shall receive additional points. Pregnancy proved by a doctor's certificate shall be considered as well.

Disabled persons and families with a disabled family member

Disability shall be scored if institutional care is not provided for:

– the family living with a child with a moderate, serious or severe mental or physical disability determined by a competent commission (a medical report and opinion of the specialist paediatric service or a decision according to the Rules on Placement and the Register of Children, Youth and Young Adults with Physical and Mental Disabilities (Official Gazette of the SRS, No. 18/77) and the Rules on the organisation and methods of work of commissions for the placement of children with special needs and on criteria for determining the type and degree of disadvantages, impairments and disabilities of children with special needs (Official Gazette of the RS, No. 54/03);

– the family, of which the applicant or adult family member is a disabled person (the decision of the Social Work Centre, the Pension and Disability Insurance Institute of the Republic of Slovenia or the Employment Service of Slovenia);

– the family, of which an adult family member has an extended paternal right.

Family with a small number of employed persons

The provision shall apply for the family with at least three members, of whom only one is employed.

Citizens with a longer employment period who are without housing or who are subtenants

The provision shall apply if the male applicant has 13 and the female applicant 12 years of service.

The applicants who, in view of the profession and activity they perform, are important for the municipality

According to the competence under the sixth paragraph of Article 87 of the Housing Act, the local community shall determine and substantiate separately in the invitation to tender the category of applicants who, in view of the profession and activity they perform, are important for the municipality.

Women and women with children, the victims of domestic violence

Domestic violence shall be scored based on the professional opinion of the Social Work Centres and the governmental and non-governmental organisations (maternity homes, shelters-safe houses, places of refuge, centres for providing assistance to criminal offence victims), which provide psycho-social assistance to victims of violence.

Persons with the status of war victim

In Article 17, the Victims of War Violence Act (Official Gazette of the RS, No. 63/95) determines that the war violence victim, who is without a dwelling, shall have priority before other applicants in applying for non-profit housing.

Other priority categories of applicants in accordance with the third paragraph of Article 6 of these Rules

According to the powers under the third paragraph of Article 6 of these Rules, the lessors of non-profit housing may also include in the invitation to tender other priority categories, in addition to the priority categories listed by the Rules, which must be specially substantiated in the invitation to tender.