

Call for Evidence – Affordable Housing Act

The EEB welcomes the Affordable Housing Act (AHA) with the aim to support and enable local authorities to alleviate pressure, particularly in areas of housing stress.

Identification of areas under housing stress: focus on affordability of housing

The identification of areas under housing stress should not be based on the number of permits or the number of dwellings, since it says little on the affordability and accessibility of housing. Rather, it should rely on factors such as the cost of housing in relation to incomes and the housing overburden rate, following recommendations by leading organisations in housing exclusion and affordability.

EU framework for measures to address the housing crisis at local level and boosting the supply of housing: going beyond short-term rentals (STRs)

The EEB welcomes the initiative to provide a framework for local authorities to guide possible restrictions on STRs by clearly outlining which legal principles, rights and obligations are relevant in this context and establishing greater legal certainty.

In line with the objective of increasing housing supply, we however strongly urge for the Commission to consider going beyond STRs in this framework. The AHA is a crucial opportunity to support local authorities in unlocking the large number of homes currently used inefficiently other than STRs, such as secondary residences and vacant buildings, as well as addressing market failures beyond supply shortages.

For instance, where available, city-level data suggests a large number of secondary residences: For example, in 2021, the city of [Rome](#) counted over 300,000 unoccupied homes, which includes second homes (dwellings inhabited by non-residents), representing 15% of the total building stock. At the same time, AirDNA data suggests that there are just over 40,000 Airbnb listings – indicating that the potential of unlocking homes not used for primary housing extends far beyond STRs. In [Paris](#), data from 2020 shows that there were 260,000 unoccupied housing units of which 128'000 were vacant housing units and 134,000 secondary and occasional residences. A [report](#) by APUR shows that despite the city building 37,000 new homes between 2011 and 2020, the city recorded 72,000 unoccupied homes (vacant and secondary) during the same period and in fact incurred a net loss of 35,000 primary homes. In [Berlin](#), there are 22,791 officially registered secondary residences in 2024, which is an increase by 2,000 from 2023.

A significant number of homes in the EU are entirely vacant: Although more recent data is lacking, it is estimated that [16% of EU dwellings were vacant in 2011](#). Importantly, vacancies are not limited to rural areas but also in cities, where housing demand is the most urgent: for instance, there were [4,500 long-term empty homes](#) in Brussels in 2024, [10,000](#) in Berlin, and [18,600](#) long-term vacant in Paris in 2021. Vacancies extend beyond residential buildings: The average [office occupancy rate in Europe was 57%](#) in September 2023, and the transformation of unused or underused office or industrial buildings into housing holds great potential.

This suggests that there is a need for:

- 1) **More comprehensive data on building usage:** While existing data suggests there is a large potential in unlocking unused and underused buildings, data is not available for many cities and/or does not differentiate between types of un- and underoccupation. Better data is needed for cities to be able to inform policies and unlock these buildings.
- 2) **Including areas of intervention beyond STRs:** While data cited in the call for evidence demonstrates a large potential for measures to address the impact of STRs, the potential of e.g., second homes or vacant buildings to be brought back onto the market seems to be equally, if not more significant. The AHA is a crucial opportunity to take support measures beyond STRs.

Monitoring of building use

In areas of housing stress, data collection is vital to inform which measures will be most effective in making housing available and can help to establish which measures are proportional. If no EU-wide monitoring is foreseen, the AHA could at least provide guidance and technical assistance for local authorities in doing so, specifically:

- Establish common definitions to monitor vacancy, under-occupation and potential for conversion, differentiating between kinds of vacancies (e.g., voluntary, involuntary, temporary) and renovation and reconversion potential.
- To facilitate this while reducing administrative burden, the AHA should encourage and support Member States to merge insights from different existing sources, such as data on energy use (as required by the EPBD), tax records, and municipal surveys.
- Provide technical assistance to municipalities and Member States in creating localised systems for tracking building use.

Areas of intervention beyond short-term rentals

Aside from STRs, the following areas of intervention should also be considered for the EU framework to facilitate local authorities to take the necessary measures:

Second homes: The AHA should consider enabling local authorities in taking measures to restrict second homes in particularly in areas of housing stress, similar to what is intended for STRs. It should be explored what measures are effective in addressing secondary homes, such as taxation, fines, public management right, or restrictions on owning secondary homes, and what is needed for local authorities to be able to take appropriate measures.

Residential vacancies: Likewise, the AHA should also consider how to enable local authorities to reduce vacancies in housing stressed areas. Existing measures to be drawn from include vacancy taxes (1), fines and placing vacant buildings under public management right (2).

Non-residential vacancies: The AHA should support local authorities to promote the conversion of non-residential vacancies to affordable housing by e.g. commissioning standards for conversions to reduce uncertainty in conversion projects, establishing how local building requirements could be adapted to facilitate conversions while maintaining quality, safety and environmental standards (e.g., parking space requirements, fast tracking conversion projects for social housing, etc.).

Underoccupied buildings: The AHA should investigate what kind of support local authorities need to make better use of underoccupied buildings (e.g., providing subsidies or incentives for co-living programmes without risking preferential treatment).

Regulating the housing market: In addition to measures to improve the availability of housing, the AHA should investigate which other measures to improve the affordability of housing are most effective and whether local authorities also need support to be able to put them in place, e.g. to regulate the rental market and promote non-profit and social housing (e.g., via pre-emption rights) (3&4).

Examples:

- (1) France: taxes on vacancies in areas of housing stress ("[zones tendues](#)") have been implemented in municipalities with over 50,000 inhabitants, enforced after one year of vacancy. It is proportional to potential rental income and starts at 17% in the first year, increasing to 34% in the following years if the property is still vacant. The tax, first introduced in 1999, resulted in a [13% decrease of the vacancy](#) by 2001.
- (2) Brussels region: Buildings that are vacant for longer than one year are considered illegal vacancies and are subject [to recurring and increasing fines](#) based on the façade size and number of floors. If necessary, vacant housing can be put under [public management right](#), which enables the public authorities to temporarily take over a vacant building, renovate it and rent it out at reduced rents for at least nine years, before returning it to the owner. This enables the creation of affordable housing and ensures that substandard properties can be renovated and returned to the owner, even with limited funding.
- (3) France: The French [2018 ELAN law](#) is introducing rent control as an experimental measure for eight years in areas under housing stress.
- (4) Germany: regional authorities can introduce a [reference rent](#) which cannot be surpassed by more than 10% in areas of high housing stress. The regional authorities further have the right to implement the following instruments: a [special right of pre-emption](#) on land by public authorities, [exemptions](#) from development/zoning plans, [building order to request](#) property owners to develop or renovate buildings, [right to restrict](#) the possibility to transform rental properties into owner-occupied properties.