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ON SOCIAL HOUSING

Article 1

This Law shall regulate conditions for the sustainable development of social housing and the manner of providing and using funds for social housing development, as well as other issues of importance for social housing.

Article 2

Social housing, as defined by this Law, is housing of an adequate standard which is provided with state support, in accordance with the social housing strategy and strategy implementation programmes, for households that cannot afford an apartment under market conditions for social, economic or other reasons.

Article 3

In order to provide conditions for the sustainable development of social housing in the Republic of Serbia, and with the aim of implementing the defined national housing policy, which also determines the measures for its implementation, the National Social Housing Strategy (hereinafter referred to as the "Strategy") and the Action Plan for its implementation (hereinafter referred to as the "Action Plan") shall be adopted.

Article 4

In order to provide conditions for the development of social housing, a Municipality, a City and the City of Belgrade (hereinafter referred to as the "local self-government unit") shall:

- 1) adopt a local housing strategy in accordance with the National Social Housing Strategy;
- 2) adopt social housing programmes in accordance with the local housing strategy and the National Social Housing Strategy;
- 3) allocate budgetary funds for local housing strategy implementation;
- 4) ensure the development of social housing by an appropriate land policy and spatial planning and development;
- 5) keep a register of apartments;
- 6) establish, independently or together with other interested local self-government units, a non-profit housing organization (housing agency) for the purpose of implementing the local housing strategy, implementing social housing programmes and managing rental social housing, as well as carrying out other activities of public interest in the field of housing.

Article 5

The Strategy and the Action Plan shall be adopted for the territory of the Republic of Serbia.

The Strategy shall determine long-term and medium-term social housing development objectives, in accordance with regional, overall economic and social development, the sources and manner of providing funds for the Strategy implementation, social housing development and other elements important for social housing.

The Strategy and the Action Plan shall be adopted by the Government at the proposal of the Ministry responsible for housing. The Strategy shall be adopted for a period of at least 10 years and the Action Plan for a period of at least five years.

The Action Plan shall elaborate in operational terms the objectives, measures and activities defined in the Strategy.

The Strategy must be adopted within six months (180 days) from the coming into force of this Law.

The Strategy and the Action Plan shall be published in the "Official Gazette of the Republic of Serbia".

Article 6

For the purpose of implementing the Strategy and the Action Plan, social housing programmes shall be adopted.

The programmes referred to in paragraph 1 of this Article shall be adopted by the Government at the proposal of the Ministry responsible for housing.

Article 7

The programmes referred to in Article 6, paragraph 1 of this Law shall determine specifically:

- 1) priorities in terms of the project, target groups and volume of funds;
- 2) criteria for the use of the funds envisaged by a programme;
- 3) conditions for the granting and repayment of funds.

Article 8

Funds for social housing shall be provided from:

- 1) the budget of the Republic of Serbia;
- 2) donations;
- 3) domestic and foreign loans;
- 4) funds from the repayment of loans granted in accordance with this Law;
- 5) other sources in accordance with the law.

Article 9

Funds referred to in Article 8 of this Law shall be used for:

- 1) granting long-term loans to non-profit housing organizations for the provision of social housing apartments;
- 2) granting long-term loans to natural and legal persons for the provision of social housing apartments;
- 3) stimulating long-term housing savings;
- 4) encouraging different forms of obtaining owner-occupied or rental social housing;
- 5) encouraging different forms of obtaining social housing apartments for persons with disabilities, as well as disabled veterans and survival beneficiaries and civilians disabled in war;

6) stimulating the partnership between the public and private sectors in the field of social housing;

7) encouraging different forms of construction of housing in supportive environment for persons with disabilities;

8) other purposes in accordance with this Law and the programme.

The Government shall specify standards and criteria for the use of funds for the purposes referred to in paragraph 1 of this Article, at the proposal of the Ministry responsible for housing.

Article 10

Pursuant to this Law, persons who are without housing, or persons who are without housing of an adequate standard, and who cannot obtain housing under market conditions with their income shall have the right to solve their housing needs.

The basic standards for determining the order of priority for solving the housing needs of persons referred to in paragraph 1 of this Article shall be:

- 1) housing status,
- 2) level of income,
- 3) health,
- 4) disability,
- 5) number of household members,
- 6) assets.

When determining the order of priority according to the basic standards, precedence shall be given to persons belonging to vulnerable social groups: young people, children without parental care, single parents, families with many children, single-person households, persons over the age of 65, persons with disabilities, disabled veterans and survival beneficiaries, civilians disabled in war, refugees and internally displaced persons, Roma and members of other socially vulnerable groups.

The Government shall specify the conditions and standards referred to in paragraphs 1, 2 and 3 of this Article within each individual social housing programme.

The local self-government unit shall specify the conditions and standards for solving the housing needs of the households referred to in paragraphs 1, 2 and 3 of this Article within each individual social housing programme, in accordance with conditions and standards from the relevant Government document.

The conditions and standards referred to in paragraphs 2 and 3 of this Article shall be prescribed in accordance with the measures and policies defined in strategic documents of the Republic of Serbia and with the aim of stimulating an even regional development and overall development of the Republic of Serbia.

Article 11

For the purpose of providing conditions for the sustainable development of social housing, as well as providing and using funds for purposes prescribed by this Law, the Government shall establish the National Housing Agency (hereinafter referred to as the "Agency").

The establishment and legal status of the Agency shall be subject to the provisions of the law regulating public agencies.

The Government shall approve the act determining the salaries and number of employees in the Agency.

Article 12

In accordance with this Law and the founding act, the Agency shall perform activities related to: managing funds designated for social housing; formulating long-term, medium-term and annual work programmes of the Agency; preparing options for financing social housing programmes; selecting social housing programmes that meet financing conditions; controlling the designated use of funds in terms of accomplishing the objectives and tasks of social housing development; providing expert assistance and technical support in the formulation and implementation of social housing programmes; organizing expert activities related to the formulation of norms and other documents that promote the Agency's work; other tasks and activities important for the Agency's work.

Article 13

The provision, that is, the obtaining, management and renting of social housing apartments, as well as the management of the construction of apartments with the possibility of acquiring property through purchase under non-profit conditions can be carried out by non-profit housing organizations.

A non-profit housing organization can carry out activities referred to in paragraph 1 of this Article provided that it is registered in the appropriate register for carrying out these types of activities and provided that it is registered in a separate register of non-profit housing organizations kept by the Ministry responsible for housing.

Non-profit housing organizations can be housing agencies, established by local self-government units, housing cooperatives, established and organized in accordance with the law, and other organizational forms.

With the aim of carrying out the activities referred to in paragraph 1 of this Article, as well as activities related to the implementation of social housing programmes, a non-profit housing organization can apply to receive financial resources that are provided for these purposes in accordance with this Law.

A non-profit housing organization can carry forward to the next year the surplus of revenue over expenditure and use it to carry out the activities referred to in paragraph 1 of this Article.

When carrying out the activities referred to in paragraph 1 of this Article, a non-profit housing organization shall be obliged to apply the prescribed standards and norms for the planning, design, construction, use and maintenance of social housing apartments and for the use of construction land, the prescribed manner of determining rent and the procedure for the procurement of goods, services and works in the construction of apartments, as well as other prescribed conditions.

The Government shall specify the conditions, standards and norms referred to in paragraph 6 of this Article.

Article 14

The Ministry responsible for housing shall keep a separate register of non-profit housing organizations.

A non-profit housing organization can be registered in the register referred to in paragraph 1 of this Article provided that it is registered in the appropriate register and provided that it has a license for carrying out the activities referred to in Article 13, paragraph 1 of this Law (hereinafter referred to as the "operating license").

The operating license shall be issued by the Minister responsible for housing to a non-profit organization that meets the prescribed conditions.

The issued operating license can be revoked by a decision of the Minister responsible for housing if he determines that a non-profit housing organization is not operating in accordance with the prescribed conditions.

The Minister responsible for housing shall specify the conditions for the issuing and revoking of the operating license, as well as the content of the separate register referred to in paragraph 1 of this Article.

Article 15

For the purpose of providing conditions for social housing, using funds for the purposes determined by this Law and preparing the annual programme, and using the remaining Solidarity housing construction funds, local self-government units can establish a non-profit housing organization (hereinafter referred to as the "housing agency").

The work of the housing agency bodies at local level must involve representatives of relevant unions.

Article 16

The housing agency shall:

1) collect data necessary for formulating and defining the housing policy of the local self-government (a survey and analysis of the existing housing stock and housing needs, etc.);

2) manage projects of construction of social housing apartments for renting for a limited period of time without the possibility of purchase by occupancy right holder or purchase on the market, that is, without the possibility of acquiring property through purchase;

3) manage the construction of apartments for sale under non-profit conditions and contracts for the sale of those apartments;

4) formulate programmes for the implementation of the defined housing policy of the local self-government;

5) manage the use and maintenance of rental social housing (collection of rent, loan repayment to the Agency and other lenders, organization of housing maintenance activities, etc.);

6) carry out activities related to the selection of social housing apartments, the contracting for the renting and purchasing of apartments, the collection of rent, in cooperation with social care institutions and local self-government bodies;

7) develop new social housing finance programmes and stimulate the partnership between the public and private sectors in the field of social housing;

8) ensure that at least 10% of social housing apartments are built in accordance with accessibility standards for public buildings prescribed by construction and planning regulations;

9) carry out other activities in the field of housing that are important for the Municipality.

Article 17

Funds for the establishment and operation of the housing agency shall be provided from:

- 1) the budget of the local self-government unit on the basis of revenue from renting apartments from social housing programmes and renting state-owned apartments used by the local self-government unit;
- 2) donations;
- 3) revenue from the sale of non-financial property;
- 4) loan funds granted by the Agency;
- 5) revenue from borrowings from international social housing finance institutions;
- 6) funds from the repayment of loans for awarded solidarity apartments provided that it is not otherwise stipulated by an act of the competent body of the local self-government unit;
- 7) its own funds;
- 8) other sources in accordance with the law.

Article 18

Rental social housing obtained with funds provided in accordance with Article 8 cannot be purchased by occupancy right holder or given into permanent ownership.

The beneficiaries of social housing apartments cannot sublet or alienate the social housing apartment which they have acquired the right to in accordance with this Law.

Article 19

All bylaws necessary for the implementation of this Law shall be adopted by the Government at the proposal of the Ministry responsible for housing within one year from the coming into force of this Law.

Article 20

This Law shall come into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of Serbia".