



NEW INITIATIVES IN VENEZUELA GUARANTEE THE HUMAN RIGHT TO HOUSING

THE RENTAL HOUSING LAW

Venezuela's National Assembly passed the "Law for the Regularization and Control of Rental Housing" on October 27, 2011. This initiative is designed to guarantee the human right to housing, providing protections for tenants and landlords and creating a new judicial framework for fair leasing. While in the United States, housing laws generally exist at state and municipal levels, other countries such as South Africa have also relied on federal legislation to address the issue of housing.

The law came about through popular proposals under a unique process called the Legislator of the People (Pueblo Legislador), which gives Venezuelans the constitutional right to propose legislation directly to the National Assembly by gathering support from 0.1 percent of the electorate.¹ In this instance, the Metropolitan Tenants Network in Caracas collected 413,498 signatures (almost 25 times the amount needed) and submitted their proposals to lawmakers for debate.² Ana Maria Rodriguez, a member of the Tenants Network, said the law would prevent speculation on housing prices and protect citizens' rights, namely "the right to housing as a fundamental right."³

The law does the following important things:

- Regulates rent levels based on criteria such as property value and the size and location of dwellings.
- Sets rules to prevent unjust eviction and bans discrimination against tenants based on race, sex, creed, etc.
- Requires landlords to provide fair contracts, adequate living conditions and access to basic services such as water and electricity.
- Creates a National Superintendency of Rental Housing to oversee compliance.⁴

Lawmakers estimate that 750,000 families in Venezuela living in rented housing will benefit from protections under the new law. And while some have claimed it puts landlords at a disadvantage, they, too, enjoy rights under the law, such as the right to deny subletting and to avoid paying for undue property damage. The rumor that it would force landlords to sell their properties is false, for the law fully respects private property. Congressman Dario Vivas explained that the law "is not about a confrontation between different parties," but rather, "both have to be respected."⁵

THE GREAT HOUSING MISSION

Known in Spanish as "Gran Misión Vivienda," the Great Housing Mission is one of the newest social programs created by the Venezuelan government to guarantee access to basic services among the entire population.

It is designed to respond to the shortage of adequate housing in Venezuela by providing affordable homes to needy families. The aim is to build 2 million houses in the next seven years.

The mission was launched in April 2011, not long after the worst rains to hit Venezuela in 40 years caused flooding that left 130,000 people homeless in late 2010. These refugees were among the first beneficiaries of the new housing program.⁶ Indigenous communities, many times located in some of the most vulnerable areas, are also being taken into special consideration.

In addition to helping vulnerable populations, the Housing Mission is also a boon to the construction sector, which grew 10 percent in the third quarter of 2011 after a slight decline in 2010.⁷ Venezuela is pursuing joint ventures in construction with Argentina, Brazil, Russia, and other countries in order to build the homes, as well as with private companies at home. Financing will be split between government and private sources, with private banks providing half of the funds. Private sector participation is seen as essential by President Chávez, who said "the Government alone will not finance housing."⁸

The first step was to create a national registry of housing to evaluate the situation. By now, the building has begun. As of November 2011, 95,212 houses were already completed. Venezuela's Oil Minister Rafael Ramírez highlighted this unprecedented achievement, while pointing out that more remains to be done, with the goal for 2011 being to build 153,000 homes. By late 2011, some 286,000 new dwellings were currently under construction to meet this goal.⁹





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