YOU CAN STAY IN BEIRUT
TOWARDS INCLUSIVE URBAN HOUSING POLICIES

The Affordable Housing Challenge
Affordable, good quality and stable housing should be a priority item on the agenda of Lebanese policymakers. Indeed, the dearth of appropriate housing options is one of Lebanon’s most endemic urban problems. It is safe to speak of an ongoing housing crisis, one that forces a substantial number of Lebanese citizens, refugees, and migrant workers to dwell in inadequate conditions, lacking security and access to basic services.

Despite the absence of accurate figures, it is widely recognized that a substantial percentage of Lebanon’s population allocates a disproportionate percentage of its income on housing, sacrifices long productive hours in lengthy daily commutes, and/or dwells in substandard conditions including informal settlements where livability has severely deteriorated over the past decades.

Furthermore, the number of individuals affected by this housing crisis is on the rise, particularly in the context of the ongoing Syrian refugee crisis and the recent lifting of rent control (8.5.2014, amended 28.2.2017) that removed an (albeit dysfunctional) protection to thousands of vulnerable households threatened by eviction.

There are multiple challenges to addressing the deficit of affordable housing in Lebanon. Chief among those, we point to the lack of political will in a context where powerful private interests in the built environment guide policymaking. We further point to unrest and economic uncertainty as major disincentives for the long-term investments that typically support the production of affordable housing. In addition, we point to the absence of a national urban housing strategy to guide decision-making in this vital sector and reduce bottlenecks (e.g. land provision, finance) in the provision of affordable housing. More generally, and despite rising poverty rates, we point to numerous deficiencies in the larger agenda of social policymaking in which shelter is inscribed.

RECOMMENDATIONS

There is a need to shift the role of public agencies in the housing sector from supporting tenants and buyers to developing a sustainable stock of affordable housing units in large cities.

In the short and medium range, this could be achieved through:

▸ Housing, planning, and other public agencies can incentivize developers and low-income city dwellers to come in as partners to public agencies in the production and management of an affordable housing stock.

▸ Parliament can reallocate the “fund” earmarked in the 2014 rent law to ease the transition out of rent control for poorest groups as a capital to invest in long-term affordable housing solutions.

▸ Community groups and civil society actors can immediately implement claims of urban inclusion through the existing mechanisms of cooperatives that offer appealing advantages to city dwellers aged 45 and above.

On the long run:

▸ The Public Housing Corporation can lead with a holistic housing strategy in partnership with planning, urban and financial agencies to influence the shelter sector notably by expanding the urban perimeter, reviewing land-uses, implementing equitable taxation mechanisms, and introducing incentives and controls.

▸ Legislative and executive bodies should aim for the gradual development of a sustainable affordable housing ecosystem by introducing hybrid property forms, instituting neighborhood-based development organizations, and empowering the role of local authorities in fostering urban inclusion.
There are significant consequences to the deficit in affordable housing: urban researchers unanimously concur on the strong correlation between adequate shelter and health, education, employment, and more generally wellbeing. It makes it urgent to respond with simple and doable steps anchored in the larger vision of a holistic housing strategy. Such a vision sustainably address affordable housing solutions in Beirut, more than one affordable housing mechanism would have to be implemented since applying a single strategy would only partially respond to the issues at hand. This brief proposal sets a few tangible and easy-to-implement interventions in this direction. It uses them to start a discussion on the imperative of affordable housing in Beirut rather than two interventions that solve it all.

**Intervention on the City**

- Expand the city boundaries: define zones of urban extension connected with rapid transit
- Earmark zones of special social interest
- Introduce inclusionary zoning
- Revise Zoning Regulations

**Taxation Tools:**
- Value Capture Taxation
- Tax exempt properties
- Target taxes on speculative practices
- Provide tax abetments or credits
- Charge infrastructure and utilities hook-up fees for private market housing developments

**Property Tools:**
- Land trusts, etc.

**Intervention on the Housing Sector**

**Incentives (supply side):**
- Density Bonuses
- Make land available for residential developments
- Offer credit enhancements to affordable housing developers
- Provide soft debt to affordable housing developers
- Provide grants to public or private sector entities to develop, acquire, renovate, rent, or operate affordable housing
- Inject cash into real estate entities in the form of preferred stock with affordability obligation

**Demand-side Support:**
- Housing loans
- Subsidized housing loans
- Targeted subsidies

**Regulate the Market:**
- Property control
- Rent control and Regulation
- Eviction Controls

**Directly Intervene:**
- Public Housing Production

**Method:**
Given that our goal is to articulate strategies through which we secure a permanent and sustainable stock of affordable urban housing, we looked for success stories where urban inclusion had faced challenges similar to those we encountered in today’s Beirut. We therefore identified case studies in context where government is weak, commitment to social welfare lacking, corruption rampant, real estate speculation intense, and poverty levels rising (Fig 1). We also accounted for geographic context, period of the studies, their sources, and extracted the affordable housing mechanisms that had been adopted.

**Fig 2** provides a compilation of the 24 strategies extracted from the 129 consulted case studies. It shows housing cooperatives, various kinds of MEE-led (Mission Entrepreneurial Entrapreneurial) initiatives, tax breaks and zoning laws to be the most prominent strategies. We selected two of these approaches and explored their viability for Lebanon’s urban contexts.

**ABC’s of Affordable Housing in Lebanon**

1. **The Lebanese legal framework upholds the right to housing**

   - **Lebanon’s housing law (58/1965)** recognizes the “right to housing” by affirming the state’s responsibility in facilitating access to housing for middle or low-income Lebanese. Law 118/1977 further identifies shelter provision among the responsibilities of municipal authorities. In addition, Lebanon has ratified several international agreements that mandate its public agencies to secure adequate and secure shelter with access to public services and infrastructure for all.

2. **The Lebanese political and economic frameworks undermine the right to housing**

   - Lebanon’s commitment to the right to housing is primarily undermined by its own political and economic frameworks that prime land as “real estate” and extend multiple incentives and facilities that benefit untaxed speculators at the expense of low-income city dwellers. It is imperative to develop mechanisms that reclaim urban land, at least partially, to support the social needs of city dwellers.

3. **Lebanese public agencies have played a limited role in the provision of affordable housing**

   - Public housing interventions in Lebanon have been severely biased towards homeownership and limited to demand-side subsidies (Housing Finance). An adequate national housing strategy requires a wider package of interventions that expands the modes of housing acquisition (e.g. regulating rent, providing non-exchangeable modes of homeownership). This strategy should also increase the forms of public interventions by revising planning guidelines, introducing effective taxation schemes, providing facilities and incentives for the production of affordable housing, and controlling prices.

4. **The Lebanese regulatory framework lacks the adequate tools to support the production of affordable housing**

   - Lebanon’s regulatory framework displays a severe deficit in the type of housing (e.g. density bonuses), taxation (e.g. value capture, empty property), and planning tools (e.g. inclusionary zoning) that typically empower public agencies to intervene effectively, secure inclusion in housing markets, and/or encourage developers to invest in affordable housing units. The introduction of such tools would empower public agencies to guide the housing sector.

5. **The Lebanese affordable housing ecosystem is weak**

   - Lack of political will to intervene in the housing sector transpires in the weakness of the institutional framework that typically supports the production of affordable housing: there is no ecosystem to support the production of affordable housing. The Housing Ministry was dissolved in 1996. Turned into a “corporation” that specializes in the provision of loans, the Public Housing Agency was placed under the Ministry of Social Affairs and allocated limited means. Today, the Public Housing Corporation needs institutional partners (e.g. community development corporations, local neighborhood groups) through which it could implement a social housing program.

6. There are mechanisms within the Lebanese law that can be activated to empower the production of affordable housing.

   - Our study points to two under-exploited schemes within the current purview of public agencies:
     1. By-designating some of their neighborhoods as “inclusionary,” municipalities could zone urban areas as “necessarily mixed across income” and impose a percentage of affordable housing with each new development. Inclusionary zoning could further discourage lot pooling, preventing the introduction of large-scale speculative investments of the type that has displaced large population groups in many sections of Beirut.
     2. By introducing mechanisms to protect a section of the housing stock from market speculation (e.g. land trusts).

7. Some relatively easy to adopt policy options could substantially improve the production of affordable housing:

   - By introducing taxes on empty apartments, cities could discourage speculative practices and generate revenues invested in keeping populations in place.
   - By regulating conditions and rates of rental arrangements, cities could strengthen the rental sector.

8. It is imperative to place the adoption of a holistic housing policy framework on the long-term horizon of policymakers:

   - This will require a large-scale urban vision that widens the perimeter of cities and organizes mobility and housing around an efficient public transport and land-use set of policies. Such large-scale interventions can be self-financed through land value capture taxation, but they should also be accompanied by measures to control speculation, encourage inclusive developments, develop the housing ecosystem to complement existing bank loans with other non-profit incentives, and reshuffle zoning to support the vision of more inclusive cities.
Inclusionary Housing Policies
Inclusionary housing sets cities and/or neighborhoods on the long-term path of steadily increasing their stocks of affordable housing. In a global context where the financialization of land has rendered urban housing well above the means of the urban majorities, it has become imperative for city authorities to secure a stock of affordable housing units outside the market in order to preserve cities’ income mix and hence the diversity and vibrancy of their economies and lives.

“Inclusionary housing policies aim to involve commercial building developers as partners in the production of affordable housing by requiring every new residential development to include a predetermined percentage of affordable units.”

What are inclusionary housing policies?
Depending on the situation, inclusionary housing can be imposed as a pre-requisite to obtaining a building permit or facilitated through incentives extended to builders. In some contexts, developers may contribute a given amount to a publicly managed fund that is reinvested in the production of affordable housing by requiring every new residential development to include a predetermined percentage of affordable units.

“Numerous studies have shown that Beirut’s housing market is consistently driving lower and middle-income households to remote suburbs and replacing their dwellings with stocks of empty luxurious apartments.”

Is it feasible to speak of inclusionary housing in Lebanon?
The feasibility of inclusionary housing in Lebanon depends on political will but also on legal and economic feasibility. Legal feasibility may be the easiest hurdle. It is possible to impose inclusionary restrictions on new developments today within the existing legal framework: First, Article 13 of the Building Law (636/2004) allows local authorities to refuse to provide a building permit when/if a project threatens the “public good”. In the absence of a clear definition of the “public good”, municipalities have the authority to consider rapid gentrification and/or large-scale forced displacements as a serious threat to communities and hence balance the negative effects of large-scale urban transformations by imposing a percentage of affordable housing as a pre-requisite to permitting. In addition, municipal councils have the authority to demand a revision of zoning codes and impose inclusionary requirements within land-use regulations in specific neighborhoods and/or entire cities.

To date, neither municipal authorities nor planning agencies have officially considered an inclusionary requirement. Nonetheless, recent evidence points to rising demands among High Council of the Directorate General of Urbanism (DGU) members to activate the social dimensions of existing regulations by placing additional social or environmental requirements on large-scale developments (e.g. a park) as a pre-requisite to the provision of a building permit. This is a good start.

Inclusionary housing demands a redistribution of a share of the profits reaped by developers. The latter’s acceptance of this restriction is linked to financial considerations, meaning the margin of acceptable profit below which they are not willing to operate.

To check the economic feasibility of this approach, we tested two scenarios on a real case study taken from the neighborhood of Mar Mikhael where surveys, interviews, and in-depth analyses was conducted. The two scenarios were:

- Scenario 1: All new buildings are required to sell the first floor at 60% of market value,
- Scenario 2: Incentives are extended to developers so they include two affordable housing floors in exchange for a density bonus to build one more floor.

In Scenario 1, the developer bares the entire costs of the affordable housing unit without any compensation. In Scenario 2, the developer’s losses are partially compensated since the costs of the second floor and part of the costs for the first are covered by the roof. Actual figures and ratios depend on market conditions.

Recommendations for legislative amendments
Inclusionary housing can be strengthened if the regulatory framework is modified to control profit and introduce the principles of ‘value capture taxes’ where a share of the profit reaped by any development is mandatorily redistributed to the neighborhood. Such controls could be introduced through revision of the zoning, the adoption of “a ceiling on densities” (plafond de densité) and/or regular revisions of property taxes to control speculative landholdings. Within such context, measures such as waiving taxes or extending density bonuses would become feasible.

Scenarios tested for inclusionary housing in Lebanon

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1. Total cost of the building was calculated including price of land, price of construction materials and taxes. Revenue was calculated given every apartment is sold, with prices starting 2,200 USD (9,500 LBP) on the first floor (price calculated as an average based on prices announced by developers in the area).
Housing Cooperatives

Over the past two decades, cooperatives have emerged as a key housing strategy, particularly in contexts where land has been financialized and public social policies are weak.

What is a housing COOP?

A housing cooperative is a voluntary association of individuals who come together with the shared goal of organizing their shelter arrangements within a set of solidarity rules that do not conform to market laws. While there are multiple modes of housing cooperatives around the world, all cooperatives typically adopt forms of democratic member control, participatory arrangements, and economic autonomy. Thus, members of a housing cooperative dwell in and manage property along shared rules that allow them to decide collectively on duties and privileges, rules to expand and/or organize payments and services, the selection of new members, and other short and long term choices.

The most distinctive aspect of housing cooperatives is their conception of property ownership. Departing from freehold, housing cooperatives restrict ownership to “the right to dwell” in a housing unit while the right to exchange and/or bequeath is managed by members’ collective and restricted by cooperatives guidelines. As a result, properties claimed by cooperatives are removed from the market and preserved at an affordable rate for present and future members. In recognition of the importance of these limitations, public agencies typically support the formation of cooperatives through benefits such as tax exemptions, lower mortgage rates, subsidies, and/or incentives.

3. Housing units released by rent control constitute a large, deteriorated stock of properties that may be acquired by housing cooperatives.

4. The market is currently low and slow, thus prices are advantageously low for a group of people who want to establish a cooperative.

Cooperatives: a viable option in Lebanon?

- Stability: lower fees and constrained eviction
- Lower Housing Prices*
- Right to Bequeath if heirs are eligible

Advantages

- Securing Initial Capital
- Constraints due to committee control
- Renouncing housing as an asset

Hurdles

- Monthly payments for the first 15 years
- Monthly rent obtained by the co-op through the two shop rentals for the first 15 years
- Monthly payment for the second 15 years

Who are the Potential Beneficiaries of Housing Cooperatives?

One can think of potential beneficiaries in two potentially overlapping groups: (i) those who are forced to choose this option as the best or only way to remain in the city and (ii) those who choose cooperatives as a commitment to principles of solidarity.

Are cooperatives financially feasible in today’s Beirut?

Approximate numbers for financing the purchase of the building through the Public Corporation for Housing

- In principal amounts (24%)
- Amount to borrow
- Down-payment amount (25%)
- Total amount to be secured in advance

Public Housing Corporation loan conditions for up to 30 years

- Monthly payment for the first 15 years
- Monthly rent obtained by the co-op through the two shop rentals for the first 15 years
- Monthly payment for the second 15 years

How advantageous is it for individuals to be part of a housing cooperative in Beirut?

- Calculated based on an average of the current rent, based on a conservative 3% annual increase
- Calculated and taking into account price of land in the area (from real-estate listings) and annual maintenance costs
- Calculated and taking into account price of land in the area (from real-estate listings) and annual maintenance costs
- Calculated based on the current 700,000 LBP/year paid by the old rent by tenants in the case study presented above, and on the 750,000 LBP/month paid by “new tenants” in that same building. In the newly adopted cooperative, compensations to old tenants is calculated based on the household’s income and the difference between how much one “is able to pay” and how high the rent should be according to market prices. Households earning more than five times the minimum wage are not eligible to compensation.
- Estimations were made for a 60 sqm apartment in a peri-central neighborhood in Beirut where prices for similar apartments today average 2500 USD/sqm.

What is the relation between housing cooperatives and the current rent law?

Since 2014, the “new rent law” has introduced a public fund that supports the most vulnerable social groups losing rent control benefits over a nine-year transition period in which the fund covers the difference between market and subsidized market rates for tenants.

1. The state is willing to provide subsidies to rent control beneficiaries. These subsidies could be used towards the establishment of housing institutionally controlled to remain affordable, instead of exclusively serving the rent seek on rent-controlled units.

2. A substantial group of vulnerable urban dwellers are willing to consider cooperative modes of housing acquisition since they offer them the means to remain in the city.
Policy Recommendations
Today, the Lebanese law allows for housing cooperatives to be founded. To facilitate the actual implementation of this process:

- Public authorities could raise awareness about housing cooperatives as an existing mechanism of housing provision and encourage their materialization by facilitating registration at the Directorate of Cooperatives in the Ministry of Agriculture;
- The PCH could facilitate access to loans for housing cooperatives by waiving the requirement for individual members’ eligibility and shifting the “eligibility” to the cooperative that would be responsible for the payment of the loan. Risk can be reduced by demanding a detailed financial plan from the cooperative and a plan in case individuals become unable to pay their part;
- The PCH could protect the long-term stock of affordable housing it has supported through cooperatives by introducing a requirement for cooperatives accessing PCH loans to introduce articles in their bylaws that prevent the dissolution of the cooperatives and its transformation into for-profit housing.

Steps to Form a Cooperative
Form a group of 10 people (or more) willing to establish a housing cooperative and live as neighbors.
1. Find an appropriate property (land or existing building).
2. Prepare a business plan that outlines the goals of the housing cooperative, the terms of agreement, the governance structure, and the feasibility study.
3. File a request to the Directorate of Cooperatives in the Ministry of Agriculture for approval.
4. Deposit the initial capital at a designated Lebanese bank.
5. Register the cooperative at the Directorate of Cooperatives for final approval and establishment.
6. Get a loan from the Public Corporation for Housing (if needed) and acquire the chosen property.

About this project
As part of its commitment to generate informed public debate on issues of salient concern to social justice in Beirut, the Social Justice & the City program launched a pilot project under the title Inclusive Housing Policies in Beirut. This initiative aimed to articulate concrete strategies responding to the affordable housing challenge in Lebanon’s cities based on an interdisciplinary crossing of legal, economic, social, and planning constraints. SJC’s approach builds on earlier research about the housing sector in Beirut (Lebanon) in order to frame feasible interventions within the context of the existing regulatory and social constrains. It furthermore proposes a handful of policy reforms necessary for substantive long-term transformations.

Social Justice and the City Program
The aim of the Issam Fares Institute’s Social Justice and the City program is to formulate an agenda for research that establishes a partnership between scholars, policy-makers, and activists in Lebanon (and beyond) working towards more inclusive cities. The program seeks to act as a platform where scholars, policy-makers, and activists can share reflections, experiences, and strategies (i) documenting, analyzing and reflecting on ongoing urban processes affecting the organization and life of the city, (ii) sharing and validating research with activists, affected communities, and other social groups who are potentially interested in sharing both the acquired competence and the pool of research tactics, and (iii) supporting and informing initiatives that hope to influence change through debates, media, publications, and advocacy.

The Konrad Adenauer Foundation
The Konrad-Adenauer-Stiftung (KAS) is a German political foundation, closely associated with the Christian Democratic Union of Germany (CDU), making a unique contribution to the promotion of democracy, dialogue, conflict prevention, civil society and social market economy. The mission of the Country Programme Lebanon is to:

- inform about relevant political, economic and social issues and offer platforms for exchange and constructive debate
- contribute to the political, economic and social development in Lebanon
- promote knowledge about the functioning of political institutions and processes
- support the political forces of moderation and progress
- strengthen the Lebanese Republic as a democratic and pluralistic state through its institutions
- foster bilateral relations between Germany and Lebanon