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### Insecure tenure

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# CHAPTER 1

## INTRODUCTION

### HAS RENTAL HOUSING BECOME LESS SECURE IN THE NETHERLANDS, AND WHY DOES THIS MATTER?

#### 1.1 In how far is Dutch rental housing becoming less secure?

Secure housing is important for people's well-being (Cairney and Boyle 2004, Elsinga *et al.* 2008, Morris *et al.* 2017, Fitzpatrick & Watts 2017, Darab *et al.* 2018, Bates *et al.* 2019). Uncertainty about if and when you will need to leave your home has a negative effect on ontological security (Hulse *et al.* 2011), the psychological stability that people need to live a meaningful life (for the origins of the term ontological security see Laing 1960, for the development of the concept in housing studies see Giddens 1991 and Saunders 1990). Whether housing is secure depends in the first place on the form of tenure. Home-ownership and permanent renting contracts offer more protection against insecurity than temporary leases. Such leases either end automatically at a certain moment, or might be terminated by the landlord at a moment beforehand unknown to, and thus usually undesired by, the tenant, while the tenant has no agency to prevent this, i.e. the termination is not due to rent arrears or other violations of the contract. Affordability and state of maintenance are two other factors influencing security of housing (Clair *et al.* 2019). If tenants cannot afford the rent anymore, as a result of steep rent increases, their housing situation will become insecure. Likewise, when homes fall in a state of serious disrepair, they offer less security. In summary, security of housing depends on security of tenure, affordability and state of maintenance. The process whereby housing becomes less secure for residents, or in other words, more precarious, I define as housing precarisation, analogous to the concept of labour precarisation, which refers to labour becoming less secure for workers, or more precarious (Kalleberg 2009, see also below).

The main question of this thesis is whether rental housing in the Netherlands, over the last twenty years, has become less secure. There is ample anecdotal evidence of such a trend, but no scientific research has, so far, been undertaken. Given the importance of secure housing for people's well-being, and the ongoing deregulation of the rental market in the Netherlands, such research is urgent and relevant. This research takes a first step in closing this knowledge gap, by asking: *to what extent is Dutch rental housing becoming less secure, or, in other words, more precarious, and how does this precarisation manifest itself?* In what follows, I trace this process of an increasingly insecure tenure in detail along the introduction of temporary rental contracts in the Netherlands, the shift

towards making tenants completely responsible for claiming their renting rights and the role of citizen participation in legitimising displacement of tenants. Throughout the text, I also explore the rationalities behind these trends, linking them to the ongoing residualisation of renting, the rise of housing as an aspirational, meritocratic investment good and the punitive and disciplining effects on tenants of this changing discourse.

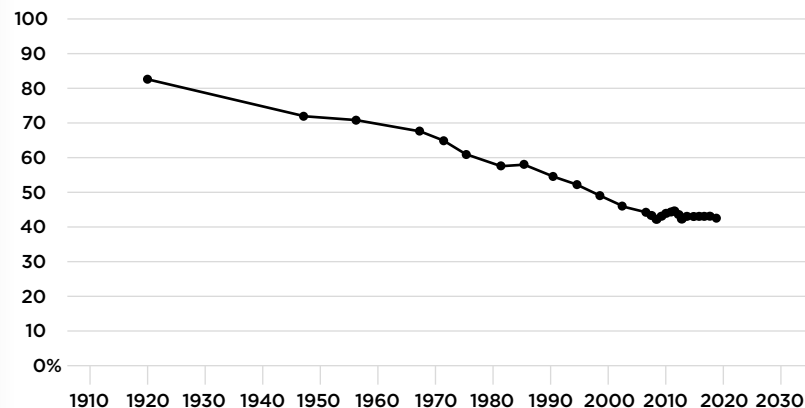
In my experience people grasp the issues described above, especially security of tenure, more intuitively through an analogy with the labour market. In a nutshell, in the Netherlands, most people used to have a permanent job, but now people more and more have temporary contracts (or they become self-employed). This shift from permanent labour contracts to temporary labour contracts is well-known. The media have been publishing about it regularly since its beginning at the end of the 1970s, it is a focus of political debate, and we also know how many people have permanent labour contracts and how many temporary. I observe a similar shift in housing, where most Dutch people used to have permanent rental contracts, but now more and more temporary rental contracts have been appearing (or they become home-owners). But in this case, the shift is not very well known. The media hardly publish anything on it and political debate is lacking. We also do not know how many people have a temporary rental contract, and who they are in terms of personal and household characteristics or how they experience this sort of lease. That is strange, since as with labour the shift from permanent to temporary rental contracts comprises an important transfer of risks from the landlord to the tenant. Renting becomes more precarious, that is, more risky, uncertain and unpredictable for the tenant, analogous to the shift of risks from employer to employee as theorised by for instance Kalleberg (2009) and Thompson (2010).

### 1.2 Meritocratic and neoliberal ideologies led to deregulation and residualisation of the Dutch rental sector

Let us start with some background on Dutch housing policy. While the government constantly and actively promoted home-ownership (Van der Schaar 1987), throughout almost all of the twentieth century, the Netherlands was a nation of renters (see figure 1.1 and the

**Figure 1.1**

### From a nation of renters to a nation of home-owners – Percentage of households renting in the Netherlands 1920-2018



Source of data: calculated from Van der Schaar 1987:308 (1920-1985, Ministry of Housing, Spatial Planning and the Environment [VROM] 1999:25 (1990-1998), Ministry of Housing, Spatial Planning and the Environment [VROM] 2003:9 (2002), Statistics Netherlands 2019a (2006-2017), Statistics Netherlands 2019b (2018).

references below the figure). It was only by 1997 that the proportion of home-owners had risen to equal that of renters. Since the end of the first World War, as a result of enduring housing shortages, rents had been regulated, and tenants' rights had been strong (De Gaay Fortman undated, approximately 1918, Kraaijestein 2001). In the post-World War II years, the focus was on new construction of both rental (Helderman *et al.* 2004) and owner-occupied (Van der Schaar 1987:326) dwellings to assuage the enduring scarcity.

After more than forty years, by the end of the 1980s, the quantitative housing problem was declared solved, and the focus shifted towards improving the housing stock qualitatively (Ministry of Housing, Spatial Planning and the Environment 1989:49ff). In practice, this meant

the intensification of the promotion of home-ownership (Mulder 2005) and the deregulation and residualisation of rental housing, the latter term referring to the process whereby regulated housing increasingly becomes occupied solely by the most disadvantaged households (Van Kempen & Priemus 2002, Aalbers *et al.* 2017). In line with the political currents of the time, better quality homes were felt to be best realised through the free market, and regulated homes should be only for the minority of disadvantaged people who could not fend for themselves on the market (Ministry of Housing, Spatial Planning and the Environment 1989:114-115). Consequently, from 1989 onwards the regulation of both starting rents and annual increases was discontinued for homes beyond a certain threshold on the governmental point scale (which is used to translate the size and amenities of a home into a rent price, Ministry of Housing, Spatial Planning and the Environment 1989:140). Table 1.1 shows the slow rise of such unregulated rent.

Ever since, the value of points in euro on this scale has been steadily adjusted upwards to hasten the liberalisation of the still remaining regulated rental housing stock. Through allowing sharp annual rent increases, most years well above inflation levels (Ministry of the Interior and Kingdom Relations 2014) and steep rises in starting rent levels,

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**Table 1.1**


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**Dutch housing sector 1985, 2005 and 2017**

	1985	2005	2017
<b>Regulated rent</b>	58%	42%	33%
<b>Unregulated rent</b>	0%	3%	7%
<b>Owner-occupancy</b>	42%	55%	60%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source of data: calculated from Van der Schaar 1987:308, Ministry of Housing, Spatial Planning and the Environment [VROM] 2006:12 & 15, Ministry of the Interior and Kingdom Relations 2019.

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**Table 1.2**


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**Recent changes in the Dutch rental sector:  
number of dwellings in four rent classes 2009- 2015**

	2009	2012	2015	change 2009-2015
<b>Affordable &lt;E390*</b>	726.000	553.000	434.000	-40%
<b>Moderate E390-E557*</b>	1.441.000	1.399.000	1.263.000	-12%
<b>Expensive E558-E700*</b>	477.000	618.000	784.000	+64%
<b>Unregulated &gt;E700*</b>	233.000	335.000	469.000	+101%
<b>Total</b>	<b>2.877.000</b>	<b>2.905.000</b>	<b>2.950.000</b>	<b>+3%</b>

Source of data: calculated from Blijie *et al.* 2016:28/ WoON 2015. \*All price levels shown from 2015, in line with source of data, but for 2009 and 2012 calculated according to the then operative thresholds. Note: 2015 is the most recent year for which reliable data are available.

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the number of dwellings with a rent accessible to those eligible for individual housing allowances strongly declined (categories affordable and moderate shaded in table 1.2), while the number of dwellings with expensive rents strongly increased and those with unregulated rents doubled between 2009 and 2015 (table 1.2). As a result, renting has become more expensive; in terms of housing expenditures as a proportion of the household income, the average has increased from 28% in 1990 to 39% in 2015 for renting households (Statistics Netherlands 2019c,d).

These developments can be explained through the context of current Dutch housing politics, which is based on meritocratic and neoliberal ideologies. The core idea of meritocracy is that a society is just when social-economic positions are based on personal achievements, even when abilities between people vary, on the condition that life opportu-

nities are at first distributed equally, principally by offering all children the chance of achieving to the best of their abilities through education (Young 1958; Swierstra & Tonkens 2008). A safety-net should guarantee minimum provision for those who prove to be unable to support themselves. Neoliberalism contends that society best functions through an unfettered free market with the role of government restricted to ensuring a level playing field (Brenner & Theodore 2002). It is a natural extension of the meritocratic idea that housing should reflect earned social-economic status, while from a neoliberal standpoint the best way to create and distribute housing is through market mechanisms.

As a result, the main problem that Dutch housing policy is trying to solve is that housing does not adequately reflect earned social-economic status and the main strategy for solving it is deregulation of housing. Hence the liberalisation of an ever-increasing part of the rental sector, and hence the liberalisation of ever-more renting agreements – as with the introduction of temporary leases. At the same time, the government also intervenes actively through the introduction of heavier income-dependent rent-increases for those who are deemed too affluent to live in homes with affordable rents (Hoekstra 2017), *skewed* residents as they are called in the housing policy jargon (and indeed cartoons with lopsided tenants abound). Through these monetary measures, such tenants are nudged towards home-ownership or a home with an unregulated rent. Similarly, during the gradual systemic change from a more egalitarian society to a meritocratic society, structural adjustment problems might occur, which necessitate regular government intervention to deal with the consequences of liberalisation. For instance, because rents have been rising constantly, or in the jargon, became more market conform, government expenditures for housing allowances rose significantly (Ministry of Finance 2016). To limit the impact on the national budget, prospective tenants entitled to allowances are now restricted to renting homes from the affordable and moderate categories of regulated rents, which are on average smaller and of lower quality than those in the more expensive categories (Hoekstra 2017).

The ongoing liberalisation of the Dutch rental housing market, according to the combined meritocratic neoliberal ideology, is resulting in ongoing precarisation, I argue. The abolishing of protection for

tenants in terms of security of tenure, rent increases and maintenance is eroding ontological security. This means that although those with the least resources are impacted most, the changes in policy affect not only disadvantaged groups, but everybody. Looking at evidence from the United Kingdom, where the introduction of temporary leases quickly resulted in them becoming the norm, combined with the first corroboration from the Netherlands, I contend that current Dutch housing policy is stigmatizing renting. One of the recurring themes of this thesis is that many incremental steps have a cumulative effect, leading to unintended consequences. Policy makers do not set out to discipline and punish renters, but the combined effect of all the policy measures is a strong message: *You should not be renting at all.*

### 1.3 Where do we go from here? Overview of the thesis

Beyond this introduction and the conclusion, this thesis consists of five main chapters. Four of them have been previously published in international peer-reviewed scientific journals, one is currently under review. While the chapters are all different, they are all reflections of the same conundrum of the precarisation of Dutch rental housing, each with its own angle of incidence, and as such they complement each other. (Like looking at an object in a museum, and walking around it, and seeing different things from each angle, and the object looks different, depending on from where you view it.)

In Chapter 2, *Non-Enforcement as a Technique of Governance: The Case of Rental Housing in the Netherlands* I query what the meaning is of a situation in which regulations do not work in practice, but which are presumed/asserted to work in the accompanying political discourse. This provides a background into the workings of Dutch housing regulations concerning the main elements of rental security, namely starting rent levels, annual rent increases, (lack of) maintenance and termination of tenancies. The chapter also lays the groundwork for the political-philosophical thread concerning social-spatial inequality throughout all chapters, which we will return to in the conclusion. Through analysing political and bureaucratic documents, and drawing on my previous ethnographic research, I argue that non-enforcement of regulations can function as a policy mechanism in its own right, as a method to secure and transmit the objectives of government in a more subtle way

than an explicit, top-down exertion of power. As such, non-enforcement of regulations constitutes one of the main mechanisms behind renting in the Netherlands becoming less secure.

*A Silent Shift? The Precarisation of the Dutch Rental Housing Market* (Chapter 3) focuses on the specific element of termination of tenancies. The chapter investigates why the rise of temporary rent in the Netherlands has thus far failed to stimulate any societal debate, systematically reviews the scarce available evidence and proposes a research agenda in order to find out how much non-permanent renting is going on, and why.

I took up this challenge of research into non-permanent housing in Chapter 4, *Temporary Tenancies in the Netherlands: From Pragmatic Policy Instrument to Structural Housing Market Reform*. Here, I probe into how the shift towards temporary rent has come about. To answer this question, I analysed policy documents, media content and parliamentary archives. I conclude that a period of slow bureaucratic expansion led to a tipping point. Once this was reached, temporary tenancies were no longer seen as solutions for specific problems, but had become viewed as a desired goal in themselves.

Chapter 5 addresses another important problem identified in the research agenda. The questions are contained in its title: *Insecure Tenure in Amsterdam: Who Rents with a Temporary Lease, and Why?* The goal of the chapter, which is co-authored with Clara Mulder, is to gain insight into the characteristics of those living with temporary tenancies and also to provide a baseline to be able to assess the shift towards more temporary leases empirically over the coming years. We analyse data from the 2015 WIA survey (in Dutch: Wonen in Amsterdam; Housing in Amsterdam) through multinomial logistic regression. We find that young adults, students and those with a Western migration background have a higher chance of having a temporary lease, as well as people who had to move from their previous home because their lease was terminated or had become too expensive.

Indeed, precarious rental arrangements may result in ‘housing-related involuntary residential relocation’, or displacement (Marcuse 1985:205). But displacement also occurs to tenants with (seemingly) more secure tenancies. As part of a national policy for urban renewal, in Amsterdam between 1997-2015 many renters of affordable rental

housing were forced to leave their homes because of policies of state-led gentrification. In Chapter 6, entitled *Displacement Through Participation* I focus on how such displacement was being legitimized. Based on extensive ethnographic fieldwork, I conclude that here, citizen participation provides government a platform to impose its views in a context of severe power asymmetries, while alternatives are marginalised and dissent is disciplined.

In the conclusion, Chapter 7, I return to the overarching questions of this thesis reflected in the title *The Precarisation of Rental Housing in the Netherlands*. Armed with the evidence of the intervening chapters, we are now able to answer these questions. Here, I argue to which extent Dutch rental housing is becoming less secure and explore the three processes through which this precarisation manifests itself: the process of the continuous widening of the legal grounds on which temporary leases are allowed, the process of the non-enforcement of renting rights on the ground and the process of the discursive residualisation and stigmatizing of renting. I also discuss the further implications of the precarisation of rental housing in the Netherlands for policy and research, and reflect on possible future developments.



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