GUIDANCE ON HLP & TENURE SECURITY
FOR RENTAL ASSISTANCE

IOM
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CONTENTS

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IOM staff assessing the needs of a Venezuelan family in The Dominican Republic.

BACKGROUND

Housing, Land, and Property (HLP) rights are a collective bundle of laws, standards and principles that aim to protect the human right to establish oneself in a chosen location without fear or threat of displacement. The protections under HLP rights enable what is commonly referred to as "security of tenure." Security of tenure can be defined as the level of certainty that someone will not be evicted or dispossessed. It is the degree of reliability on the conditions that protect a person against forced eviction or any other infringement to their tenure.

Strong rental security of tenure guarantees the right to remain in a place for a specified amount of time, at a mutually agreed upon price, with the provision of essential services and without transfer of ownership based on a written or verbal contract with the land or property owner. Lack of security of tenure can pose significant risks to migrants and refugees including homelessness, increased risk of harassment or gender-based violence (GBV), unsafe housing alternatives, inability to access other livelihood services and exacerbate trauma associated with displacement.

Understanding the security of tenure context and how the rental assistance program can ensure security of tenure for all renters, including historically marginalized groups such as women, older persons and persons with disabilities, is critical to a successful rental program. In Latin America and the Caribbean (LAC), there are many factors that influence people's security of tenure. As millions of migrants, refugees and asylum seekers from Venezuela, Haiti, Cuba and other countries relocate across LAC, the perceptions of host communities and their willingness to rent to newcomers is a significant barrier to people's access to adequate housing. The widespread practice of verbal rental agreements also significantly impacts people's tenure security. As such, the guidance focus on incorporating HLP assessments in rental market assessments for rental assistance projects.

1. HLP ASSESSMENT

1.1 RENTAL MARKET ASSESSMENT

Rental Market Assessments are a standardized step in the process of designing rental assistance programmes within humanitarian contexts globally as well as in Latin America and the Caribbean. The overall purpose of market assessments is to inform humanitarian programme design, appropriate choice of transfer modality and help decide on adequate transfer values[1]. Handbooks and field guides exist for conducting rental market assessments in this context, some of which include sections on HLP. However, there remains a gap in specific guidance helping organisations to incorporate HLP concerns into the design and implementation of rental assistance programmes.

HLP and tenure security assessments[2] are a process for evaluating and assessing the level of tenure security that an individual or community has over their land or property. There are a number of different factors that can be taken into account during a tenure security assessment, including:

- Legal framework governing land and property ownership in the target area.
- History of land use and ownership, and the current occupation and use of the property.
- Common rental practices utilised in the target area, including the use (or not) of written agreements, standard/expected length of contract, deposits, advances etc.

- Relevant social and economic conditions of the community, as well as any potential conflicts or Disputes that may affect tenure security.
- Relationship dynamics between incoming and host communities, power dynamics between tenants and property owners and influences in tenure arrangements.
- Social barriers to security of tenure, such as discriminatory practices based on socioeconomic status, nationality, gender, family size, race, and others.
- Specific needs of renters to support access and ability to remain in a secure place to live.
- Relevant laws and policies surrounding renter and landlord rights and pathways for resolving conflicts.

HLP assessments should be carried out as early as possible as a part of the context analysis or included in the overall rental market assessment. **If a rental market assessment has already occurred, the HLP assessment should still be carried out independently to inform project planning and implementation.**

HLP and tenure security assessments are not only useful for contextual understanding for the rental assistance program - it can also support beneficiary selection, mitigate risk factors associated with rental assistance and prevent future conflicts or secondary displacement. Guiding questions for an HLP and security of tenure assessment are included in *Annex II.*

1.2 DUE DILIGENCE

In the context of rental assistance programmes, HLP due diligence must cover two different aspects.

1. The first is the verification of the right of the landlord candidate to rent out the property (generally speaking, the verification of his/her ownership).

2. The second is the verification of other information that has the potential to weaken the renter's security of tenure.

PROPERTY OWNERSHIP DUE DILIGENCE

Property Ownership due diligence refers to the steps that are taken to ensure that all of the necessary information about the ownership of a particular piece of property has been collected and is accurate. In rental assistance programmes, it is important to independently verify that the alleged landlord is in fact the owner of the property and that he or she has the authority to rent it out to a tenant.

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1   UNHCR. (2020). Multi-sector Market Assessment Guidance and Toolkit. P.4.
2   The terms HLP Assessment and Tenure Security Assessments are used interchangeably.

It is common for organisations implementing rental assistance programmes to assume that the person living in the property is the owner. There is a risk, however, that the person living in the property may be a tenant trying to sublet it without proper consent from the owner. Such situations present an added tenure risk to the beneficiary/tenant and must be avoided.

ℹ️ Key Information to Obtain

Declaration of ownership by alleged owner/landlord candidate

This declaration could be a simple document signed by the alleged owner. Other formalities could be added-on, in contexts where illegitimate owners are common. Formalities may include:

- Signatures of witnesses required.
- Certification and recordation of the document by a public notary.
- Video recording of declaration.

Independent verification of ownership:

This independent verification can be undertaken in different ways, depending on the resources available to the rental assistance programme. The ownership verification could be completed by any of the following methods, in isolation or in combination:

- Ownership certificate presented by the alleged owner.
- Purchase/Sale contract of the property presented by the alleged owner.
- Confirmation by the Property Registry.
- Confirmation by other witnesses, such as the previous owner, public officials, neighbors (if it makes sense in the context).

GENERAL HLP DUE DILIGENCE

General due diligence is the independent verification of all information that could impact the security of tenure of the renters. This may include information provided by the landlord, prospective beneficiary, or surrounding the rental arrangement.

ℹ️ Key Information to Obtain

- Verify information provided by renters (how many children, documentation status, habitability needs, etc.).
- Verify that housing of beneficiary meets habitability and accessibility requirements (and have a plan for when they do not).
- Find out if evictions are common and the process of implementing them.
- Background of landlords (renting history, experiences of previous tenants, identifying past cases of eviction or rental agreement violations), if available.
- Verify that established lines of communication with beneficiary and landlords are reliable.
- Identify any existing policies related to renting or rental assistance for migrants and refugees, renter and landlord rights, and legal pathways for resolving rental agreement violations.
- In extreme cases where persons with disabilities have a legal guardian or representative, verify that the arrangement is trustworthy, and decisions are mutual.
- Identify community dispute resolution or volunteer legal support services for migrants and refugees.

SCENARIO

In Ecuador, there have been cases of families overrepresenting the number of children they have in belief they will receive more assistance. Alternatively, in Perú, many are denied rental opportunities for having children, so families often underrepresent the number of children out of fear of becoming ineligible for assistance.

SCENARIO

To ensure that housing rental assistance recipients are renting meet habitability requirements, implementers of rental assistance in Colombia visit the homes to check for issues, such as overcrowding, safe bathroom access and other requirements. They also check the home's surroundings, including if it is in a risk zone, proximity to medical centers, commercial areas and public transportation.

1.3 SUPPORT NETWORK IDENTIFYING & MAPPING

Support network mapping should focus on identifying relevant organisations and individuals that can provide assistance in addressing HLP concerns related to the implementation of rental assistance programmes. The support network is a valuable tool to collect information for the HLP Assessment, assist in addressing disputes, conducting due diligence, and ensuring access to rights.

Key Support Networks to Identify

- Local NGO/Community Organizations working in housing rights or similar themes.
- Legal assistance organisations (law Schools usually have low-cost or free legal clinics).
- Churches and religious networks.
- Existing landlords' networks, property owners' groups, or individual property owners.

Persons with Disabilities

- Organizations of Persons with Disabilities (OPDs) or organizations/community groups working with populations with disabilities.
- Existing social, legal and health service providers for persons with disabilities.

SCENARIO

In Ecuador, migrants and refugees are unaware of the legal processes and afraid of deportation so they are hesitant to present their documents. Referrals to legal and communication support can help with documentation and access to assistance.

People with Children and Pregnant Women

- Shelters accommodating children and pregnant women.
- Community support groups.
- Local childcare service providers and/or social workers working with children and pregnant women.

Mapping

- Make a list of stakeholders, contact person.
- Describe stakeholders' relevant area of work and capacity to support.
- Decide how to best approach and engage different stakeholder groups.

1.4 SOCIAL BARRIERS TO SECURITY OF TENURE

Social barriers, such as discrimination, pose a significant challenge to migrant, refugee, and asylum-seeking populations in accessing a place to live with security of tenure. For example, in Perú, Ecuador and Panama, discrimination against people with children, followed by ethnic discrimination, prevents many from being able to find a place to rent, let alone stay in a place with dignity and security. Security of tenure assessments must aim to understand the extent of socioeconomic barriers, how they affect tenure security and how the project or program can overcome them.

SCENARIO

In Colombia and Perú there have been cases where landlords will agree to rent to someone over the phone until they meet in person and find out they are Venezuelan, then they either raise the rent, ask for multiple months of rent up front or refuse to rent altogether.

PRIMARY SOCIAL BARRIERS

Children

- Landlords unwilling to rent to people with children, and/or pregnant women (and pets).
- Lack of childcare in shelters prevents many people from being able to search for housing and work.

Discrimination

- Negative perceptions and stereotypes held by host communities and landlords to migrant and refugee populations prevents them from renting to these populations.

Disability Inclusion

- Lack of knowledge of persons with disabilities and specific rights to rental assistance can reduce their ability to request accessible housing, referrals to social services and legal support.

Awareness of renter's rights and practices

- Understanding renters and landlords' rights, roles and responsibilities of rental agreements and how to ask for documentation.

> **SCENARIO**
>
> **If landlord only knows they will be paid by a third-party, they may be hesitant to rent to people receiving rental assistance. Important for renters to be able to explain to prospective landlords how and when they will be paid by rental assistance project.**

- Lack of information provided to renters and landlords on how and when payments will be made and by whom can cause distrust between renters and landlords.

ACTIONS

Children

- Identify and connect with childcare service providers and/or migrant and refugee community groups.
- If community groups and/or childcare service providers are available, connect them with shelters to coordinate childcare for people searching for place to rent and work.

Discrimination

- Engage with property owners and landlords.
- Explain rental assistance beneficiary selection and vetting process.
- If possible, connect with landlords who have rented to migrant and refugee populations and can dispel negative perceptions and stereotypes.
- Understand why landlords hesitate to rent to people with children and what assurances they need to rent to these populations.

Disability Inclusion[3] [4]

- Ensure that information on barriers and needs of persons with disabilities with regards to accessing a secure place to rent is systematically collected. Focus on understanding:
  - o Extent of population of persons with disabilities (using the correct methodology).
  - o Barriers for persons with disabilities in accessing safe and secure housing that meets their specific needs.
  - o Potential risks posed by rental assistance projects to persons with disabilities.
  - o Accessibility and other support needs.

> **SCENARIO**
>
> **A family paints their room without knowing this is against the landlords' rules. They are evicted (and not returned their deposit) for altering the property. It is important for renters to understand renting terms & conditions.**

Awareness Building

- Raise awareness among renters and landlords on renting terms and conditions, renters/landlords' rights, and rental assistance project logistics.
- Ensure that renters understand the terms of their agreement and actions that could result in loss of deposits or eviction.
- Communicate and confirm understanding of rental assistance project beneficiary on how rental assistance project works so they can clearly explain to landlords how they will receive payment.
- If time and resources permit, provide rental assistance recipients with simple and understandable project handouts/pamphlets explaining payment and timeline that they can provide to landlords when engaging in rental negotiations.

> **SCENARIO**
>
> **IOM Colombia works with implementing partners to conduct workshops and talks with individuals that have been selected for rental assistance. Beyond providing information about the rental assistance program, they provide support on strategies for managing household finances and other livelihood support.**

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3   For more Guidance and Information on Disability Inclusion in Rental Assistance, see Annex I.
4   For Questions to consider for Disability Inclusion in Rental Assistance, see Annex II.

2. RENTAL AGREEMENT TEMPLATES

2.1 RENTAL AGREEMENT CONTRACT TEMPLATES: PROVISION & AWARENESS

Rental agreement customs vary across LAC countries, for example, agreements in Perú, Guyana and Ecuador are primarily verbal, Chile uses written agreements requiring notary signature and many agreements in Brazil are written. Providing rental assistance recipients and landlords with rental agreement contract templates to have on hand when engaging in rental agreements could increase the use of the documented rental agreements.

With verbal rental agreements, renters have minimal guarantee that that their rental payments ensure them access to basic services, such as water and electricity, or the ability to remain in their location for the agreed amount of time. This is also a concern in terms of agreements of modifications in housing for accessibility purposes, such as clearing items that block passageways. Some experience threats of eviction, violations of their rental agreements and harassment from their landlords.

This places renters in vulnerable tenure situations. Even if rental agreement contracts are not registered with the municipality, having a physical document formalizes the agreement and increases accountability of both parties to adhere to terms and conditions.

> **SCENARIO**
>
> **A Venezuelan family in Perú had arranged to rent a room from someone for a month and paid their dues up front. After two weeks, the landlord shut off electricity demanding more money and took the family's motorcycle away until they could pay. Without a rental contract there was no way they could prove their payment granted them electricity.**

TEMPLATES

Increasing Tenure Security with Documented Rental Agreements

Rental agreement templates should include basic assurances that will increase tenure security for the renter and payment/protection from property damage for the landlord. At a minimum, templates should include the following:

Assurances for Renter	Assurances for Landlord
Length of time of stay.	Length of time of stay.
Clear roles and responsibilities for utilities and other essential livability needs that are mutually agreed upon.	Description of payment, loss of deposit, or other specific course of action in the event of permanent changes to property or property damage.
Number of persons allowed to live at place/property.	Number of persons allowed to live at place/property.
Privacy requirements.	Specific course of action in the event of late or missing rental payment.
Notice requirements (days/months) if landlord wishes to have tenant vacate the property.	Notice requirements (days/months) if renter wishes to vacate the property.
If applicable, list of agreed upon accessibility related modifications.	If applicable, list of agreed upon accessibility related modifications.

PROVISION

Key Stakeholders

Rental agreement templates, combined with awareness raising and information, can be provided to the following stakeholders:

- Shelters & Implementing Partners (IPs).
  - o Shelters and IPs with established relationships with migrant and refugee populations can act as a trusted source of information.
- Directly to rental assistance renters.
- Directly to landlords or landlord networks.

Scenario- Rental Contracts

An example of offering documented assurances for rental agreements is developing contracts with implementing partners between the landlord and tenant with the implementing partner as the guarantor of the contract, as is done in Colombia. This is useful when creating a legally-binding contract is not an option. Having a third-party as a guarantor creates accountability and helps overcome hesitation to entering documented agreements by avoiding legal implications.

AWARENESS-BUILDING

Key Messages

The following key messages should be highlighted during the provision of rental agreement templates:

Why use rental agreement contracts?		
Increases tenure security for renters	→	Mitigates risk of eviction, harassment and unexpected changes in terms and conditions.
Provides security for landlords	→	Assures landlords that there is a course of action in the event that property is damaged and that they will receive rental income for a specified amount of time.
Reduces risk of misunderstanding and arguments	→	Makes clear what can and cannot be done on property and expectations of the agreement.
Builds trust between renters and landlords	→	The process of agreeing to and signing a document with mutually agreed upon terms and conditions.

3. DISPUTE RESOLUTION

3.1 RESOLVING RENTAL AGREEMENT DISPUTES

Disputes between renters and landlords are not uncommon, especially when rental arrangements are made through verbal agreements with no documented assurances for either party. There are not always clear legal pathways or institutions in place to resolve rental disputes. If there are legal pathways, migrants and refugees, especially those without regularized status, are scared or ineligible to access them.

When there are not clear processes for resolving disputes, migrants and refugees may not know about NGO or volunteer services that are available to assist them. It is important that security of tenure assessments identify service providers that provide legal and dispute resolution support and provide information about these services to renters/landlords, and referrals when situations arise.

SERVICE IDENTIFICATION & REFERRALS

Key Services to Identify & Provide Referrals

- Community alternative dispute resolution processes.

- Collaborative dispute resolution service-providers.

- Volunteer and/or pro bono legal support or public service agencies working on housing rights/disputes.

- Social workers specializing in relationship management for renters and landlords.

SCENARIO

A family in Ecuador rented a place after a landlord was approached by a support network who agreed to rent at a low cost for three months. After a month the family realized the landlord was xenophobic and abused substances, so they decided to vacate and asked IOM to discontinue payments. However, the landlord insisted the payments continue claiming the family still lived there. Having a third-party dispute resolution mechanism is important for recipient and programmatic support.

SCENARIO

In Colombia, the IOM team coordinates with existing organizations working with livelihood generation programs from the municipal government to scale referrals and leverage existing resources.

SCENARIO

In Puerto Maldonado, Perú, a volunteer legal team works with Cáritas, a local NGO, to provide legal support and services for migrants and refugees, but their services are often underutilized.

4. IMPLEMENTATION & POST-ASSISTANCE PLANNING

4.1 MAINTAINING TENURE SECURITY & RENTAL PAYMENTS

While rental assistance projects can improve tenure security for the time that assistance is provided, it is important to support renters in maintaining the same level or improving their security post-assistance. This comes down to renters having the ability to continue their rental payments. Note that these questions should also be considered during the planning and implementation phase.

GUIDING QUESTIONS

Key Considerations for Implementation and Post-assistance Monitoring

1. Does the beneficiary intend to stay in the same rental accommodation, city and or country once assistance ends?

2. What are the renters' long-term plans for accommodation?

3. Is there a plan for how the beneficiary will continue rental payments post-assistance?

4. Are the property owners willing to extend the same rental agreement terms and conditions for longer than three months (or time-period of rental assistance)?

5. Is the government willing to compliment rental assistance program with rental assistance continuation or other types of assistance (IE livelihood/social protection)?

6. Are the rental payments being provided long enough for households to improve their economic situation before the support ends?

ACTIONS

Actions to Support Renters Post-assistance

- Referral to complimentary livelihoods and income generation programmes.
- Connect renters with appropriate/available development sector programs.
- Link renters with organizations or services that support migrants and refugees in obtaining work/residency permits.
- Advocate the continuation of rental assistance program or migrant and refugee access to government social protection system.
- Consult with housing sector/ministries and explore possibility of government provided housing support.

4.2 MONITORING

Monitoring rental assistance recipients should focus on the impact rental assistance programs had on beneficiary tenure security and ability to improve living conditions. A recommended timeline of monitoring is a minimum of 6-months, understanding this is dependent on availability of time and resources.

GUIDING QUESTIONS

Key considerations for Tenure Security Monitoring

1. Did the rental assistance beneficiary remain in the same accommodation post-rental assistance? If not, what were the reasons for leaving?

2. If rental assistance recipients moved locations, did they move to a place with higher or lower habitability standards? Did they move to cheaper accommodation? Did their security of tenure situation change?

SCENARIO

In Barranquilla, Bucaramanga, and Cúcuta, Colombia IOM collaborates with implementing partners who have monitoring strategies and existing trust in certain neighborhoods to conduct monthly monitoring visits. They then create templates for monitoring surveys to disseminate to other implementing partners to help streamline and scale monitoring practices.

3. Did rental assistance recipients feel more secure in their house during the time of assistance?

4. What factors (social, economic, type of rental agreement) had the greatest impact on tenure security?

5. Did perceptions of landlords on renting to migrant and refugee communities change after renting to rental assistance recipients?

6. (If rental contracts were used) Did rental assistance recipients continue the practice of documented rental agreements after rental assistance?

7. (If rental contracts were used) Did rental contracts improve tenure security and/or relations between renters and landlords?

ANNEX I: DISABILITY INCLUSION IN RENTAL ASSISTANCE

OVERVIEW

Disability inclusion in rental assistance, and any Housing, land and property (HLP) rights and tenure security programming, should apply the human rights model of disability, which recognizes persons with disabilities as rights-holders with entitlements and self-determination.[5] Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD) highlights the right of persons with disabilities to choose their place of residence under self-determined circumstances with equal access to home-based and community support services that are needs-responsive and advance community inclusion.[6]

A case management approach that not only addresses housing and tenure security support requirements, but also income generation, legal support, protection, caregivers or family members should be adopted. It is also important to ensure assessments to identify persons with disabilities and their needs employ recognized data collection methodologies, such as the Washington Group Questionnaire Sets,[7] and apply principles of the human-rights based approach to consultations and program design. The recommendations below were informed by interagency and regional consultations on inclusion of persons with disabilities in HLP programming and rental assistance.

PRINCIPLES OF HUMAN-RIGHTS BASED APPROACH

Rental assistance, HLP and tenure security programming should be guided by the following principles of the human-rights based approach to disability inclusion:

- Non-discrimination.
- Accessibility.
- Support for persons with disabilities.
- Full and effective participation and inclusion of Persons with disabilities.
- Awareness-raising for and about persons with disabilities.

Community consultations, key informant interviews and focus groups with all groups (age, gender) of the target population are also important to understand the barriers and support requirements for safe, accessible housing with security of tenure from the perspective of different populations of persons with disabilities and with the aim of ensuring the right to access adequate housing. Further, consultations are key for improving the participation of persons with disabilities in HLP and tenure security programming and ensuring that any protection measures, legal and communication services, IEC[8] provision and other complementary livelihood support is context and population-specific. It is helpful to run such consultations regularly across the program to ensure that any change in needs or newly identified barriers can be communicated between the populations of persons with disabilities and the organization. Open and accessible two-way communication channels should also be implemented to collect feedback, questions, and complaints whenever these might arise.

KEY INFORMATION TO OBTAIN

Stakeholder consultations and contextual assessments should focus on understanding the following information to understand the HLP and tenure security context for persons with disabilities and how rental assistance could impede or improve tenure security and complement other programs and services:

Housing & Accessibility

- Overall prevalence of persons with disabilities in the population (using the correct methodology or internationally agreed estimates -e.g., 16 percent).[9]
- Barriers faced by persons with disabilities in accessing safe and secure housing that meets their specific support requirements.

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5   UNHCR. (2020). Policy Guidelines for Inclusive Sustainable Development Goals. P.10.
6   UN Convention on the Rights of Persons with Disabilities (CRPD). Article 19 - Living Independently and Being Included in the Community. www.un.org/
7   Washington Group on Disability Statistics. (N.D.) Washington Group Questionnaire Set. www.washingtongroup-disability.com/question-sets/
8   Information, Education and Communication
9   World Health Organization. Sensory Functions, disability and rehabilitation. www.who.int/teams/noncommunicable-

- Specific challenges and requirements of different populations of persons with disabilities, especially with regards to infrastructural accessibility in housing.
- Potential risks posed by rental assistance projects to persons with disabilities (e.g.: social exclusion, secondary displacement...).
- Potential risks or barriers for people living with disabilities posed by the immediate context features (e.g.: lack of street lighting, far from public transport and other amenities, poor sidewalk mobility…).

Policies, Programs & Community Support

- National or local policies or programmes that provide housing or livelihood entitlements to persons with disabilities.
- Existing complementary livelihoods programming that can be adapted to meet income generation needs of different populations of persons with disabilities.
- Policies and programs that provide entitlements to caregivers and family members of persons with disabilities.
- Legal and communication support services for persons with disabilities.
- Organizations of Persons with Disabilities (OPDs), which are organizations led by persons with disabilities.

RENTAL AGREEMENT PROTECTIONS FOR PERSONS WITH DISABILITIES

Documented rental agreements can be adapted to provide protections for persons with disabilities, support accessibility and Reasonable Accommodations and help ensure that mutually agreed upon rental agreement terms and conditions will be maintained after rental assistance ends. Rental agreement templates should include the following protections at a minimum and subject to additional needed protections identified in consultations:

- Allowed accessibility infrastructure modifications (e.g., removal of blocks to passageways, installment of grab bars, etc.).
- Assurances that property owner/landlord will consult with renter before making changes to the property that could remove or reduce accessibility or livability barriers to the person with disability and provisions to protect renter from such changes.
- Guarantees that mutually agreed upon rental terms and conditions will be maintained after rental assistance ends or for the length time identified in the rental agreement.

AWARENESS RAISING

Awareness raising should be aimed at both persons with disabilities and HLP practitioners or actors implementing rental assistance or HLP and tenure security programming. Education targeted at practitioners is important as a major barrier to disability inclusion is a general lack of understanding of the multiple identities of persons with disabilities and knowledge about correct methodologies to conduct inclusive assessments.

Awareness building for practitioners

Information for practitioners should involve the development and/or dissemination of information on the following:

- Rights of persons with disabilities and principles of the Human-rights based approach.
- Use of different methods of data collection for different purposes (e.g., Washington Group Questions for overall prevalence of persons with disabilities in a given population).
- Context-specific information on rights and entitlements of persons with disabilities, especially related to the right to adequate housing.

Awareness building for persons with disabilities

Awareness building should involve the development and/or dissemination of accessible and understandable information on the following:

- Renters' rights, rental agreements, and legal pathways for resolving renting-related disputes (if available).
- Context-specific information on rights and entitlements of persons with disabilities, especially related to the right to adequate housing.
- Comprehensive information on legal, communication and accessibility support services at national, regional, and local levels.

Key Considerations for awareness-raising

- Communication materials should be accessible to different disability requirements (e.g.: audio resources; digital versions that are screen reader accessible).
- Resources should use language that is simplified and easily understandable for all audiences.
- When possible, awareness raising materials should be co-developed with intended audience or consultations should take place during development of information, Education and Communication (IEC) materials.

SUPPORTING LIVELIHOODS FOR PERSONS WITH DISABILITIES IN RENTAL ASSISTANCE PROGRAMS

The objective of rental assistance in supporting the right to adequate housing also ties to decreasing poverty levels, reducing the inequality gap, and ultimately, socioeconomic integration. As such, rental assistance programs should support rental assistance recipients in generating income to continue their rental payments after assistance ends, or further establish themselves in a community and continue to maintain or improve their tenure security. Strategies to support rental assistance recipients in generating income could include the following:

- Identify livelihoods and income generation support programs specifically for persons with disabilities, or those which have been proved inclusive of the group, and linking or providing referrals for rental assistance recipients, where appropriate.
- Identify existing opportunities or develop strategies to mainstream and integrate persons with disabilities into general work environments.

- Assess how the rental assistance program can support the option of utilizing the home as a place of work:
  - o Advocate for protections in rental agreement to allow home-based work.
  - o Identify and provide referrals for trainings context-specific skills that can be used to generate income from home, such as computer-based working, call centers or manual skills.
  - o Provide support for identifying housing options near employment options and/or accessible transportation.

Key Considerations

- Rental assistance activities should incorporate livelihoods programming from the beginning of the project.
- Livelihoods programming should be tailored and adapted to the professional aspirations, socioeconomic context, and requirements for accessing the labour market of persons with disabilities, as well as being context-specific to the local economy.
- When possible, livelihoods activities should be coordinated with OPDs, international organizations and government programs.

ANNEX II: GUIDING QUESTIONS FOR SECURITY OF TENURE ASSESSMENT

TENURE CONTEXT

1. What are the existing tenure models in the rental housing market?
   a. Direct lease from owner
   b. Lease from third party (manager, collective ownership, sublessor)
2. What socioeconomic factors influence tenure arrangements?
3. Are evictions or threat of evictions common? Does eviction risk vary across demographics?
4. What are the financial barriers for affected populations to access adequate housing in the short, medium, and long term? How can the project/program prepare recipients for maintaining their rental payments post-assistance?
5. How is the local context/situation defining where, how, and until when, and to whom people rent?

6. What is the price range for different rental properties? Do demographics/socioeconomic status influence rental prices? Are there any factors outside of the rental market that affect rental prices?
7. What external factors impact the rental market (policies and regulatory framework)?

HOUSING TYPOLOGIES

1. What are the main types of housing/accommodation available for those who are economically vulnerable (private housing, private rooms within private property, shared rooms, accommodation in shared property, shelters)?
2. Do lodgings offered for rent comply with the minimum conditions of habitability?
3. What are the features of typical rental units (No. of rooms, utilities, furniture, accessibility)?

STAKEHOLDERS

1. Who are the main actors in the rental housing market? How do they relate to each other and to what extent do they influence the market system?

2. Are the rights and responsibilities of the parties within rental arrangements balanced?

3. What is the relationship between incoming and host communities?

4. What are the risks faced by the most vulnerable populations in possessing security of tenure and accessing adequate housing through renting, and how can the project/program be designed to mitigate them?

5. What are the social norms surrounding rental practices (means of searching for rental properties, discriminatory practices, etc.) and to what extent do they influence the rental market system?

6. What kinds of discrimination exist and how does this affect tenure security?

7. Are there unique challenges faced by pregnant women and people with children? How does having children/being pregnant affect tenure security?

8. What are the main barriers faced by persons with disabilities when attempting to rent a property? What are the needs (accessibility, financial/communication support, legal advice etc.) and how can the project/program accommodate these needs?

9. What are the literacy requirements of renters and landlords?

10. Are there mechanisms for collaborative dispute resolution processes or volunteer legal support for migrants and refugees to resolve rental disputes?

11. Where can people go in case of disputes or legal problems with tenants/landlords?

RENTAL AGREEMENTS

1. What are the primary types of tenure agreements?
   a. Written contracts between tenants/landowners
   b. Notarized contracts
   c. Verbal agreements between tenants /landlords
   d. Receipts of payment

2. Are there violations of rental agreements?

3. What kinds of agreements offer the least amount of tenure security?

4. Are there legal pathways to seek justice for rental agreement violations?

5. Are landlords willing to provide/sign documented rental agreements? Is education for tenants and landlords needed on the use of rental agreement contracts?

DISABILITY INCLUSION[10]

1. Is the rental unit accessible? Are there steps to enter the building? Is there an elevator? Is the unit wheelchair accessible? Are the doorways wide enough for a wheelchair? Is there a bathroom that is accessible?

2. Are there any environmental factors that may impact the individual's health or well-being? For example, if the person has asthma, is the unit located near a busy street or other sources of air pollution?

3. Is the rental unit located in a safe and convenient area? Is it located near public transportation, grocery stores, healthcare facilities, and other necessary services?

4. Are there any other accommodations that may be necessary to ensure that the person is able to live comfortably and independently in the unit? For example, would a service animal be allowed?

5. Are there any accessibility laws or regulations that should be considered? For example, the Americans with Disabilities Act (ADA) requires certain accessibility features in public buildings and housing.

6. Is the rent affordable? Are there any financial barriers to sustaining rental payments post-assistance? If so, what are they and are there any support programs available for referrals? Are there any barriers in the rental agreement to using the home as a place of work?

7. Are there any supportive services available in the community to help the person with a disability live independently? For example, are there home health aides or personal care assistants available?

8. Is rental assistance being provided for an appropriate amount of time? Is there an available method for evaluating how long assistance should be provided that is situationally adaptable?

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10   Questions informed by consultation with Disability Inclusion team from IOM Guyana.