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Housing Policy and Housing Planning (Track 4)

María Luisa Gómez Jiménez,
Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

URBAN PLANNING AND HOUSING PROJECTS: THE NEED FOR AN INTEGRATED RESPONSE TO SOCIAL ISSUES: THE CASE OF THE AMERICAN GENTRIFICATION PROCESS IN THE SPANISH SCENARIO

Maria Luisa Gómez Jiménez¹

Abstract:

This paper deals with one of the most astonishing phenomenon taking place in modern cities connected with the renewal process and linked to social needs and housing. We'll address the main characteristics of urban renewal in Spanish *housing projects* to describe later on its impact in housing for specific groups with special requirements and characteristics (Social Housing and Public Housing). Then we'll focus on the gentrification process in the United States to ask later on if its process might occur in Spain and how should it be treated in the Spanish legislation to avoid the main problems brought from a land planning perspective. The purpose is to show the general lack of coordination between land planning and housing projects in Spain, as in the United States when the need for an integrated response is connected to social needs of housing.

Keywords:

Gentrification, Housing Projects, Inclusionary zoning, Interdepartmental Coordination, Land use Law and Housing Policy.

¹ Administrative Law Associate Professor at the University of Málaga (Spain) and Visiting Researcher at the European Law Research Center at Harvard Law School (USA). She has been visiting fellow at the Joint Center for Housing Studies at the Kennedy School of Government at Harvard Email: mlgomez@uma.es/fpmlgomez@gmail.com

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

I The case for a right to Housing in Spain and in the United States and its connection with social needs and social housing

Beyond the Universal Declaration on Human Rights which recognizes in section 25:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”²

All the countries have made a declaration in similar terms considering housing a right. Nevertheless the kind of recognition made and the effects of it in a practical sense are still very far from the spirit of the original Legislators³. In December 2000 in Nice, EU leaders, the European Commission and the European Parliament proclaimed the Charter of Fundamental Rights of the European Union⁴. The charter draws together for the first time all the personal, civil, political, economic and social rights into a single text. The way the charter was drafted was itself an achievement by involving all the EU institutions, national Parliaments as well as and a broad spectrum of society, although the text do not dedicate one specific section to housing refers to the freedom of

² Universal Declaration of Human Rights U. N. Doc. A/ 810, at 25 (1948), *available at* <http://www.un.org/overview/rights.html>.

³ The Spanish Constitution declared the right to Housing in Article 47:

All Spaniards have the right to enjoy decent and adequate housing. The public authorities shall promote the necessary conditions and establish appropriate standards in order to make this right effective, regulating land use in accordance with the general interest in order to prevent speculation. The community shall have a share in the benefits accruing from the town-planning policies of public bodies.
Constitución [C.E.] [Constitution] art.47 (Spain) ,

⁴ Charter of Fundamental Rights of the European Union 2 (2000), *available at* http://www.europarl.europa.eu/charter/pdf/text_es.pdf

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Universidad de Málaga
fpmlgomez@gmail.com

movements and residence, understanding that this right implies housing.⁵ Nonetheless, there is a specific right to good government: public authorities must work to address citizens' needs.

The right to housing, which exists within the text of the Spanish Constitution, is particularly important because of its connections with the rest of the rights regarding urban policy and land use. Although this right is recognized, it does not all fall within the specific section of "fundamental rights" in the Spanish Constitution. Instead, the right to housing is considered to be included in the main principle of social and economic system⁶. Given that housing is not a fundamental right, but a social and economic one, public authorities must act to improve the affordability of and access to housing as a consumer good.

Nevertheless, the Spanish Constitution does not define the mechanisms for reaching this goal. Instead, it simply recognizes the role of the government and grants it the powers to achieve this goal⁷. As pointed out, it is important to bear in mind that housing is not a "fundamental" right. That is, no one has the right to go to the public authorities to apply for a house to live in based solely on the Constitution⁸. Another important concept that can be drawn from the constitutional text is that government must address the need for suitable housing for all Spaniards⁹. Although the Constitution does not specify the extent of intervention by the government, the text implies active policy or public intervention in the housing sector.

In Spain, the right to housing is inextricably intertwined with the social and economic state of the country and the need for decent shelter. References to urbanism and housing policy in Article 47 of the Spanish Constitution are connected in the text. This implies that urbanism is fundamental to achieving decent and suitable housing. By contrast, in the United States, housing has

⁵ Charter of Fundamental Rights of the European Union. 2, (2000), *available at* http://www.europarl.europa.eu/charter/pdf/text_es.pdf

⁶ SPANISH CONSTITUTION, *supra* note 100. at section 53.

⁷ SPANISH CONSTITUTION, *supra* note 100. at section 53

⁸ GARCIA DE ENTERRÍA, LA CONSTITUCIÓN COMO NORMA Y EL TRIBUNAL CONSTITUCIONAL., CIVITAS, (2006).

⁹ SPANISH CONSTITUTION, *supra* note 100. at section 47.

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fpmlgomez@gmail.com

never been recognized as a constitutional right. However, this does not mean that housing policy is unimportant, as Professor Ted Koebel pointed out:

“Housing policy initiatives in the United States have largely sought to augment private housing provision. During the Great Depression, when many people lost their homes due the economic collapse and the short-term financing of homes, federal housing policy in the National Recovery Act of 1933 initially focused on direct federal production of housing through the Public Works Administration. This effort was rebuffed by the courts, which ruled that production of housing for civilians (other than emergency shelter) was not a power delegated by the states to the federal government (*United States v. Certain Lands in Louisville*). Federal policy then shifted to the federal financing, private production, and local government ownership and operation of “public housing”¹⁰

a) A right to Housing and a right to the city: perspectives on social housing.

Spanish Housing policy begins in the Constitution in section 47 and points out that:

“All Spaniards have the right to enjoy decent and adequate housing. The public authorities shall promote the necessary conditions and establish appropriate standards in order to make this right effective, regulating land use in accordance with the general interest in order to prevent speculation. The community

¹⁰ Koebel (un published paper) at *International Land Planning Congress*. November Málaga, 2007. Same idea can be seen in Gómez Jiménez, María Luisa & Koebel, Ted) (2007), *Public Initiatives and Social Needs: and American and Spanish Perspective on Housing*, in *International Journal of Interdisciplinary Social Sciences*, Common Ground Publishing, Melbourne, Australia,

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Universidad de Málaga
fpmlgomez@gmail.com

shall have a share in the benefits accruing from the town-planning policies of public bodies”.¹¹

In 1949, Congress declared that the United States should realize:

“As soon as feasible...the goal of a decent home and a suitable living environment for every American family, this contribution to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the nation”¹².

In the United States, the legislative branch determines the level of intervention by public authorities when it comes to housing. Housing policy is made by the United States Department on Housing and Urban Development (HUD), the states, the local housing authorities, and the Federal Tax policy¹³.

In Europe, public intervention in housing is called “social housing” and is broadly targeted to specific groups¹⁴. It is important to note that the European Union does not hold any power in creating housing policy. These powers belong to each country’s national government. This means that there is no European housing policy, except for specific measures regarding building codes, energy efficiency, and environmental protection. As a result, the concept of public housing is defined on a country by country basis.

In the United States, today, although the State government subsidizes some housing, this is not its main priority. Local housing authorities are responsible for managing the stock of existing public housing by resorting to creative measures such as private and public financing and partnership with non profit organizations. Thus, Chester Hartman declares: “the question could be if

¹¹ SPANISH CONSTITUTION (CE) art. 47

¹² Housing Act of 1949, Pub. L. No. 171, 63 Stat. 413, 413 (1949).

¹³ A detailed analysis regarding this description can be read in; SCWARTZ, HOUSING POLICY IN THE UNITED STATES, (2006).

¹⁴ That’s the case for the housing for the disabled or frail elderly, (BACHIN, PAUL, SOCIAL HOUSING IN EUROPE, (1996))

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Universidad de Málaga
fpmlgomez@gmail.com

we can afford the recognition of a right to housing? ¹⁵. Because, the cost of providing everyone with a decent affordable housing is greatly affected by the ways in which such program would be carried out” ¹⁶. Furthermore, the United States lacks a federal or state housing plan, as it exists in Spain, although both the federal and state authorities regularly provide funds to local housing authorities.

Nonetheless, as Chester Hartman pointed out, both in Spain and the United States initial funds and support for the right to housing came from religious groups¹⁷. Therefore, to deal with the cost of public intervention in housing, we need to come up with a strategy to achieve this public goal in both American and Spanish legal systems.

In both America and Spain, part of this approach relies on defining “public housing.” However, each country has different understandings of the level and type of intervention required in this public strategy with a different impact on the way housing needs are solved.

2. The role of public Housing in Spain.

Contemporary housing policy in both America and Spain is rooted in the countries’ responses to post-war conditions¹⁸. In Spain, this formative period took place after the Spanish Civil War while in the United States the formative period occurred after World War II¹⁹. The first public housing activities developed after the Spanish Civil War and were directed towards national

¹⁵ Chester Hartman, *The Case for a Right to Housing*, in *A RIGHT TO HOUSING: FOUNDATION FOR A NEW SOCIAL AGENDA* 177, 184 (Rachel G. Bratt, Michael E. Stone, Chester Hartman eds., Temple Univ. Press 2006).

¹⁶ *Id* at same page.

¹⁷ In the United States, the same religious groups that provided leadership in the Abolitionist and Civil Rights movements. *Id.* at 178-79.

¹⁸ *Id* at 2

¹⁹ Even in the (20th) Century Spain’ first attempt to provide housing came from the 1922 , February 1st, (1921, Act December 10th) Act, so-called ”Ley de Casas Baratas”, enacting a legislation that had enforced the promotion of social or subsidized housing. An interesting link to this text can be seen at: http://www.ciudadjardinmalaga.es/ley_de_casas_baratas_css.htm

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

reconstruction. At that moment, public authorities took the lead on encouraging housing initiatives, given that the private sector lacked the resources to meet the emergent need for housing.²⁰

The measures enacted in the 1976 Social Housing Act encouraged the private sector to build public housing projects²¹. However, the results were inadequate, despite urban reform that was taking place at the time to combat land use speculation.

The most successful attempt to comply with this initiative came in 1978, before the approval of Spanish Constitution, through the consolidation of the VPO, “Viviendas de Protección Oficial,” that is, Official Subsidized Housing System²². The VPO’s first act was passed in 1963, and its provisional regulatory by-laws were developed in 1969 and applied years later without changes.²³

In 1976 and 1978, there was an attempt to integrate, in a unique text, the subsidized housing programs with all the public housing initiatives that had been issued up to that point²⁴. Based on this, public housing can be understood as any kind of housing with public protection. That is, social housing is considered to be a kind of public housing, and subsidized housing is another type of public housing.²⁵ The confusion that exists in the terminological aspect is so high that

²⁰ GOMEZ JIMÉNEZ, MARÍA LUISA, LA INTERVENCIÓN ADMINISTRATIVA EN LA VIVIENDA EN ESPAÑA, 39-45, (2006)

²¹ *Id.*, at 332

²² The VPO housing system was enacted by the Royal Decree 31/78, october 31st

²³ *Id.*, at 347

²⁴ Gomez Jiménez, Maria Luisa, *La intervención administrativa en la vivienda: de la Constitución Española de 1978 a la Ley Estatal de Suelo de 2007*, in DERECHO URBANÍSTICO DE EXTREMADURA. TOMO III. GESTIÓN URBANÍSTICA. 1101- 1105, (Editorial Aranzadi, Junta de Extremadura. Consejería de Fomento. Octubre, 2008)

²⁵ It is important to distinguish the concepts because there are different names for the same phenomenon. As pointed out previously, Social Housing is the European name for Public Housing or Subsidized Housing. The reason is that with the expression “Social Housing” we emphasize the importance of group populations. By contrast, when we use “Public Housing,” we refer to some kind of social housing. This type of housing is addressed towards low income population and is characterized by the role of the Government in providing funds and

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Universidad de Málaga
fpmlgomez@gmail.com

the housing policy of the Autonomous Communities demands its own definition of public housing that has the legal form of subsidized housing and that is called: “housing with some kind of public protection”.²⁶ The exact definition of this public protection means depends on the different set of laws of each Autonomous Communities. It is important to note that these types of public housing are targeted to segments of the population with certain levels of income and particularly to those with low-incomes.

Thus, all these expressions (“public housing” instead of “social housing” or “subsidized housing”) function synonymously, whether housing is being subsidized by the National Administration or by the Autonomous Communities. The significance is that it was built with public aid.

As for subsidized housing, the mechanism to achieve it in both countries is almost the same. Public funds are used to reduce costs and increase the affordability of housing. In addition, subsidized housing in the Spanish context could refer to the promotion of public housing by the government (Administración Pública)²⁷. Therefore, an incentive, enabling, or “carrot and sticks” policy²⁸ is generally used to respond to the demand of adequate housing in Spain.

the protective system enacted to define the role this type of housing plays in achieving the goal of affordable housing.

²⁶ It means that it holds any degree of financial support to subsidize the unit with the target of increase the affordability of it. The term was not established like that in any law but it’s easily understood when you examine the different content of the acts in the Public Housing Law System.

²⁷ By “Administración Pública”, we mean: Public Bodies (at national, regional and local level) able to develop the policy set by the Government as the Spanish Constitution has declared in article 97: “The Government shall conduct domestic and foreign policy, civil and military *administration* and the defense of the State. It exercises executive authority and the power of statutory regulations in accordance with the Constitution and the laws.

²⁸ The carrots and sticks policy in the Spanish legislation comes with the territory if we examine the text of the different housing acts. Thus a carrot is for instance the economic support to promote homeownership through tax deduction. At the same time, the establishment of rigid controls to fight against speculation with subsidized housing works like a stick.

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fpmlgomez@gmail.com

The terminology that the legislative bodies use is confusing. For example, in the United States, public housing describes units sponsored by the federal government and managed by local authorities. In Spain, however, any public authority or body can sponsor and manage public housing. The *Ministerio de la Vivienda* (National Public Administration on Housing) and the Autonomous Communities are free to implement their own public housing policies while the local housing authorities (under their local governments) develop a specific housing policy to subsidize units. This overlap occurs because each public body has the power to subsidize units as part of an overall enabling strategy. The power to subsidize is not exclusive but shared.

The difference between public housing in Spain and the United States exists in this context when we consider the different distribution of powers among public bodies. Although housing authorities or agencies are not new in Spain, the idea that they exclusively manage the stock of public housing under a federal program run is certainly new and not the reality. In fact, public housing policy in Spain today is defined by the Autonomous Community. Thus, the legislative branch at the regional level regulates the public units and the stock of public housing that must be built under the regional housing project²⁹.

Hence, the federal government provides subsidies for low-income households in three basic ways: supporting the construction and operation costs of specific housing developments; helping renters pay for privately owned housing; and providing states and localities with funds to develop their housing programs.

As described by Schwartz, the first form of assistance, known as supply-side or project-based subsidies, includes public housing and other programs such as “section 8 new Construction,” in which the federal government helps subsidize the construction and sometimes the operation costs of privately owned low-income housing.

²⁹ It is difficult to summarize here the number of regional housing projects enacted in each of the Autonomous Communities, just to give an example, in Andalusia the last Regional Housing Project 2008-2012 was enacted by the Decree 395/2008, June 24th, in Madrid the last Regional Housing Project Decree 12/2005, 27th January.

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

Hence, the laws specifically addressed housing in cities and, as a result, these buildings evinced a mixed urbanism³⁰.

In the Spanish Public Government, public housing implies not just intervention in housing policy but also a budget allocation of public units that can be managed by the regional or local governments and function as subsidized units. The Spanish Minister of Housing does not build housing but gives funds to other public authorities and to entrepreneurs from the private sector to help in the building process. Subsidizing housing then exists through a system of incentives given to both the developers and the owners.

Social Housing in Spain has various connotations. First, it can refer to housing developed under the 1976 Social Housing Act that preceded the Spanish Constitution. Second, it can refer to a non-legal and broader concept of housing targeted to groups with specific social needs. Given that public housing is targeted to this goal, we could say that in Spain public housing and social housing are almost the same idea. Social housing is managed by the private or the public sector in Spain and has several legal restrictions in order to preserve its public function: providing housing for low-income individuals, including senior citizens.

3. Connecting Housing policy and Land Planning

Another important element must be taken into account: the interrelationship between housing and urban planning. The differences here are very clear between the European and the American legal systems. To understand the differences, the role of cities and localities in the juridical context need to be considered.³¹

In this juridical context, it is very important to determine the level of authority that cities and towns hold in Spanish and in the American systems. Particularly, *there is a lack of coordination in both countries between urban*

³⁰ By mixed urbanism we understand the scenario developed by different legislation when issuing the same topic but with different results. So that we can recognize, just by looking at a geographical area, the effects of a specific Spanish urban planning act.

³¹ Gerald Frug, *The City as a Legal Concept*, 93 HARV. L. REV. 1059, 1062 (1980).

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

development decisions, environmental policies, and housing policies. Currently, agencies are working to take into account the urban design the city has, but there is no effective and formal interrelationship between the authorities or agencies responsible for developing a land policy. This implies the parties seeking solutions in an informal manner.³² The inexistence of a plan, in the sense that it is known in Spain, helps to understand the process in the United States. Although, the existence of a plan in Spain has not helped to improve the coordination between the land policy and the housing policy.³³

Besides, the development of city plans can be constrained due to the cost of bureaucracy. However, the existence of urban plans can help Spain understand the future design of a city and thus give more confidence to future investments. In contrast, the lack of an instrument of land planning gives a city tremendous flexibility. Projects help to define a concrete idea of what is needed for an area while at the same time contributing to an increasing level of participation by the population (which is very important). Thus, one can get a more defined image of a city through the knowledge of plans approved for that city.

However, in the United States the definition of land policy is done through each state, at a regional level, and the cities follow these rules, managing their own resources and approving their own zoning. Meanwhile, the housing agencies at the local level are the ones in charge of managing the stock of public housing. On the other hand, the U.S. Department on Housing and Urban Development (HUD) at federal level has the power to fund its specific programs throughout the United States.

This power dispersal makes the integration of land planning in housing policy more complicated and allows it to remain isolated but with a powerful effect on the development of new facilities for specific groups with significant needs.

³² This was called in Spain “*Urbanismo Concertado*” but its particular implication with this issue (housing for seniors) remains unsolved..

³³ MARÍA LUISA GÓMEZ JIMÉNEZ, ADMINISTRATIVE INTERVENTION IN HOUSING POLICY IN SPAIN (1938-2005) [777] (MONTECORVO, 2006).

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

The Ministry of Housing in Spain, as an independent body of the urban policy administration, was enacted in 2004³⁴. It was created as a result of the increasing importance of housing after a surge in prices.³⁵ Nevertheless, the National Government must adhere to the Spanish Constitution. Therefore, the National government can only make policy by controlling the public expenditure on housing. As stated above, the national government and the general public administration hold the exclusive power to coordinate economic activity.

The difference with the United States case here is clear. In the United States, the federal model, although it must be followed throughout the country, allows local housing authorities to issue their own policy without agreement with the state government. As a result, there is a conjunction of policies directed toward the same purpose. By contrast, in Spain, because the national government does not have authority over housing policy, it must create housing policy through general economic planning while taking into account the powers of the Autonomous Communities in this area.

In addition, as mentioned previously, the Autonomous Communities each have their own laws concerning land planning, and urban planning. There is even a complicated system integrated by acts enacted at a regional level to deal with different matters connected to housing and land planning (environmental, landscape, urban development, and social needs- seniors housing, among others). Also, local communities have been able to create policy directed towards specific sector of the population connected to housing and developed and intensive program regarding housing needs.

4. Defining Gentrification³⁶ in the Spanish legal Scenario

³⁴ Royal Decree 533/2004, April 17th, (can be seen too at www.mviv.es)

³⁵ Royal Decree 1718/2004, July 23th.

³⁶ According to the Meriam Webster dictionary Gentrification can be define as: “The process of renewal accompanying the influx of middle-class people into deteriorating areas that often displaces early poorer residents . As described in a general sense in the Wikipedia: “ Gentrification or **urban gentrification**, is the change in an **urban area** associated with the **movement** of more affluent individuals into a lower-class area.^[2] The area experiences **demographic** shifts, including an increase in the median income, a reduction in household size, and often a decline in the proportion of racial minorities (if such minorities are present).^[3] More households with higher incomes result in increased real estate values with higher associated rent, home prices, and property tax taxes. Industrial land use can decline with redevelopment bringing more commercial and residential use.

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

In the legal framework described above, any process which involves the regeneration of an area connected to urban renewal implies a new building process (or a remodeling one). Besides it requires more than one level of government to be informed because of their different layers of jurisdictions.

This means that the displacement of population must be promoted through economic incentives to allow the area recover the value it might have had in the past. The process itself it's especially difficult in Spain since it requires a public investment connected to urban planning. The most feasible way to do this is by means of the National and regional housing projects.

This implies again a public intervention in housing policy and implies too, a needed integration between housing policy and land planning. Nevertheless, as it was stated in Gomez Jiménez & Koebel, Ted (2007)³⁷: “it is important to note that even if the main public initiatives in Spain are focused on subsidizing public units in order to address the needs of these groups, the percentage of housing that is public within Spain is not very high”³⁸. This percentage has decreased in the last few years to the point where the Plan began to promote these units in order to increase the affordability of the housing market. This action is understood when the effects of other factors such as the price of the land, urban laws, and the 1998 Housing Plan and the 1998 land use law, that evaluates housing assets are considered. Therefore, it is not surprising to discover that the importance of public intervention notwithstanding, the number of public units remains low³⁹.

In the United States, the number of public housing units built is also low, however, for different reasons. Local housing authorities responsible for managing the stock of housing realize that the budget allocations for housing are decreasing as a result of federal actions. Leaving aside the operating subsidies

³⁷ Gómez Jiménez, María Luisa & Koebel, Ted (2007), Public Initiatives and Social Needs: and American and Spanish Perspective on Housing, in *International Journal of Interdisciplinary Social Sciences*, Common Ground Publishing, Melbourne, Australia,

³⁸ For example, the percentage of public housing in Spain represents just 8 % of the total stock.

³⁹ Between April 2005 and March 2006, 820,107 new units have been authorized in Spain. 92% of these were units listed at market rate. Only 8 % of the total amount provided housing with any kind of public protection or subsidy. By comparison, in the United States “[t]here are approximately 1.3 million households living in public housing units, managed by some 3,300 Housing Authorities,” according to HUD.

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Universidad de Málaga
fpmlgomez@gmail.com

and the rehabilitation policy that became important starting in the 1980s in the United States, the truth is that the map of public housing in the United States would not be very different from the Spanish one.

In the North American case it was clear as pointed out by the Freeman that the inclusionary zoning would help in the process of gentrified areas, not the same in Spain, when the bureaucratic structure needed in the urban planning process takes its time.

Besides, the urban process linked to the intervention in housing policy has been generally the opposite. In Spain, the “Nimby”⁴⁰ phenomenon has affected public housing determining the value of land and creating ghettos where public housing areas are defined⁴¹. This is not new either in the United States where the revival of neighbourhoods with a significant number of public housing has been claimed by some authors⁴².

Thus, the Spanish National Housing project, is supposed to functions like the real tool able to connect the renewal process in a urban area with a suitable gentrification area. Nevertheless it's important to remember that National Housing projects work only when the national government makes agreements with the Autonomous Communities to realize the plan. Although the national government provides financial resources under its exclusive power to coordinate economic activity, the exclusive power to issue housing policy is held by the Autonomous Communities.

It means that Autonomous Communities are the ones to define no just the housing policy or the urban planning policy but to define the regional housing tools to improve the remodelling process in a determined area, promoting a gentrification process. Nevertheless it's good to know that this phenomenon is not working as it did in the American case and it's impacts in the Spanish legislation is very low.

⁴⁰ Not in my Back yard.

⁴¹ Gómez Jiménez, (2006) Administrative intervention in Housing Policy in Spain (1938-2005), Montecorvo

⁴² Paul Grogan (2000); shows this in the mixture of public and private partnership in “Comeback cities”, Westview. As for the public Housing story, can be read;

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

Conclusions.-

Even if the recognition of a right to housing exists in important international legal documents, the realization of domestic housing policies in countries like Spain and the United States falls short from the objectives of these policies despite efforts to improve affordability among other measures

Spanish is a decentralized State which presents a mainly- homeownership scenario, and a complicated housing policy, through the recognition of a non “fundamental right” to housing, not enough connected with land planning.

In Spain, one challenge in recent housing policy is connected with the promotion of public housing that is up for rent. As Balchin pointed out, “[o]ne of the other features differentiating Spain from other European countries has been the almost total absence of public-rented accommodation.” Historically, public-rented accommodation has been promoted, with public help, through private initiatives and, after a certain period, usually 25 years, would take on the status of privately-leased housing. Investment in private-rented accommodation and the promotion of public-rented accommodation progressively disappeared, given its scant appeal to owners. A survey on rented accommodation carried out in the late 1980s (Ministerio de Obras Públicas, 1989) showed that public-rented accommodation in public property accounted for only 1 percent of main residences”

This challenge will try to reverse the Spanish national trend towards homeownership instead of rental housing.

The process of gentrification which implies the movement of population as has happened in the United States of America, might happen only in Spain if there is an integrated response from public authorities and with private sector., since in Spain Land planning and Housing policy are “Public Functions”.

One of the main issues to consider in the process, according to the tools developed in the national and regional land use laws, is the definition of a adequate housing policy through the National and Regional Housing Projects. Thus, these housing projects define the way of recovering an area through

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Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

remodelling and urban renewals affecting housing. Thus, despite de efforts implemented by public authorities, the issue of lack of coordination between land planning and housing policy remains unsolved.

The question comes when we examine the real impact of the public housing policy in the overall stock of housing in Spain, revealing that a new legal approach is needed to achieve the goal of an integrated response in the new scenario of the economic crisis we face.

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María Luisa Gómez Jiménez,
Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com

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María Luisa Gómez Jiménez,
Derecho Administrativo
Universidad de Málaga
fpmlgomez@gmail.com
