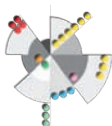




*Ministero del Lavoro della Salute
e delle Politiche Sociali*

English



FONDAZIONE
ISMU
INIZIATIVE E STUDI
SULLA MULTINETNICITÀ

Living in Lombardy

The immigrant's guide
to renting and buying a home

LOMBARDIA. COSTRUIAMOLA INSIEME.



Regione Lombardia
Famiglia e Solidarietà Sociale

The dimensions and stability of the immigrant population in Italy are such that the integration of the international community is a central political theme, both at national and European levels, and with particular reference to housing. The home plays a crucial role in achieving the successful integration of an immigrant into the structure of the country's society, and the features of this theme are such as to justify closely-targeted operations.

The progressive stabilization of foreigners in our country has meant that the need for initial primary habitation facilities has been overtaken by the demand for homes suitable for families. This in part reflects the increase in family reunion proceedings. However, the lack of a supporting network of family and friends, compounded by the reluctance of some property owners and even some forms of discrimination, makes access to the housing market more difficult for foreigners, particularly when considering that housing has become much more expensive over the last few years. In addition, it should not be forgotten that foreign residents, when searching for a home, often come into contact, and sometimes into competition, with the analogous needs of Italian citizens. This makes it necessary to identify systems that prevent forms of competition between the more disadvantaged sectors of the population and the social antagonism that would ensue.

In this outlook, to ensure that the actions taken are increasingly effective, it is important that the public administration and the services sector continue to work in cooperation, as has been the case over the last few years, both to increase the supply of housing, and to prevent any forms of discrimination that may appear in the process of searching for a home.

The Ministry of Labour, Health and Social Policy has adopted a multi-sector, systematic approach in programming and implementing operations encouraging the social integration of immigrants, in consideration of the many institutions whose juridical status assigns responsibility in this area. Its objective is therefore to approach all aspects of social life by means of unlimited cooperation with local and regional authorities, which play a primary role in perceiving the needs and requirements of the resident immigrant population.

In fact, the Ministry has dedicated particular attention to the housing sector from as early as 2001, by means of policy agreements with regional authorities which have permitted the development of some particularly innovative operations.

Such operations comply with the guidelines specified in the 2008-2010 National Report on Social Protection and Inclusion, which include the promotion of housing policy amongst the priority objectives for the new strategy of social inclusion.

This guide, "*Abitare in Lombardia. Guida per gli immigrati all'affitto e all'acquisto della casa*" (Living in Lombardy. Immigrants' guide to renting and purchasing a home) is not just a useful tool for providing information on the housing market: it also represents an effective means of increasing the awareness, on the part of society at large, of the importance of hospitality.

Giuseppe Silveri

Director General of Immigration

Ministry of Labour, Health and Social Policy

The Region of Lombardy has published this practical multilingual guide, in the awareness that access to housing is one of the conditions necessary for effective integration of the immigrant population.

“Abitare in Lombardia. Guida per gli immigrati all’affitto e all’acquisto della casa” (Living in Lombardy. Immigrants’ guide to renting and purchasing a home) represents an important tool for circulating useful and accurate information on the housing market. It looks at the various stages and the crucial questions in renting or buying a home, and it provides many useful suggestions. Furthermore, it offers useful advice when applying for social housing (*Edilizia Residenziale Pubblica*) and it supplies information on the rules of condominium buildings, specifying the rights and obligations of dwellers. The guide was published partly to encourage familiarity with the rules of cohabitation, essential to ensure peaceful and harmonious relations amongst people living in the same district.

Lastly, for utmost clarity, a glossary is provided to explain the most difficult terms, and a section of useful addresses enables readers to consult those institutions that represent a point of reference in the area of housing. The guide is also intended to assist people working in the social and housing sectors in the task of providing advice on searching for a home.

In order to attain these many different objectives, and in consideration of the immigrant population, who are the primary readers of the guide, the contents are presented in straightforward language, and the publication has been translated into the ten most common foreign languages used in the Region of Lombardy (Arabic, Spanish, Albanian, English, Romanian, Tagalog-Philippine, Chinese, French, Ukrainian, Portuguese) in accordance with the dimensions of the immigrant community.

I would like to express my thanks to all those who have helped to produce this booklet, which comprises the contribution of the various institutional and social players operating in the housing sector, and whose cooperation represents an important part of this product’s added value.

Giulio Boscagli

*Head Councillor for the Family and Social Solidarity
Region of Lombardy*

There is an intense demand for housing in our region, and it is becoming increasingly diversified.

The Region of Lombardy is responsible for the definition of policy and programmes regarding the supply of homes for the more disadvantaged sections of the population, and for direct family support.

The Region's objective in this area is therefore to reduce the difficulties encountered by the more vulnerable families in facing the housing problem, and in first place the question of rented accommodation.

Families are assisted by means of the supply of rented accommodation, whose management is delegated to Municipalities and to ALER, the social housing institution. As an alternative, families that are not assigned a subsidized home can apply for direct grants helping with the payment of rental charges. Lastly, families are assisted by means of grants for the purchase of the first home.

These are all practical means of assistance that are part of the Region's overall housing and social policy, and they are regulated by regional legislation.

The number of citizens born abroad who have purchased their first home utilizing regional grants, or who are living in municipal or ALER social housing structures, is rising continuously. This reflects the acceptance of responsibility on the part of foreign citizens, and their ability to achieve integration into the society of Lombardy.

The role of regional authorities, in cooperation with government national policy, is thus to work with municipalities and social housing institutions in order to encourage the harmonious development of residential districts, and to ensure the provision of resources both for new housing and for the improvement of existing housing.

Cooperation amongst institutions is therefore essential in this area, and an example is the work with the Ministry of Labour, Health and Social Policy, and the Department of Family and Social Solidarity, that led to the compilation of this multilingual guide. It is an essential tool offering the best service possible, placing the individual, with his or her needs, at the focal point of public policy. Above all, it counts on the responsibility of the population at large and its capability for achieving integration within the social structure, according to current legislation. It is a form of social investment, fundamental for the development of our cities.

Mario Scotti

*Head Councillor for Housing and Public Works
Region of Lombardy*

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LOOKING FOR A HOUSE IN LOMBARDY

Finding a house in Lombardy is not easy. Housing prices are high, and the availability of homes is scarce in many areas.

The areas showing the greatest affordable housing gap (where the gap between demand and availability of homes is greatest) are the city of Milano, and many municipalities in the province of Milano, as well as Brescia, Varese and their suburban areas.

As regards prices, it should be remembered that the presence of public services, shops, and public transport links (buses, trains, metro...) increases the cost of houses. The cheapest houses are therefore those in the smallest settlements, and in the peripheral areas of each municipality.

How to look for a house

Word of mouth. Tell your friends, colleagues and acquaintances that you are looking for a house.

Press. Ask at the newsagents which newspapers publish classified adverts with flats available for rent or for sale.

Internet. Read the adverts published on websites specializing in house rentals and purchases.

Estate agents. These agencies put those who have a flat that they wish to rent or sell into contact with those who are looking for such opportunities. The cost of this service is paid both by the owner/vendor and by the tenant/purchaser, but only after the deed of sale or rental contract has been signed. Remember to ask what the agency's percentage commission is before selecting the agency for your search.

Cooperatives and associations. There are many cooperatives who build or refurbish homes to rent or sell to their members, at advantageous conditions. Some associations provide help for Italians and immigrants in the search for homes to rent, or in facilitating access to home ownership (see chapter 8, under «Cooperatives and third sector organizations»).

Warning: beware of agencies that ask for money before they have found the house (therefore before signature of the contract), or in return for just a list of house-owners. These agencies are not reputable: it may be a form of fraud.



1. RENTALS

1.1 Request for guarantees

When looking for a home, it is important to remember that:

- the rent has to be paid punctually, at regular intervals;
- at the end of the contract, the dwelling unit must be returned in the same conditions in which it was at the start of the contract;
- the dwelling unit cannot be used as a workplace;
- the future tenant has to have a permit of stay, because the owner risks imprisonment for a duration of between 6 months and 3 years, and the confiscation of the property, if the latter is rented to individuals not possessing the documentation necessary for their legal permanence in Italy.

Owners of property often ask for guarantees from future tenants before agreeing to rent them a house. These may include, for example, proving that you have a high enough income, a valid employment contract, and/or the request to provide references from an employer or an association.

1.2 Preliminary expenses

There are a number of preliminary expenses when you rent a house:

- **Agency fees.** These usually vary between 10% and 20% on the yearly rental charge, or they may correspond to one month's rental charge, including expenses.
- **Deposit.** A sum equivalent to three months' rental charge is given in deposit to the owner as a guarantee. This sum is returned with interest at the expiry of the lease, as long as the tenant has not caused damage to the dwelling unit and has paid all the charges owed.
- **Registration of the contract.** Registration tax: 2% of the annual rental charge, divided equally between tenant and owner, plus the cost of the stamp duty to be applied to the copies of the contract.
- **Monthly rental charge.** On signature of the contract, the monthly rental charge (more frequently the quarterly rental charge) must be paid in advance, plus the sums payable by the tenant for condominium building expenses.
- Costs for the **activation** of utilities (electricity, gas, water, telephone), or the transfer of the respective contracts, are payable entirely by the tenant.

1.3 The rental contract

By law, whenever a house is rented, there must be a legal contract. A rental contract must be compiled in two copies, signed by the owner and the tenant, and registered at the Agenzia delle Entrate (Internal Revenue Service, a state organization concerned with the management and verification of tax issues, and any dispute that may arise). We recommend signing a third original copy of the contract, as it may be requested by the Questura (police station) in the case of family reunion proceedings. The owner is responsible for registering the contract for the first time, and for renewing registration every year. The expenses for the registration of the contract (2% of the annual rental charge) are divided equally between owner and leasee and they are charged to the tenant along with the condominium building expenses. Having a written, registered contract is important, both to demonstrate that you have a house in the case that you wish to initiate family reunion proceedings, and to verify your rights and obligations in the case of conflict with the owner.

There are various forms of contract. The following are the most commonly used.

Unrestricted contract. The rental charge is established without restrictions, and therefore it reflects market conditions. The contract has a duration of 4 years, and it is renewed automatically for another 4 years unless the lessor notifies the termination of the contract, exclusively for just cause as specified by legislation, to the leasee. The conditions specified in the contract are valid for eight years. The only variations that can be requested are ISTAT (cost of living indicator) adjustments, in other words, percentage increases that reflect inflation and that are designed to keep the real value of the rental charge constant.

Cheap rental contract. This may be applied in municipalities with a high affordable housing gap. The rental charges are lower because they are established in accordance with local union agreements, and not in accordance with the owner's requests. This form of contract has a duration of 3 years, and it is automatically renewed for another 2 years unless one of the two parties communicates his/her desire to terminate the contract. As in the previous type of contract, annual increases in the rental charge can be applied, but these are limited to 75% of the ISTAT adjustment parameters.

Transitory contract. This has a duration of 18 months at most. It is used when it is necessary to document a short-term rental agreement (for reasons of employment, marriage, medical treatment, moving closer to the place of work, etc.). The contract is not automatically renewable. If it is to be renewed at its expiry, the reasons for wishing to apply this type of contract again should be specifically stated. In regional capitals and nearby municipalities, the rental fees are at subsidised rates.

Sub-lease contract. This is used when the person who has rented an apartment wishes to sub-let part of it, in other words one room (not the whole apartment) to

another person. Sub-lease is possible only if it is not excluded by the original rental contract. The tenant must in any case inform the owner as to the name of the sub-tenant.

Contract for rent-free use. This is employed when the owner of a flat grants use of the flat free of charge to another person. The tenant must in any case pay the sums owed for condominium building expenses.

Guest accommodation contract. This applies when a company rents a flat which will be used by its employees.

For all private rental contracts, tax benefits apply, which vary according to the type of contract and the tenant's income bracket.



In the contract, specific clauses on which the parties agree can be included. However, a contract (or a private agreement) is not valid if it contains costs or commitments prohibited by the law. An example? For example, if the tenant is required to pay that portion of condominium building charges payable by the owner (see paragraph 5.3), or if the contract has a duration differing to that specified by law.

In a rental contract, it is important to specify whether the dwelling unit is in good condition or not. On signature of the contract, the tenant agrees to return the flat in the same conditions as at the start of the contract, making allowances for normal wear and tear of the dwelling unit.

1.4 Sharing the flat with other people

If you want to share the flat with other people, this is possible by means of the following methods:

- a contract jointly in the name of all the tenants;
- a contract in the name of just one of the tenants. The person signing the contract is to all effects and purposes responsible for the apartment with regard to the owner. The owner has to consent to the presence of other tenants;
- the person signing the contract sub-lets part of the flat, but only in the case that sub-letting is not specifically prohibited by the contract, or in the presence of another agreement stipulated with the owner of the flat (whose consent is mandatory in any case).

If you wish to provide accommodation for friends or relatives for a brief period of time free of charge, within the space of 48 hours you have to notify the *Questura* (main police station) or *Commissariato* (local police station), or the Municipality in the case that there is no police station in your municipality, using the specific “cessione di fabbricato” (building usage) form.

1.5 Paying the rent

Payment of the rental fees and the advance payments for the condominium building expenses have to be made in accordance with the terms described in the contract. If you pay in cash, always ask for a receipt with the date and signature of the owner, or pay by bank transfer or postal order, so that you always have documentation proving that payment has been made at the correct time.

Keep all documentation regarding payment of the rent, because this can be important evidence in the case of dispute with the owner of the house.

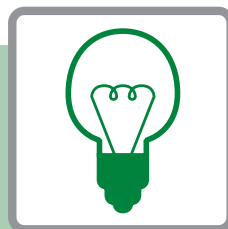
- *If the owner asks for an extra sum in addition to that specified in the contract, this is an illegal practice. In this case, contact tenants' unions for advice.*
- *We recommend punctuality in the payment of rental charges. Failure to pay one or more monthly rental fees automatically causes the invalidation of the contract.*



If your income is not high enough to guarantee payment of the rental fees, you can apply for assistance from the Fondo Sostegno Affitto della Regione Lombardia (Rental Assistance Fund run by the Region of Lombardy). To receive economic assistance, the following requisites are essential:

- **permit of stay;**
- **residence in Lombardy for at least 5 years, or in Italy for at least 10 years;**
- **a valid, registered rental contract.**

Applications for assistance should be presented to the Municipality in which you live, or to “CAAF” (Centres for tax assistance) offices.



1.6 Maintenance

Expenses payable by the tenant

Minor and ordinary maintenance is the responsibility of the tenant, who must keep the flat in good condition. An example? It is the tenant's responsibility to repair a leaking tap, and to periodically service the boiler as specified by legislation.

Expenses for the replacement of plant (such as the boiler) or for refurbishment are the responsibility of the owner. However, it should be remembered that if the tenant damages plant or equipment due to neglect, the tenant has to pay the expenses of repair or replacement.

Before considering the rent of a house, check the state of the property. If parts of it are in bad condition, ask for them to be repaired. Alternatively, you can make an agreement with the owner, and perform the repairs yourself, perhaps recompensed by a corresponding reduction in rental charges. These agreements must be specified in the contract or in a private agreement attached to the contract.

1.7 When the contract expires

Cancellation

Cancellation of the contract has to be notified in writing to the other party, by recorded delivery letter.

- The owner can withdraw from the contract for the following reasons:
 - necessity (for family or personal reasons, or if the flat has to be sold or refurbished), at the first expiry of the contract;
 - at the end of the rental period, in other words at the definitive expiry of the contract, notifying the tenant at least 6 months before expiry.
- If so specified in the contract, the tenant can withdraw from the contract at any time, but he/she has to notify the owner at least 6 months in advance. This means that the rights and obligations deriving from the contract last another 6 months from notification, including the payment of the rent. If withdrawal is not specified in the contract, the tenant can withdraw in advance of the contract's expiry only in the case of grave reasons.

If the contract is to be continued

At the definitive expiry of the contract, for example after 8 years (4+4) in the case of the unrestricted fee rental contract, if the owner does not send notification with sufficient warning, the contract is considered as being automatically renewed.

If the owner, though wishing to continue renting the house to the tenant, wishes to change some conditions of the contract (for example, the rental charge), he or she has to send notification for the cancellation of the old contract, and then draw up a new contract.

Eviction

This procedure follows a decision by the judge (on request by the owner) compelling the tenant to leave the house within a certain period of time. Eviction proceedings are initiated in the following circumstances:

- when the tenant is in arrears to the owner, because he/she has not paid the sums due;

- when the tenant is in breach of contract: for example, in the case of unauthorized sub-lease, or when the tenant has caused serious damage to the flat;
- when the tenant refuses to leave the flat even after having received regular notification of the termination of the contract because of expiry of its duration or for the owner's personal necessities.

When eviction is due to expiry of the contract (but only in this case), the tenant can ask the judge for an extension which delays expiry. This extra period, which is not always granted, is normally no longer than 6 months. In certain circumstances (in the case of handicapped, old-aged and unemployed persons), the extension can reach 18 months. Once the extension to the contract has elapsed, if the tenant still refuses to leave the house, compulsory eviction can be performed, implemented by the Judicial Officer and enforced by the Police.

2. SOCIAL HOUSING (EDILIZIA RESIDENZIALE PUBBLICA, ERP)

Houses built using state funds ("council houses" or public housing) are rented to persons or families according to public municipal lists, graded as per urgency. Council houses are rented to those families or individuals with the greatest difficulty in finding a house on the free market because of their limited income. The rental charges are lower than those that can be found on the market. However it should be remembered that the applications for public housing far exceed the number of houses available, and so even if an application may be accepted, this may not necessarily be followed by the assignment of a house.

2.1 Who is eligible for public housing

In Lombardy, people with the following characteristics can apply for public housing:

- a person who is resident (i.e. registered as a resident with the municipality) or who has worked in a municipality of the region for at least 5 years at the moment at which application is presented; if the person is foreign, he or she must have had a permit of stay for at least two years, and must have regular employment;
- his/her ISEE-ERP (social and economic indicator) must not exceed the maximum specified by current legislation;
- he/she is resident, or works, in the municipality in which application is presented;
- he/she does not own a property suitable for the needs of his/her family, whether in Italy or abroad;
- he/she has not been evicted for being in arrears with rental charges from ERP (public housing) flats over the last 5 years;
- he/she has not been an unauthorized occupant (squatter) of ERP public housing flats over the last 5 years.

Continuity of residence is a fundamental requisite in application for public housing. Therefore, if you change your location of residence, moving to another region, the years of residence prior to that moment will not be considered.



2.2 Where to apply

- At the Municipality of residence, or in which you work;
- at the local branch of ALER (Lombard public housing company) if so delegated by the Municipality;
- at CAAF (tax advice) offices and at tenants' associations, which can provide help if so delegated;
- for houses with cheap rental fees, it is possible to apply to private institutions (such as building cooperatives, building contractors, etc.). To find out which private organizations can accept applications for cheap rental charge homes, and where to deliver the application form, consult the website "Direzione Casa OO.PP." (Public housing management) run by the Region of Lombardy, and follow this sequence of pages: www.casa.regione.lombardia.it.

2.3 Methods of assignment

Assignment of a public housing flat is determined by Municipal authorities on the basis of a ranking compiled according to economic and family indicators, and the living situation of the persons/families who have applied.

In cases whose seriousness is particularly grave and has been ascertained, above all situations involving children, the sick and invalids, the Municipality can assign a flat by means of an emergency procedure.

After assignment, ALER or the Municipality signs a rental contract with the family. The rental fees are reduced, and they vary according to the family's social and economic situation, and the flat's characteristics (position, size, conditions etc.).



For those who wish to move to Lombardy for a brief period of time, for work, study, research, or to provide assistance to someone in the family, homes can be assigned with temporary rental contracts, in accordance with a specific ranking list, and the availability of public housing. In this case, the applicant's place of residence must be over 30 km from the place of work, study or medical care. Contact ALER or the Municipality to find out whether there are any flats of this type available.

3. TEMPORARY ACCOMMODATION ARRANGEMENTS

In some municipalities, there are public or private accommodation facilities (dormitories, hostels, refuge centres, communities for single mothers and their children, protected facilities for people with problems, etc.) offering a limited number of places for variable duration (from a single night to longer periods). Conditions for admittance vary. In some cases, there are no conditions, in others there is a preliminary interview, or prospective guests have to be recommended by social services; it may be necessary to have a permit of stay. Some of these facilities are free, for others there is a charge (daily, weekly or monthly). These structures may offer additional services for guests: for example, assistance in the search for housing and/or a job, help in completing bureaucratic procedures, language and literacy courses, etc. To find out the location of these structures and how to apply, consult the Social Services department of the Municipality, the Municipal help-desks for immigrants, the Listening Centres run by Caritas; or consult the data-bank of facilities providing accommodation for immigrants in Lombardy at the website www.ismu.org/orim/ac-coglienza.

4. BUYING A HOME

4.1 Steps in the purchase

Foreigners who are authorized to live in Italy have the right (whatever their nationality) to purchase a home.

The home can be purchased from a private citizen, a company, or from a building contractor.

1. Some factors to be considered before purchasing

It is important to consult a notary that you yourself have selected in order to ascertain:

- that the party selling the property is the true owner;
- that the vendor has rights of ownership permitting him/her to sell the property;
- that the house has not breached building regulations, and that it is not tied to any hidden mortgage;
- that the previous owner has paid all the respective condominium expenses.

If you purchase a house from a building contractor:

- it is important to ascertain the company's economic situation. If it goes bankrupt, you may lose the home, in the case that it has not yet become your place of residence, even if the deed of sale has already been signed;
- do not pay large sums of money when booking the house, and make the following payments only after construction work has ended;
- remember that there is specific legislation protecting people who purchase a house during its construction (for example, the provision of a guarantee for the deposits paid).



Before purchasing, we recommend consulting a notary and/or associations representing home-owners (see chapter 8, «Useful addresses») because it is very important to check that everything is in order before signing any binding document.

- *Advice provided by the notary, even before the deed of sale has been signed, is provided at no additional cost. If the purchase is not actually completed, the notary will not ask for a fee for his/her consultancy, except for the expenses involved in verifying the property at public offices. This reimbursement is usually not more than 200 euro.*
- *The agency's intermediation service generally has a cost varying between 2% and 4% (inversely proportional to the value of the property), or a fixed charge.*

2. Preliminary contract

This is the first contract between the vendor and the purchaser. Sometimes the preliminary contract is preceded by a proposal to purchase. The preliminary contract documents the parties' intention to sell/purchase; it determines the total price of the property, the terms of payment, the dates on which the sale will be completed, and the amount of the advance payment (deposit) which will be paid to the vendor on signature of the preliminary contract itself. This preliminary contract (which may be a private agreement) is accompanied by a number of legally-binding commitments, both for the vendor and the purchaser. If, after payment of the deposit, the purchaser decides not to purchase the house, the vendor is entitled to keep the deposit; if the vendor decides not to sell the property, the purchaser is entitled to receive double the deposit paid. It should also be remembered that the purchaser can ask for the preliminary contract to be stipulated at a notary's office, therefore by means of a notarial deed, so that the contract is registered in property registers (this entails a small additional expense, and two fixed charges of euro 168 each): this gives the purchaser protection in the case of whatever problems may arise in the period between the preliminary contract and the deed of sale, in the case of, for example, mortgages, seizures, or bankruptcy proceedings affecting the vendor. In case of the vendor's bankruptcy, for example, the registration of the preliminary contract makes it possible to recover in whole or in part the sums paid.

3. Deed of sale

This is the official deed for the sale, and it is signed at a notarial office. If the foreigner does not understand Italian, an interpreter is nominated, and the deed is compiled in the two languages. The notary must be chosen with the agreement of both parties. If

the two parties are not in agreement on the notary, the selection is made by the party required to pay the respective fees (generally not more than 1-1.5% of the total cost of the operation). The notary must not be supplied compulsorily by real estate agents and/or mediators, even though they can recommend a notary if you request this. In this regard, you can consult the notarial website: www.notariato.it.

4. Taxes

A person who purchases a property from a private party has to pay tax, which is in total 10% (if the property is the purchaser's primary home, see paragraph 4.2).

5. The mortgage

A mortgage is a form of finance (loan) provided by a bank. When arranging a mortgage, banks require certain guarantees: in general, regular employment, and income that is more than sufficient. Mortgages can be fixed-rate, variable-rate or semi-fixed rate. The fixed rate mortgage is that with the highest rate, but the repayment instalments remain the same for the entire duration of the mortgage. With the variable rate, the rate varies according to the cost of money: it can decrease, but it can also increase considerably. Lastly, the semi-fixed rate is a system in which the rate arranged initially can be varied at certain dates, at conditions that are defined in the contract. You should remember that the mortgage is never provided for 100% of the total cost of the house: you therefore have to have a sum of money, equal to about 30% of the total amount. Often banks also ask for a «guarantor» (loan guarantor), a person who agrees to pay the money owed to the bank if the borrowing party, the person who has taken the mortgage, is unable to continue repayments. In the case that you fail to pay the repayment instalments at the specified dates, the bank is entitled to sell the house by auction.

Beware of companies offering mortgages for the entire sum: they are probably finance companies who do not offer a true "cheap mortgage for the purchase of a home", but simply a loan, which is more expensive, and does not offer the chance of deducting the expense of the interest from your taxes; often the repayment instalments are too high and may be untenable for a family to sustain.



One of the most frequent problems regards the assessment of the legal status of assets of husband and wife when they are purchasing a house: in this case, the notary assesses the assets ownership system of the buyer's country of origin in order to evaluate the rights of the other partner (husband or wife).



4.2 Grants and benefits for the first home

A number of benefits are available for the purchase of the first home.

- Cheap mortgage: this is the loan offered by banks for the purchase of a home.
- The capital interest to be paid is lower than for conventional loans.
- For the purchase of the first home, other taxes payable by the purchaser are also reduced:
 - registration duty: 3% of the official land register value of the property (or VAT payable at 4%, if the house is purchased from the building contractor);
 - mortgage tax and land register tax are fixed charges (€168 each).

These tax relief benefits can be applied to the purchase of the first home only in the following cases:

- if the house is not in the “luxury” category;
- if the house is in the Municipality in which the purchaser is resident, or to which he/she will move within 18 months of the purchase;
- as long as the purchaser does not own another house in the same Municipality;
- as long as the purchaser does not own another house in Italy bought utilizing the benefits provided for the purchase of the first home (except in the case that this house is sold before the signature of the deed of sale for the house currently being purchased).



Regional subsidies for purchase or renovation

The Region of Lombardy periodically launches campaigns offering subsidies for the purchase or renovation of the first home. Those eligible are young couples, single parents with minors in their care, single pregnant women, and families with at least three children who have difficulties in purchasing their first home, and who have been officially resident in Lombardy for at least 5 years.

There are also benefits and subsidies for building renovation work that eliminates architectural barriers, or in other words work that makes the house suitable for those with physical disabilities.

Applications for these regional subsidies must be presented at “authorized tax assistance centres” (CAAF offices) before the respective expiry as specified in the documentation.

5. LIVING IN A CONDOMINIUM BUILDING

5.1 Rights and obligations

The condominium regulations

Every condominium building has its own «regulations» specifying certain provisions that make it possible to live in the same building without the risk of mutual disturbance. The regulations establish methods of use of the communal areas, such as courtyards and staircases; times at which noise is prohibited, or during which children can play in the courtyard; whether or not pets are permitted; and so forth.

For further information on the regulations in force in the condominium building in which you live, you should contact the owner of the house, if you are renting your home, or the condominium building manager (*amministratore*), if you own your home.

The unwritten rules of normal behaviour

«Unwritten rules» are equally important: they are based on customs, common sense, courtesy and tolerance. It is always a good idea to develop a relationship based on the respect of commonsense rules and courtesy in order to avoid any argument or dispute. For example, creating noise during hours of silence is a typical situation that can generate problems with your neighbours, and it should be avoided.

5.2 Waste collection

Waste separation

In Lombardy, domestic waste (plastic, aluminium, paper, glass, organic waste) is collected separately, and placed into the respective containers. The method of separating waste may differ from one municipality to another. You can find out how waste separation is performed in the area in which you live by asking other people in the building, the doorkeeper (in the case that there is one), or the building manager.

Errors in waste separation can cause dispute amongst condominium dwellers. In fact, if waste is placed in the wrong bags or containers, all the condominium dwellers (and not just the person making the mistake) have to pay the respective fines.

Bulky items of waste

If you have to get rid of bulky items (televisions, fridges, bedsprings, cupboards etc), you must call the Municipality to verify the possibility of collection. Methods of disposal for bulky items differ from one municipality to another. In some areas (for example Milano and its surrounding area), the collection of bulky items is free of charge.

5.3 Shared expenses

A condominium building is subject to expenses for its maintenance and day-to-day operation, which have to be subdivided amongst all the property owners within the building in accordance with their percentage ownership of the building. If the flat is rented, the tenant has to pay part of these expenses. In general, the expenses of day-to-day management and ordinary maintenance of the building are payable by the tenant living in the flat: cleaning of communal areas, lift maintenance, the cost of the doorkeeper, electricity and water used in communal areas, central heating costs, etc. In some cases, certain services, such as water and waste collection tax, may be paid by the building manager for the entire condominium, and then they are subdivided amongst all the flat owners or tenants according to their percentage ownership, or according to the number of people living in the respective flat and therefore using the services in question.

Expenses for extraordinary maintenance are payable by the owner.

6. PROPERTY ADVERTISEMENTS: ADVICE ON THEIR INTERPRETATION

Property advertisements are written using abbreviations, acronyms, expressions and phrases typical of this sector. It is important to know their meaning in order to understand the advertisement and also to gauge what is hidden between the lines. Below are some examples of classified advertisements for property, with their respective explanations.

Vendesi APP.TO zona Loreto bilocale arredato camino doppia esposizione libero feb., no agenzie.

App.to = flat; this is followed by an indication of the district in which the flat is located (the name of the city will certainly appear in the title of the column).

Bilocale = the flat consists of 2 rooms (plus bathroom and possibly kitchen).

Arredato = furnished.

The advert then provides some more detailed information on the flat: it has a fireplace, and windows on two sides of the building (this means that ventilation is good).

Libero feb.: available from February, indicating when the flat will be available for purchase.

No agenzie: no agencies, meaning that the owner does not wish to be contacted by agencies, because he/she wishes to deal directly with the prospective purchasers.

Appartamenti varie tipologie disponibili in Milano e hinterland anche per stranieri trattativa tra privati centro informazioni quota abbonamento.

The literal translation of this advert is: "Various types of flat available in Milan and in

the surrounding district, accessible to foreigners, private negotiations, information centre, subscription charge.” Warning: this is the advert typical of companies that merely provide lists of apartments that may be available for rent, in return for an advanced lump-sum payment. Beware!

CAMERA ammob. Affittasi a persona referenziata no fumatrice 500,00 mensili senza uso cucina zona centro, ore pomeridiane.

This advert translates as: “Furnished room for rent to a non-smoker with references. Euro 500 per month, no kitchen facilities available. City centre, afternoon.” Therefore the ad is for the rent of just a furnished room (ammob. = *ammobiliata*, furnished). The person who already lives in the flat is looking for a person who does not smoke and who can provide references. The monthly rent is shown. The client is not permitted to use the kitchen. The area in which the flat is located is specified. “Ore pomeridiane”, afternoon, refers to when you can phone.

MM Lampugnano adiac. affitto 2 camere servizi termoautonomo arredato a impiegati no residenti no stranieri 900,00.

MM = Milan’s underground train system

adiac. = near.

The literal translation is: “Near Lampugnano metro station, two rooms for rent, plus bathroom and kitchen, independent heating, furnished, for non-resident employees, no foreigners.” In this case, «affitto 2 camere», literally “2 rooms for rent,” refers to a complete apartment consisting of 2 principal rooms, as can be deduced from the following details. The word «servizi» in this example refers to bathroom and kitchen. The flat has independent heating, and it is furnished.

The owner wants to rent the flat only to mid-level employees, on a temporary basis (i.e. people who will not establish their official residence at that address.) Foreigners are also excluded. This is an act of discrimination.

The law prohibits any form of discrimination according to ethnic considerations, nationality, race or religion. This means that the imposition of less advantageous conditions, or prohibiting access to the possibility of finding accommodation, is against the law.

When the behaviour of a private citizen or the public administration produces a form of discrimination for racial, ethnic, religious or nationalistic reasons, the person so discriminated can seek judicial intervention. You have to be able to prove that the refusal to supply a service or asset was motivated by these reasons. If you feel that you are the victim of discrimination, contact UNAR (Ufficio Nazionale Antidiscriminazioni Razziali, National office against racial discrimination) at the toll-free number 800 90 10 10.



7. DID YOU KNOW THAT...

... having a home – as proven by valid administrative documents – suitable for the number of individuals living there is essential for requesting family reunion and for obtaining the EC permit of stay for extended durations of stay (previously Carta di Soggiorno), in the case that you are responsible for other family members. In this case, the following documentation is required:

- a valid rental contract; or, if you are a co-tenant, and the contract is not in your name, a signed declaration in which the tenant named in the rental contract, or the owner of the flat, declares that he/she is willing to provide accommodation for the co-tenant's family members;
- the deed of sale, if you own the house in which you live;
- the habitation certificate (*certificato di idoneità alloggiativa*) issued by the Municipality, indicating the number of people who can live in that flat. The parameters used to determine the number of people who can live in a flat are defined by regional authorities, and they are based on the floor area of the flat, or the number of rooms available. For example, a single-roomed flat is suitable for a maximum of 2 people. Alternatively, in some municipalities, the local health authority (ASL) issues a certificate for a given flat (*certificato di idoneità igienico-sanitaria*).

8. USEFUL ADDRESSES

The information provided below is the result of a preparatory survey prepared during interviews, work groups and meetings. It does not include all the vast number of associations and third-sector structures existing in the region of Lombardy and dealing specifically with the housing sector.

Only the head offices in Lombardy are shown. To find out the addresses of offices closer to where you live, call the numbers provided in the list.

Associations for property owners

These associations provide services for people who own property, and they provide representation and various forms of assistance. They protect the interests of real estate owners.

Assoedilizia – Federazione Lombarda della Proprietà Edilizia (Lombard Real Estate Federation)

Milano, Via Meravigli 3; tel. 02-885591. www.assoedilizia.com

Open from Monday to Friday, 9.00 a.m. to 12.00 midday; on Wednesdays, also open from 3 p.m. to 5 p.m. There are branch offices in Bollate, Bresso, Cinisello Balsamo, Cologno Monzese, Corbetta, Magenta, Gallarate, Lainate, Legnano, Sesto San Giovanni, and Vimercate.

The Federation also has offices in Abbiategrasso, Bergamo, Brescia, Campione d'Italia, Cogliate, Como, Cremona, Lecco, Lodi, Mantova, Melegnano, Monza, Pavia, Saronno, Sondrio, and Varese.

APU – Associazione Proprietari Utenti (Property owners association)

Milano, Via Giambellino 115; tel. 02-48958106. www.apu.it.

Open from Monday to Friday, 9.00 a.m.-12.00 midday, 3 p.m.-6 p.m. There are also offices in Brescia and Bergamo.

ASPPI – Associazione Sindacale Piccoli Proprietari Immobiliari (Small-scale property owners association)

Milano, Via Archimede 22; tel. 02-76110167. www.asppi.it; www.associazioni.milano.it/asppiprovmi. Open from Monday to Friday, 9.00 a.m.-1 p.m., 3 p.m.-6 p.m. There are also offices in Bergamo, Brescia, Cremona, Lecco, Lodi, Mantova, Monza, and Varese.

UPPI - Unione Piccoli Proprietari Immobiliari (Small-scale property owners union)

Milano, Via Pancaldo 1/3; tel 02-2047734. www.uppi.it; www.uppi-milano.org.

There are also offices in Brescia, Como, Cremona, Lodi, Mantova, Monza, Pavia, Sondrio, and Varese.

Cooperatives and third-sector organizations**ALCAB-Legacoop**

This association is formed by residents' cooperatives belonging to Legacoop and whose function is the promotion of building programmes in order to enable the members of the cooperatives to buy or rent a flat. www.casacoop.it.

Associazione Casa Amica

This association assigns and manages flats for individuals and families, at a stage beyond primary housing immediately after arrival in the country, for groups of immigrants. It accompanies people in their search for rented accommodation. It provides consultancy and services for the purchase of the first home; it builds and renovates houses for rent at subsidized rates; it runs planning and consultancy activities for those wishing to apply for regional public housing.

Bergamo, Via Longuelo 83; tel. 035-403525. www.casaamica.org.

Cooperativa impresa sociale Ruah

This cooperative runs a primary accommodation centre for immigrants in the city of Bergamo, and flats for the secondary accommodation of groups of immigrants and foreign families in Bergamo and its province.

Bergamo, Via Mauro Gavazzeni 3, tel. 035-313463. www.cooperativaruah.it.

Dar-Casa

A housing cooperative that provides the following services: rental of low-cost homes for those unable to pay market-price rental charges; assistance in obtaining a mortgage; the promotion of social integration operations.

Milano, Via Canaletto 10; tel. 02-70101943, 45409477. www.darcasa.org.

Federabitazione Lombardia - Confcooperative

An association grouping cooperatives in the housing sector that build flats and houses, assigned to their members, whether for ownership, for temporary use or for rent.

Milano, Via Decorati al Valor Civile 15. www.lombardia.confcooperative.it.

Fondazione Housing Sociale

The "Social housing foundation" supports operations designed to help solve the housing problem.

Milano, Via Monte di Pietà 12; tel. 02-32168301. www.fhs.it.

Fondazione S. Carlo

A foundation that offers bed space in 4 dormitories; it also manages flats for low-income families.

Milano, Via della Signora 3/a; tel. 02-76017040. www.fondazionescarlo.it.

CAAF (o CAF) Centri Autorizzati di Assistenza Fiscale (Authorized tax assistance centres)

These offices are run by trade unions and labour organizations, and they are authorized to provide assistance to citizens as regards taxation. There are offices throughout the region, even in the smaller towns. The list below shows just some of the organizations with offices throughout the region: there are many more.

CAAF CGIL Lombardia

Brescia, Via Fratelli Folonari 18; tel. 030-280081. www.fisco.cgillombardia.it.

CAAF CISL - Lombardia

Milano, Via Tadino 23; tel. 02-20525301. www.caafcisl.it.

CAAF UIL

Milano, Via M. Macchi 27; tel. 02-66998111. www.cafuil.it; www.ceser.it.

CAAF ACLI

Milano, Via C.G.Merlo 3; tel. 02-795316. www.caf.acli.it.

CAAF MCL

Milano, Via Fabio Filzi 2; tel. 02-67493187. www.cafmcl.it.

CAAF 50&più

Milano, Via Sangro 15; tel. 02-26884421, toll-free number 800.929922. www.cafservizi.it.

Edilizia Residenziale Pubblica (Social housing)

Regione Lombardia – Direzione Generale Casa e Opere Pubbliche (Department of housing and public works)

www.casa.regione.lombardia.it.

Municipality of Milan

For information regarding access to the rankings for public housing, contact:
DC Casa - Settore Assegnazioni Alloggi di E.R.P. - Ufficio bandi. Milano, Via Pirelli 39, tel. 02-88464407 (from Monday to Friday, 9.00 a.m.-12 midday). www.comune.milano.it.

ALER - Azienda lombarda per l'edilizia residenziale (Lombard residential building company)

Milano, www.aler.mi.it; Brescia, www.aler.bs.it; Bergamo, www.alerbg.it; Pavia, www.alerpavia.it; Lodi, www.alerlo.it; Varese, www.alervarese.it; Sondrio, www.aler.so.it; Como, www.alercomo.org; Mantova, www.alermantova.it; Cremona, www.alercremona.it; Busto Arsizio, www.alerbusto.it; Monza e Brianza, www.alermonza.it.

Notaries

Consiglio Nazionale del Notariato (National council of notarial services)

Roma, Via Flaminia 160. www.notariato.it.

Consiglio Notarile di Milano (Notarial council of Milan)

Milano, Via Locatelli 5. www.comprarcasasenzarischi.it

Associazione Sindacale dei Notai della Lombardia (Lombard notaries' trade association)

www.federnotai.org.

Tenants' unions

These unions protect the interests of citizens utilizing rental housing and who require assistance in the area of housing. They provide information, consultancy, and legal and technical assistance for tenants on all themes regarding the home.

SICET - Sindacato inquilini casa e territorio (Union of housing and land tenants)

Milano, Via Tadino 20; tel. 02-29522100. www.sicet.it. This union has offices in all provinces of the region.

SUNIA – Sindacato unitario nazionale inquilini e assegnatari (National union of tenants and social housing assignees)

Milano, Via Giambellino 115; tel. 02-4232633. www.sunia.it.

Open Monday-Friday, 9.00 a.m.-12 midday, 3 p.m.-6 p.m. This union has offices in all provinces of the region.

UIL CASA

Milano, Via Campanini 7; tel. 02-671103401. www.uil.it.

There are also offices in Sesto San Giovanni.

Unione Inquilini

Regional head office: Milano, Via Mossotti 1, tel. 02-89076733. www.unioneinquilini.it. Open on Mondays and Wednesdays, 10.30 a.m.-12 midday, Thursdays 3 p.m.-5.30 p.m. There are offices in all provinces of the region.

Information services for immigrants

Throughout Lombardy there are information services for immigrants, run by municipalities, organizations or associations. Below we list services operating in Bergamo, Brescia and Milan.

Municipality of Bergamo

Migration service, tel. 035-399496. www.comune.bergamo.it.

Municipality of Brescia

Integration and citizens' service. Brescia, Piazza Repubblica 1; tel. 030-3752837. www.comune.brescia.it.

Municipality of Milan

For information regarding various procedures, such as visas, permits of stay, residence, citizenship, application for social housing, etc., contact: DC Famiglia, Scuola e Politiche Sociali - Settore Adulti in Difficoltà - Ufficio Stranieri (Department for Family, Schooling and Social Policy, division for Adults in difficulty, Foreigners' Office). Milano, Via Tarvisio 13, tel. 02-67391357; 02-6700944. www.comune.milano.it.

Telefono Mondo

Information in Italian and other languages on laws regarding foreigners in Italy and on the services available in Italy. On Mondays: Italian, English, Tagalog. Tuesdays: Italian, Arabic, French. Wednesdays: Italian, Chinese. Thursdays: Italian, Romanian. Fridays: Italian, Spanish. Tel. 800 513 340 (toll-free number) operating from Monday to Friday, 2 p.m.-6 p.m.

Other useful addresses

Data bank for structures providing accommodation for immigrants in Lombardy – Osservatorio Regionale per l'integrazione e la multietnicità (ORIM)
www.ismu.org/orim/accoglienza.

UNAR – Ufficio Nazionale Antidiscriminazioni Razziali - Dipartimento per le Pari Opportunità (National office against racial discrimination, equal opportunities department).

Toll-free number: 800 90 10 10, in operation from Monday to Friday, 10.00 a.m.-8 p.m. Available in Italian, English, French, Spanish, Albanian, Arabic, Russian, Romanian, and Mandarin Chinese. www.pariopportunita.gov.it.

9. GLOSSARY: THE MOST FREQUENTLY-USED TERMS

| | | |
|------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Abitabilità (Permesso di) | <i>Habitation (certificate)</i> | Document issued by the Municipality that certifies the suitability of a living unit for habitation |
| Acquirente | <i>Purchaser</i> | The buyer |
| Affittuario | <i>Leasee, lessee</i> | A person who rents a property |
| Alloggio | <i>Dwelling unit</i> | House, flat |
| Assemblea condominiale | <i>Condominium building meeting</i> | A meeting for condominium building home-owners and tenants. The meeting has the power to take majority decisions regarding condominium building management |
| Canone | <i>Rental charge</i> | The amount of money that a tenant has to periodically pay to the owner in order to rent the dwelling unit |
| Caparra o deposito cauzionale | <i>Deposit</i> | A sum of money paid in advance as a guarantee against breach of contract |
| Catasto | <i>Land registry</i> | A public office with records of all property ownership in a municipality or a province, including details of property owners |
| Cauzione | <i>Deposit</i> | A sum of money deposited to guarantee the fulfilment of an obligation |
| Coinquilino | <i>Co-tenant</i> | A person who cohabits with other persons in a flat |
| Condominio | <i>Condominium building</i> | Co-ownership of a building that is subdivided between a number of people |
| Condomino | <i>Condominium dweller</i> | Owner of a flat in a condominium building |
| Conguaglio | <i>Balance</i> | An outstanding sum, and the respective calculation and payment |
| Contratto | <i>Contract</i> | A binding agreement signed by two or more parties |
| Contratto preliminare (o compromesso) | <i>Preliminary agree- ment</i> | A contract that defines the intention to sell/buy a property, stating the price of sale, and the terms and timescale of payment and deposit |
| DIA | | Denuncia di inizio attività (Declaration of start of building work). A document to be presented to the Municipality in order to perform minor building work in a dwelling unit |
| Disdetta | <i>Cancellation</i> | A document that notifies the other party of the desire to withdraw from the contract |

| | | |
|-----------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Garante | <i>Guarantor</i> | A subject who provides a guarantee for a bank issuing a loan, which may be utilized in the case that the person signatory to the mortgage is unable to honour the debt. |
| Idoneità alloggiativa (documento di) | <i>Fitness for habitation (certificate of)</i> | A document that certifies that a dwelling unit complies with the minimum parameters specified in regional legislation for public housing, with respect to the number of occupants |
| Immobile | <i>Property</i> | A general term for land and buildings |
| Inquilino | <i>Tenant</i> | A person who lives in a rented house |
| Interesse passivo | <i>Interest</i> | «The cost of money», the additional percentage that has to be paid in order to obtain a mortgage |
| Ipoteca | <i>Hypothecation</i> | The right according to which a creditor can appropriate a debtor's asset bound in guarantee of the former's credit |
| ISEE - Indicatore della Situazione Economica Equivalente | <i>ISEE – Equivalent economic situation indicator</i> | An index that defines the economic situation of a family unit, calculated according to income and other parameters |
| Locatario | <i>Lessee, lessee</i> | A person who rents a property |
| Locatore | <i>Leasor, lessor</i> | A person who lets a property in his/her ownership |
| Locazione | <i>Lease</i> | Synonym for rent |
| Morosità | <i>In arrears</i> | Delay in payment of a sum owed |
| Moroso | <i>Person in arrears</i> | Describes a person who has not paid a sum owed at the specified time |
| Mutuo | <i>Mortgage</i> | A long-term loan subject to interest |
| Proposta d'acquisto | <i>Proposal to purchase</i> | A document that vendor and purchaser may sign before the preliminary agreement, attesting their mutual desire to conclude the operation |
| Proroga | <i>Extension</i> | Delay of an expiry or a deadline |
| Rata | <i>Payment instalment</i> | Each of the payments, to be paid at regular intervals, for a purchase that has not been totally paid for at the moment of sale, to repay a loan, or to pay condominium building expenses. |
| Rogito | <i>Deed of sale</i> | A public document of purchase, countersigned by a notary |
| Valore catastale | <i>Land registry value</i> | The value – which differs from market value – used to determine the taxes on property payable to the State |