



“The Landlord Treads on Them, so Everything’s Fine”: Exploitation and Forced Mobility in Substandard Private Rental Housing in Czechia

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Abstract

OBJECTIVES: This study explores the representation of the private landlords’ practices that may contribute to housing insecurity and forced mobility in Czech segregated areas. **THEORETICAL BASE:** Following debate on the “poverty business”, the study uses literature on Roma marginalization, sociology of eviction and housing studies. **METHODS:** The thematic analysis of 167 documents published mainly by the Agency of Social Inclusion was conducted. **OUTCOMES:** The landlords’ practices are analyzed in four areas: overcharging rent and other payments, tenancy contracts, disinvestment, and coercion. Their relation to housing security and eviction is pointed out. **SOCIAL WORK IMPLICATIONS:** Social workers shall continue to embrace the issue of exploitative practices in private rental housing and use social work methods to reduce the power asymmetry in the tenant-landlord relationships, prevent eviction, and improve rental and housing conditions. Tenant stigmatization should be countered by exposing the agency of other actors and structural factors that co-produce housing insecurity and forced mobility.

Keywords

exploitation, forced mobility, eviction, rental housing, private landlords, Roma

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INTRODUCTION

One way to make sense of forced residential mobility is through eviction. Defined as the “expulsion or removal of one or multiple individuals from a premises or land for reasons such as a breach of contract, unlawful occupation or urban development” (Vols, Belloir, Hoffmann et al., 2019:n.p.),⁴ the process of eviction has been recently scrutinized in the context of urban marginality and social inequality (e.g., Desmond, 2016; Greif, 2018; Lancione, 2019). The research reveals that the structural developments are pivotal in explaining why evictions take place, although they are mediated by agency and interactional patterns between tenants, landlords, financial institutions, and the state. It is in this sense that Susanne Soederberg (2018) conceptualizes evictions from rental property as “a global capitalist phenomenon” and situates it within the broader framework of political economy, referencing the literature that recognizes the increasing commodification and financialization of housing in contemporary societies (cf. Aalbers, 2016).

In Czechia, these processes are linked to the transition from state socialism to neoliberal capitalism. Liberalization of the centrally planned economy, privatization of state properties, and deregulation of social interactions, including rent deregulation, weakening of the protection of tenants, and restrictions in access to welfare benefits, have produced housing insecurity which particularly affects low-income individuals with different types of stigma. These people are over-represented in the private rental sector where many find only housing of substandard quality and/or in segregated areas (Lux, Teller, Sunega, 2018). The residential segregation in Czech towns and cities has an obvious ethnic dimension, as poor Roma have been relegated to certain locations (GAC, 2015).

In addition to structuralist accounts that revolve around the notion of lower socio-economic status of Roma on average and the corresponding distribution of housing in terms of quality, the intensification of segregation after 1989 was related to practices of landlords (Baršová, 2003; Moravec, 2006). Eviction has been central in displacing some Roma to substandard and often exploitative housing that tends to perpetuate the poverty of its inhabitants and to entrap many within a cycle of recurring mobility, while substantially draining public resources as a consequence. At the governmental level, this was acknowledged by a series of measures designed to “combat poverty entrepreneurs” (MPSV, 2019a). One of the first was the 2016 amendment of the Act on Assistance in Material Need that allowed municipalities to halt the provision of a housing supplement⁵ to people with a new tenancy contract in selected areas. By the end of 2019, 88 municipalities have taken advantage of this option, mostly in order to assert control over the mobility of the poor, which is allegedly encouraged by those entrepreneurs (IPSI, 2020).

⁴ The word “eviction” is usually understood in legal terms. In the Czech context, the word connotes a court decision (Kynclová, Vašňovská, Janoušková et al., 2006:34), as this was once necessary in order to execute the eviction of tenants. Under the regulation of the Civil Code (Act No. 89/2012 Coll.), this is no longer true. The court becomes part of the process only if the tenant has objected to the termination of the tenancy contract. As tenancy is legally protected, the landlord may terminate the contract prematurely only for reasons given by law, and this act must be in compliance with additional legal provisions. We depart from this legalistic view, rather using a sociological definition that allows us to cover not only legal but also illegal instances of eviction, as well as situations that are legally unclear. As shown below, this is often the case of substandard private rental housing in the country.

⁵ There are two housing benefits: housing allowance and housing supplement. People may get a housing allowance if their housing costs exceed 30% of their income (35% in Prague), including welfare benefits, and have permanent residence registered at the given place of abode (to be proven by a title deed or lease). A housing supplement can also be drawn if the income is still insufficient to secure adequate housing and the applicant is in material need (indicated by receiving a housing allowance that covers basic needs, typically by the unemployed). As proof of permanent residence is not required, this benefit is usually provided to people in substandard housing, including hostels (see below). Both benefits are administered by the Labor Office (cf. European Commission, 2019).



This paper aims to continue to study the renting of substandard housing in segregated areas. Since this is still an emerging field of research in the country and has been mainly developed as a side-product of studies focused otherwise (but see Frištenská, 2000; Baršová, 2003; Mikulec, Ripka, Snopek, 2017), we are convinced that the reconstruction of the existing knowledge on this subject may be beneficial for both researchers and social workers.

To achieve this, an analysis of documents mainly produced by the Agency for Social Inclusion is performed. The Agency provides government assistance to municipalities in tackling the issue of “socially excluded localities” (SELs; Hurrle, Sýkora, Trlifajová et al., 2016), as locations inhabited by a number of poor Roma are officially called and where “poverty entrepreneurs” are typically assumed to operate. The assistance involves the production of the so-called situational analyses (*situační analýzy*), which map the condition of social exclusion at the local level, including its specific aspects such as housing or residential mobility. As such, these documents comprise the most comprehensive archive of public knowledge about the phenomena in question. We analyze them in order to answer the research question: How are the practices of private landlords in SELs that may contribute to tenants’ housing insecurity and increase the risk of forced mobility represented in the documents?

First, the “poverty business” is contextualized using the literature on Roma marginalization and SELs. Then, the methodology of our research is introduced. The third part presents the findings of the empirical analysis, centering on the construction of private landlords in SELs and four categories of practices: overcharging rent and utilities, disinvestment, tenancy contracts, and coercion. To conclude, we discuss how social policy and social workers may use the presented findings.

THE “POVERTY BUSINESS” IN CONTEXT

The term “poverty business” lacks a clear definition, although it frequently appears in government documents (e.g., ASZ, 2016a; MPSV, 2019b; 2020) and media discourse (Kupka, Brendzová, Walach et al., 2018). A media analysis demonstrated that this notion generally refers to profit-driven practices that exploit the situation of the marginalized, whether this means providing unreported jobs, high-interest lending, or renting substandard dwellings for inflated prices that are possible due to a relatively generous welfare system (Kupka, Walach, Brendzová et al., 2019). However, it is the latter meaning that gained prominence and now seems to be predominantly associated with the notion, which is also reflected in academic discourse. For instance, Lux, Teller, and Sunega (2018:130) draw attention to the profitability of providing rental housing to a large number of Roma and other vulnerable households that creates financial incentives for speculators under the rubric of “business with poverty.”

The conduct of “poverty entrepreneurs”, as well as the moral frames often applied to them (see below), indicate an affinity between the notions of poverty entrepreneurs and rogue landlords or slumlords. Reviewing the literature on this subject, Vols and Belloir (2019:3) identified characteristics that distinguish these landlords: exploitation and the unruly treatment of tenants, discrimination, substandard housing, the use of property for illegal activities, and tax evasion. These characteristics correspond to the representation of “poverty entrepreneurs” in the Czech discourse including the documents analyzed in this study. In this regard, the current paper may be seen as introducing the Czech context into the international debate on the landlords who abuse their superior position to pursue predatory interests (cf. Cowan, 1999:423–446; Aalbers, 2006; Lind, Blomé, 2012; Oliveri, 2019). What follows is a brief account of how “poverty entrepreneurs” established themselves in Czechia, focusing on the practices that they have used in doing so.

Together with the decrease in income of many low-skilled workers in the post-socialist period, it was the closure of the public and private rental housing systems that has enabled turning the housing of marginalized people into “a lucrative business” (ASZ, 2016a:1). Standard housing



options are denied to some tenants based on their inability to meet requirements such as paying a high security deposit or absence of rent arrears in the case of municipalities or private landlords with a larger housing stock. Ethnic discrimination also plays a role. Landlords are often reluctant to lease to Roma, as suggested by both experimental (Bartoš, Bauer, Chytilová et al., 2013) and self-report studies (FRA, 2018; Toušek, Walach, Kupka et al., 2018a:146–147). On the side of marginalized groups, this closure, in conjunction with non-existent laws on social housing, leads to high housing insecurity and readiness to accept housing under conditions that others would reject as inappropriate. Exorbitant rents and worse quality of housing are typically mentioned in this respect (cf. Mikulec, Ripka, Snopek, 2017; Klusáček, 2018).

The increase in the number of Roma displaced from public housing, usually due to rent debt and related default charges (Bařšová, 2003), was paralleled by the increase in reported cases of their exploitation by private landlords. Already in the 1990s, some of the owners who acquired properties in the privatization process harassed sitting tenants in order to deprive them of the rights to use the apartment that they possessed notwithstanding the change in ownership. This also involved cases of illegal evictions, some of which were later canceled by the courts (Frištenská, 2000).⁶ Housing security of tenants was high at that time. It included a tenancy contract for an indefinite period, a guarantee of lower-than-market rents as well as allowing very limited reasons for eviction, which, moreover, was to be exclusively ordered by a court. This has produced a situation where it was virtually impossible for landlords to remove the tenants from privatized properties legally. Once this displacement was over, other forms of exploitation appeared.

It was social workers who were among the first to point out that housing poor Roma may be more profitable than evicting them. The so-called “Roma housing business” was identified in the Karlovy Vary region where dwellings were rented without the supply of hot water for amounts that would be unaffordable for tenants unless they received a housing allowance. However, this benefit only covered part of the rent, which made some tenants run into debt (Kyša, 2005). This approach proved even more profitable after the Act on Assistance in Material Need, passed in 2006, allowed tenants without a standard tenancy contract to draw the housing supplement (IPSI, 2020). As a consequence, the speculative practice of turning hostels designed to provide short-term accommodation for workers into long-term housing for marginalized people has expanded, reaching the amount of 27,000 recipients of the housing supplement in hostels in 2014 (GAC, 2015:14).

The mushrooming of such hostels was interrupted when the government started to regulate the provision of housing supplements in 2015. Many hostel operators may have decided to quit the business since then, but others have found ways to continue, such as moving the residents to standard apartments where they can receive a housing allowance (see ASZ, 2016a). Another practice is the exploitation of other apartment owners in a condominium. This is done through non-payment of fees for jointly purchased services (water and sewage, heat, waste collection, cleaning services, etc.) and contributions to the common fund used to cover maintenance, including potential credit obligations. In some locations, this practice led to the heat and hot water supply being stopped. This, in turn, caused the devastation of buildings and the departure of their inhabitants (cf. ASZ, 2019a).

Although the causes of tenant mobility are much more diverse, increased residential mobility is one of the consequences of the “poverty business.” This was suggested by research conducted in SELs. While Toušek, Walach, Kupka et al. (2018b:29–30) found out that the inhabitants of

⁶ Owners also used *winkling*, which involves “offering of financial inducements to tenants so as to persuade them to leave their accommodation” (Nelken, 2013:51) usually under rent control. All these practices were part of broader gentrification processes that were driven by the restoration of capitalism. Once-dilapidated city centers where poor Roma and other stigmatized groups were often allocated, have become a locus of capital accumulation, and this has also changed patterns of how different groups occupy urban space (cf. Růžicka, 2010).



these localities tend to move more often than their neighbors from other parts of town, Hruška, Foldynová, Juráš et al. (2016:106) argued that “the main motivation for migration is the loss of housing, or the opportunity to get better housing.” Rent arrears usually precede the loss and are partly caused by high rent and utility charges. Since the inhabitants suffer from housing insecurity, they often have to accept the conditions that put them at risk of forced mobility (ibid.:97). Part of our analysis is to contextualize the act of eviction via examining landlords’ practices that make tenants more likely to fail to make proper payments or otherwise motivate their movement.

DATA AND ANALYSIS

The dataset consists of situational analyses and other documents produced by the Agency for Social Inclusion, which was established in 2008 to help municipalities with the social inclusion of SELs’ population. Since the implementation of social inclusion policy is decentralized, the Agency’s main role lies in the coordination of local stakeholders, both public and non-governmental, involved in social policy and the stimulation of their cooperation. To this end, the Agency and the stakeholders create a “local partnership” that plans, organizes, and implements the social inclusion policy on the local level as a collective body (Lysek, Ryšavý, 2021). Part of this is the elaboration of the situational analysis, which maps the situation of social exclusion in the municipality and the capacities of local social policy actors. Covering a spectrum of issues, the situational analysis relies on research using both quantitative and qualitative methods, including interviews with local officials, residents of SELs, and landlords. The research is conducted by either the Agency’s employees or outsourced staff.⁷

We identified 150 situational analyses using the Agency’s website (www.socialni-zaclenovani.cz)⁸, adding another 17 documents about the poor Roma housing. These were mainly produced by non-governmental organizations working with marginalized people in segregated areas. These 167 documents concerned at least 210 municipalities in all regions of Czechia and were produced between 2005 and 2020 by more than 100 researchers from 15 institutions.⁹

The variability of researchers, together with the developing structure of the documents and the different nature of research, make the dataset diverse and comprehensive. There are also some limits. The research usually lasted up to several months. The depth of insight into a local setting or specific issues is thus rather restricted. Furthermore, the “poverty business” was not central to any document, although some paid more attention to it than others. Only rarely were researchers able to examine the issue in more detail, resulting in a situation in which the information is frequently just presented as told to a researcher rather than analyzed, or it is analyzed but without sufficiently describing the circumstances. This is especially important when researchers frame some practices as immoral or illegal.¹⁰ At the same time, the data proved valuable in identifying the variety of

⁷ For more information about the Czech social policy and the role of the Agency see MPSV (2020).

⁸ Under the heading of situational analyses, we also include documents titled “initial analysis” (*vstupní analýza*) or “thematic study” (*tematický výzkum*), as they basically fit our characterization of situational analyses.

⁹ The list of the analyzed documents is available here: https://www.researchgate.net/publication/352061630_The_Landlord_Treads_on_Them_so_Everything's_Fine_Exploitation_and_Forced_Mobility_in_Substandard_Private_Rental_Housing_in_Czechia_dataset.

¹⁰ This study works within the interpretative paradigm of social sciences. Some authors of the documents are also aware that the truth value of statements they present based on their interviews with respondents is contentious (e.g., Radostný, Štěpánková, Vališ, 2014:20; Konečná, Konečný, Hájková et al., 2018:30). Keeping this in mind, it should be made clear that the status of the information present in the data is not verified and shall be determined in subsequent research. The issues of morality and legality should also be elucidated.



practices that characterize the renting of substandard housing in SELs and making visible their possible impact on tenant housing security.

We conducted a thematic analysis using MAXQDA 2020 software. First, we coded all segments of the documents that referred to private landlords' practices with a set of codes derived from the literature. This set included general categories such as housing quality, housing costs, illicit practices, or eviction. As a result, 2,686 segments were coded across all documents. Second, the coded segments were re-examined in order to identify sub-categories, and these were then used as specific codes within the category to which they belonged. This stage generated 22 different types of practices. In the last stage, the identified practices were re-classified based on whether they related to overcharging rents and other payments, tenancy contracts, disinvestment, or coercion. The four categories represent the basic scheme of the exploitative system of the "poverty business," which produces, among other things, forced mobility. These categories also form the analytical framework of the following empirical study. Our arguments refer to particular documents but given the limited space we only cite selected examples.

PRIVATE LANDLORDS AND THEIR PRACTICES

Four characteristics are crucial in terms of the representation of private landlords in the data. The first is economic rationality. Private landlords are depicted as profit-driven actors who strive to maximize their revenue. Along with demanding the highest possible rents, this can be accomplished by property expansion. Some landlords place more unrelated people in one dwelling (Hajská, Pixová, Hurrle et al., 2013:23–24) or split their properties into multiple smaller apartments to accommodate more households (Štěpánková, Lomozová, 2013:12). Others purchase new properties, typically in deprived regions where out-migration has caused a surplus of cheap dwellings. This expansion is sometimes framed as "speculation", which points not only to the fact that these properties are bought with intention to rent but also to the perceived immorality of this business, which promises a high return on investment but produces negative externalities (cf. Socioklub, 2009:10–12; ASZ, 2016b:63).

Second, private landlords are often said to "specialize" in welfare recipients, usually poor Roma but also non-Roma who are disadvantaged in the regular rental market due to a variety of reasons (Hajská, Pixová, Hurrle et al., 2013:122). This orientation contrasts with the approach of other private landlords who tend to discriminate against these groups of people because they are seen as "risky" tenants, mainly in terms of rent arrears (cf. Bierre, Howden-Chapman, Signal, 2010).

Third, part of the specialization is the idea of "know-how", which concerns practices designed to eliminate the risk and keep the business going (Křištof, 2013:13). Omitting the security deposit to make housing accessible to the poor, assistance in applying for welfare benefits, creating a power of attorney to allow the landlord to deal directly with public institutions, the institute of direct payment¹¹, setting strict rules to regulate the everyday life of tenants, obliging certain tenants to cooperate, collaboration with other landlords, and debt collection are some examples of the risk-management practices we have identified.

Finally, moral frames are applied to private landlordism, mostly to denounce practices associated with the "poverty business." Although the argument of "risky" tenants occurs (Korecká, Smékalová, 2019:22), renting to marginalized people is framed as immoral based on the notion of abusing people who have little to choose from given the closed opportunities for standard housing – and all this is financed via welfare benefits (Šolková, 2015:24). The moral economy framework is clear just

¹¹ This is our translation of *institut přímé úbrady*. This legal instrument allows a direct transfer of housing benefits from the state to the landlord and the homeowners association to secure rent payment and utilities payments on time. It is used in cases where there is a perceived "real" risk the funds will be misused by residents and/or landlords.



from the expressions used to characterize the private landlords or their business: “*unfair apartment owners*” (Vepřková, 2016:38), “*mafia*” (Štěpánková, Lomozová, 2013:12), “*obscenely high rents*” (GAC, 2009a:36), “*housing usury*” (Bedřich, 2019:14), or “*housing serfdom*” (Křištof, 2013:22).¹² “Undeserved” earnings are not the only reason for moralism. The consequences of this business for everyday life of inhabitants in SELs or their surroundings are sometimes presented as even more important. Tenants of the “poverty entrepreneurs” are often mentioned as a source of disorder, which entails “annoying” living, increased alcohol and drug consumption, vandalism and crime. Likewise, the exchange value of properties is said to be falling. Whether these constructions are justified or not (cf. Dvořáková, 2017:37–40), they produce a demand for redress on the part of landlords. As shown below, satisfying this demand is sometimes done at the expense of tenant well-being.

Overcharging rent and other payments

Rent and utility payments may be a heavy burden for certain groups of people (cf. Desmond, 2018). Certainly, this is true for some inhabitants of SELs. There are three ways how rent is constructed as overcharged in the data. First, the amount of the rent is said not to correspond to the quality of housing, which is typically deemed low. The social worker quoted in a document to illustrate the poor quality of housing claimed: “*These private landlords give people substandard housing, often it’s not even fit for living. And they want outrageous money*” (Kroupa, Paleček, 2014:26). Second, the rent demanded in a SEL is compared to the rent charged outside the locality, both in private and public housing. That renting from private landlords in SELs is more expensive is sometimes substantiated by stating the total amount of monthly rent and/or price per square meter. Also, categories such as “average rent in the municipality” or “the amount of rent that is usual in the place” are used to demonstrate this disproportion. In some cases, these characteristics are combined:

“The Šumavská hostel, an accommodation unit of approximately 48 m², sets the rent for a family of four at approximately CZK 10,800.¹³ Based on the rent map of the Ministry of Regional Development, the rental of a standard-quality apartment of approximately 65 m² in Větřní ranges from CZK 3,198 to CZK 5,499 a month. According to the Větřní housing department, renting a standard-quality municipal apartment of approximately 65 m² costs CZK 2,294 per month” (Pelikánová, Šmoldas, 2013:16).

Although payments for utilities are included in the hostel rent, as is usually the case in this type of housing, the quotation above suggests that the rent charged by private landlords in SELs can be two to three times higher. This range – up to three times – was also mentioned in other documents that compared the rents of private and public landlords (ASZ, 2016b:91; Büchlerová, Kubíčková, 2017:19). The lower municipal rent is expectable to the extent that this type of housing may be considered a public service. The comparison between municipal and private housing was probably meant to highlight a mismatch between the amount of rent charged by private landlords and the needs of marginalized tenants.

We can infer this also from the last manner of presenting private landlords’ rent as inappropriate: the amount is not proportionate to the income of tenants who are mostly welfare recipients. The following quote illustrates this with respect to the detrimental effects that arise as a result:

“Since the required rent often exceeds the amount of the housing supplement, people have to top up the rent from the living allowance or other sources. This leads to persistence in actual poverty (one of the respondents calculated the remaining funds after paying rent to CZK 500 per person per month)” (ASZ, 2018:38).

¹² To be clear, in some of these expressions we quote people interviewed by the documents’ authors. We usually do not distinguish who the speaker is in the analysis, since we are not primarily interested in particular perspectives but in the content of documents.

¹³ As of 1 June 2021, EUR 1 is CZK 25,46.



The role of charging exorbitant rents in exacerbating tenants' marginality, which results in the lack of resources to satisfy basic needs, is also mentioned in other documents (e.g., Pixová, Ripka, 2013:34; Vepřková, 2016:38; Topinková, Topinka, 2017:78).

Rent overcharge is not the only way to increase return. There are many specific "extra" payments that range from small to larger amounts, and that may eventually lead to the inability to pay the rent itself. At hostels, landlords charge tenants for having visitors, for a single use of the washing machine, Internet access (Dvořáková, 2015a:78), for using one's own refrigerator or television (Jedináková, Pischová, 2013:20–21), for hot water in a shared shower (Kvasnička 2010:80), for access to a shared kitchen, and renting furniture owned by the landlord (Rákoczyová, Šimíková, Trbola, 2013:95,108). In apartments, tenants additionally pay for using furniture that was part of the rented apartment (Konečná, Konečný, Hájková et al., 2018:26), having the cesspool emptied (ASZ, 2019b:5), and confirmation of the amount of rent paid that is necessary to claim housing benefits (Vepřková, 2016:38).

Although these payments are legal by definition, some of them give the impression of fraud. This applies to fees for services such as waste collection or cleaning in the common areas that the landlords failed to provide (Hajská, Pixová, Hurrle et al., 2013:49; Vepřková, 2016:38). Also, inconsistencies in the annual account of water and heat deposits or absence thereof were reported. Either the landlord demanded payment of arrears that he fabricated (ASZ, 2016b:79) or did not return the amount overpaid (Vepřková, 2016:38). Some landlords were said to require extra payments off the book under the threat of eviction (Kafková, Sokačová, Szénassy, 2012:78), or to withhold a security deposit (Radostný, Štěpánková, Vališ, 2015:52), or refused to return the tenants' property after they evicted them under false pretenses:

"We encountered cases where former residents reported that their deposit was not refunded. The owner allegedly justified this by claiming that the residents had damaged the furnishings, which the informants deny. This led some of them to file a criminal complaint" (Pelikánová, Šmolgas, 2013:33).

Tenancy contracts

Tenancy contracts are another important factor of housing insecurity and forced mobility. Landlords may condition the contract by special fees, both refundable and non-refundable. A deposit standardly equal to one or more monthly rents is to be returned unless the tenant fails to pay rent, damages the dwelling or furnishings, or in hostels, violates the accommodation rules. Since tenants are unable to save up for a standard deposit, some landlords prefer "admission" fees, which are typically lower (Dvořáková, 2017:16). Much higher fees were also reported and sometimes raised suspicions of fraud, as this quotation suggests:

"A company represented by a [lawyer] moves socially vulnerable people from [the region] into partially renovated apartments and even collects a fee of CZK 50,000 to 80,000 from tenants for a fixed-term contract, depending on the size of the apartment. New tenants do not realize that the contract has time-limited validity and trust the verbal agreement, which assures them of permanent housing" (Socioklub, 2009:12–13).

Three types of contracts are offered: lease, sublease, and accommodation contract. They are primarily distinguished by the range of tenant rights and obligations of the parties involved, and rental period. They also entitle the tenant to different housing benefits. Briefly, while the lease contract usually provides long-term rental period, the most tenancy protection and the option to draw both types of housing benefits, the accommodation contract offers the least. However, the differences between these contracts may be manipulated. To allow for an easier eviction, the accommodation contract can be used for regular apartments where lease or sublease contracts are more suitable. Contrariwise, landlords can provide the lease contract in hostels where the accommodation contract is typical (ASZ, 2018:36; Konečná, Konečný, Hájková et al., 2018:26), the motivation being to allow the drawing of a housing allowance. The cost of greater protection against eviction, guaranteed by the lease agreement, is then eliminated by a short-term rental period.



Contracts are usually provided for maximally one year – often one to six months – and repeatedly renewed until not. Provisions favoring landlords then include short or missing notice periods, high default charges or the requirement to issue unlimited power of attorney for the landlord to negotiate with official authorities. Some of these provisions were deemed entirely illegal by the officials interviewed, but the tenants often are not able to effectively verify the validity (Hajská, Pixová, Hurrle et al., 2013:50–51; Charvát, 2019:12). This also applies to the “ban” on permanent residence. Whatever the reason, the practice makes drawing a housing allowance impossible (and drawing other benefits more difficult) and thus reduces the income of some tenants (Hurrle, Kučera, Trlifajová, 2013:82).

Some contracts are clearly fraudulently concluded when the technical condition of the rented property is falsified. Apparently a common practice (cf. Dvořáková 2015b:18; Korecká, 2016:44), some landlords make tenants sign a contract that falsely declares the technical condition of the apartment as good, as shown in this quote:

“During fieldwork [...] we met three different people who had been cheated by the same person. The scenario was always the same – after paying the deposit, it turned out that the house did not meet the requirements as promised, including the electrical wiring. When the tenants complained, the landlord threw them out and did not return the money” (Radostný, Štěpánková, Vališ, 2015:52).

However, landlords sometimes break even relatively balanced contracts. In terms of eviction, the most striking case of breach of contract is the unlawful premature termination of the contract (Jedináková, Pischová, 2013:39) and the refusal to provide documents required by official authorities. The latter is typically related to drawing housing benefits. The Labor Office insists on submitting invoices concerning housing costs as part of the assessment of the benefits’ proper use. For example, tenants reported that an authorized janitor responsible for rent collection failed to provide proof of rent payment (Dvořáková, 2013:36). Another relevant document is the confirmation that the tenant is debtless. If tenants fail to submit any of these documents, housing benefits may be suspended. Landlords may exploit this dependence to prevent the tenant from leaving, as this quote assumes:

“The research team met a tenant claiming that she asked the landlord for a confirmation of debtlessness because she wanted to find more suitable housing. Although she has no debt, the landlord refuses to provide the confirmation. It is likely that if she moved out, the landlord would fail to find another tenant. This is the obvious motivation of his behaviour” (Konečná, Konečný, Hájková et al., 2018:29).

Some tenants have no written contract, which prevents them from drawing housing benefits, and have zero protection against eviction. For the landlords, this means not only virtually unlimited power over tenants but also higher profits through income tax evasion. Both were described thusly: *“[Landlords] rent their houses to low-income families without any written contract [...] In this way, the owners break the law (by tax evasion) and expose the tenants to inconveniences. Since families have no proof of rent payment, they cannot apply for housing benefits at the Labor Office, the housing is paid from their living allowance. In other words, some private landlords keep these households in a desperate economic situation”* (Dvořáková, 2013:76–77).

Disinvestment

Rent overcharge and problematic contracts often co-occur with disinvestment in rented property maintenance. In fact, the low quality of housing seems to be the most prevalent characteristic of private landlordism, although exceptions exist and municipal housing may be even worse, also from a tenant perspective (Křištof, 2013:9). “Low quality” is a euphemism to describe dwellings as unfit for habitation. The property exterior is dilapidated, plaster is peeling, and surroundings neglected. Entrance doors and windows may be damaged, missing, or replaced by improvised devices. The quotation below illustrates the common practice of passing maintenance costs to tenants:

“We moved from Krásná Lípa to Ústí [nad Labem], but it didn't work out for us there. The landlord wanted CZK 6,000 for substandard. There were no door frames, we had to fix it and he even raised our



rent. There was no bathroom, [the walls] were not plastered at all, covered, the floors were not made, the windows were cracked.” (Hajská, Pixová, Hurrle et al., 2013:57).

Undermaintained dwellings are poorly insulated, sometimes causing moldy floors, walls, and ceilings, or freezing of the water supply or sewage systems (SocioFactor, 2013:44, Šolková, 2015:33). The heating, if working, is often insufficient, as inefficient heating sources such as local solid fuel stoves or local gas heaters are used. When supplemented with electric heaters, the tenants’ financial costs increase dramatically (electricity costs more than gas). Sanitary conditions are even worse if the heat, electricity, or (hot) water supply is stopped due to debts, whether caused by the landlord or tenants. Overcrowding, if present, further exacerbates hygienic concerns, bringing rodents and insects as well as diseases (Jedináková, Pischová, 2013:23; Pelikánová, Šmoldas, 2013:60). Dysentery, jaundice, and pneumonia burden the family budget through payments for medicines and absence from (undeclared) work.

Under these circumstances, neglect of common areas of the house may appear trivial. But the under-maintenance can be critical for feeling safe, as revealed by the following comment: “There is a scary atmosphere inside” (Hurrle, Kubíčková, Kopecká, 2015:12–13). Another study clarified how important these feelings are in terms of housing security. Lack of privacy and intense control by the landlords in hostels result in high tension and irritability, which then escalates into open conflict and evictions come as a resolution (Ort, Pospíšil, Ripka, 2016).

There are different reasons for disinvestment. If landlords intentionally ignore the maintenance of a rented property for the purpose of maximizing short-run profits, the practice is known as “milking” (Aalbers, 2006:1075). Milking has been explicitly reflected in some documents. Early on, it was claimed that: “[...] some landlords acquired the properties with the intention of not investing in them but renting to poor tenants” (GAC, 2011a:23). Milking comprises no maintenance and temporary fixes unless followed by proper ones, both saving landlords’ resources. For tenants, this means housing insecurity in several ways. Increased expenses and tension between tenants have already been mentioned. Territorial stigmatization (Wacquant, 2007) further reduces one’s chances on the rental market, as those living in “blemished places” are disadvantaged beyond ethnicity (GAC, 2009b:12–13; 2011b:16).

Coercion

The documents contain a broad spectrum of coercive practices. Whether aimed to pacify or exploit tenants, the practices are clearly connected to the rental business. Especially at hostels, strict rules are often enforced. The tenants have to bear regulations such as CCTV systems (Bedřich, 2015:14), ban on hanging around in front of the building (Pelikánová, Šmoldas, 2015:25), ban on visits or keeping visitors’ ID cards at the entrance, allowing visitors to walk around the building only accompanied by staff (Jedináková, Pischová, 2013:25), and restrictions of children’s movement in the hostel (ASZ, 2018:38). Violation of the rules may lead to termination of the lease but also to financial penalties. One hostel manager was described to rule “with an iron hand”, which meant that he fined tenants for such transgressions as not closing the door to the second floor or not turning the lights off in a shared bathroom (Dvořáková, 2015b:17).

While some of the measures may be understandable owing to safety concerns, others may not. Such is the case of entering the dwellings without the tenant’s permission. An illustration of the flagrant privacy violation was described as follows:

“The landlord and researcher went to the apartments. The landlord knocked on the door. However, he did not wait for a response and opened the door. Embarrassment arose as one of the selected tenants was just changing her clothes, having returned from work. Later, during the interview, the landlord entered the apartment even without knocking. The woman’s reaction suggested that this is nothing special and such behavior is the order of the day” (Konečná, Konečný, Hájková et al., 2018:34).

Coercive practices are frequently associated with debt collection. Debt repayment can be enforced by threatening to stop the electricity or water supply, to institutionalize children, and by threats



of violence (Člověk v tísni, 2005:90; Pelikánová, Šmoldas, 2013:33; ASZ, 2016b:30). More subtle coercive practices were also identified, including stigmatization of debtors by making their names public in communal areas and by marking their dwellings (Radostný, Štěpánková, Vališ, 2015:16). Debts can be also repaid by work, including sex work: “[...] there are certain ways to placate the landlord to wait when the rent is due; different voices repeatedly claimed that he could be appeased by the company of a young girl” (Hurrle, Kučera, Trlifajová et al., 2015:28).

Debts usually result from unpaid rent or utilities, or usury by which some landlords expand their portfolio of services offered to tenants (GAC, 2009b:26). In any case, the existence of debt not only further reinforces the power asymmetries between the tenant and the landlord and provides an opportunity to increase the landlord’s income through late fees but also increases the housing insecurity and forced mobility:

“Landlords threaten the tenants with terminating their contract and, in doing so, make most tenants pay their debts; in other cases, they arrange exceptionally high late fees, and [allegedly], use other, informal ways of debt enforcement [...] Interviews in the Locality show that eviction of debtors is not uncommon; however, most families leave the apartments themselves before being forcibly evicted” (Rákoczyová, Šimíková, Trbola, 2013:19).

Physical violence and threats, including that of eviction, were sometimes stated without specification (Konečná, Konečný, Hájková et al., 2018:34), other times in connection with “disobedience” (Dvořáková, 2015b:21) or media appearances of tenants who dared to speak publicly about their housing conditions (Jedináková, Pischová, 2013:39). Landlords also verbally assaulted social workers and researchers (GAC, 2009a:16; Dvořáková, 2015b:8). Finally, coercion was registered in relation to the recruitment of tenants into landlords’ criminal activities: illegal housing provision, organized prostitution or illicit drug trade. Local tenants were employed to work in the houses designed for the “poverty business” and for illicit drug distribution:

“According to local informants, the landlords frequently rent to drug addicts in the area, using them either as dealers in their drug trades or as consumers, and also as cheap labor to renovate newly-acquired properties in order to further extend the SEL” (Büchlerová, 2018:10).

Coercion may have contradictory effects in terms of housing insecurity. Although it surely adds to reasons for tenants to move out, they simultaneously subordinate the tenants to the landlords through the creation of a system of obligations and intimidation (Hurrle, Kučera, Trlifajová, 2013:82). To escape this exploitative relationship, some tenants might appreciate external support, which brings us to the conclusion.

CONCLUDING REMARKS

Although increasingly commodified, housing is a basic human need, and adequate housing is a condition to which everyone is entitled. In this context, M. Rezaul Islam and Ndongi wa Mungai (2016) argue that forced eviction, which, evidently, uproots people from their homes, destroys their social networks, exacerbates homelessness, perpetuates poverty, and causes psychological injuries, shall be seen as a human rights violation. Following this, we use this concluding section to discuss the implications that our findings may have for social policy and social workers in particular.

The findings presented above were derived from the study of the documents mainly produced by the Agency for Social Inclusion. We analyzed how private landlordism in SELs is represented in the documents, focusing on four categories of practices: overcharging rent and other fees, tenancy contracts, disinvestment, and coercion. Each of them offers a variety of examples that illustrate how landlords may exploit tenants, legally or illegally, and how this contributes to tenants’ housing insecurity, and increases the risk of forced mobility. This focus admittedly excludes the good or, at least, neutral practices that are also present in the data. We deem it justifiable given the harm that the practices may produce.

The findings reveal that private landlords in SELs have an arsenal of tools at their disposal that can gravely impact the livelihood of their tenants. Assuming this is the case not only in the world



of representation but also “out there,” the implications are as follows. Social policy should aspire to strengthen the position of tenants to counter their dependency on “poverty entrepreneurs.” This includes ensuring the availability of social housing, effective debt relief, as well as the reduction of discrimination in standard rental housing. The key significance of structural changes should not give the impression that nothing else makes sense. For example, the Labor Office can increase the housing security of the marginalized through wider use of a welfare benefit to cover the security deposit (Matoušek, Lang, Galan, 2020). Municipalities may start their own social housing programmes (Kocman, Lesák, Bírová et al., 2019), and draw on experience from abroad in dealing with rogue landlords (DCLG, 2012; Vols, Belloir, 2019).

Social workers were the first to recognize rogue landlords in the country, and we believe that they have an important role in addressing the issue. As they are often the only witnesses to tenant exploitation and harassment, they can set this issue onto the agenda of public authorities using the various civic platforms such as local partnerships. Ethnic and territorial stigmatization require specific attention. Anti-Roma stigma often functions to neutralize any suspicion of human rights violation, as poor housing and forced mobility are blamed on the alleged incapacity of Roma to “live normally.” Challenging this stigma by exposing the agency of other actors and structural factors seems to us an important task that also social workers can embrace. Simply put, it means raising the awareness of the fact that it is often the landlords, rather than “the Roma culture” that is responsible, as well as is the state, which fails to redress the housing market failure. An inspiration for how to approach the task of reducing stigma can be drawn from the American Academy of Social Work and Social Welfare (Goldbach, Amaro, Vega et al., 2015).

Moreover, social workers may act as initiators and mediators between public authorities, landlords, and tenants in order to reduce the power asymmetry existing in landlord-tenant relationships, prevent forced mobility and improve rental and housing conditions. Community social work seems most appropriate where housing insecurity is a shared experience (Gojová, Gojová, Burda et al., 2019). Also, in compliance with the current Social Inclusion Strategy and its emphasis on “active citizenship” (MPSV, 2020:52), the objective is to empower tenants to defend their rights. This entails that tenants are able to recognize when the landlord violates their rights, speak up, and seek help if necessary.

That this all will not always be easy is shown in the quote used in the paper’s title, a remark made by a resident of a SEL with regard to inhabitants of another SEL. Based on reading the analyzed documents, it appears that the public perception of the tenant-landlord relationship is skewed in favor of the latter. It is not only public officials or other property owners, but also other residents who seem to approve of landlords’ harsh control of tenants, of “treading on them” (Vepřková, 2016:40), rather than wanting to hold them accountable. Social workers should be aware of this dynamic and actively work with the possibility of identification with dominant categories and systems of classifications on the part of those who suffer from them the most.

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