

ADDRESSING THE CHALLENGES TO ADEQUATE HOUSING FOR VENEZUELAN REFUGEES IN LATIN AMERICA AND THE CARIBBEAN AN EXAMINATION OF RENTAL ASSISTANCE FOR STRENGTHENING HLP AND TENURE SECURITY

By Melina Holder



Venezuelan migrants crossing the border in Pacaraima, a city in northern Brazil that lies just across the border from Venezuela and is the main entry point into Brazil for thousands of migrants.



Katisuka Fernandez, 31, six months pregnant, getting prenatal consultation in a small open school in Sakao Motá, an indigenous remote border village hosting Brazilians and Venezuelans in northern Brazil.

INTRODUCTION

Emergency rental assistance has emerged as an opportunity to support HLP rights and tenure security for displaced persons in urban areas, especially as most people in urban areas engage in rental markets. In Latin America and the Caribbean (LAC), rental assistance in the form of cash for rent has become a major method for supporting access to adequate housing for refugees in response to the Venezuelan displacement crisis. However, challenges such as social barriers and economic constraints pose risks to tenure security despite rental payment support. Overall, rental assistance can be critical to delivering HLP and tenure security support for migrants, refugees and IDPs in urban areas, but additional efforts are needed to ensure that it is effective in providing long-term solutions.

The context of urban displacement in Perú was analyzed to identify the primary challenges faced by migrants, refugees, and asylum seekers from Venezuela in accessing adequate housing through rental assistance and the greatest needs in rental assistance programming to support long-term tenure security. Perú hosts the second-most (1.49 million) Venezuelan refugees and migrants in LAC¹ and is home to the third-largest city in Latin America, Lima, where approximately 80% of Venezuelan migrants and refugees have settled². Therefore, Perú provides a complex context of urban displacement which highlights the need for long-term HLP and tenure security strategies that can have greater implications for HLP programming in Latin America.

1 USAID. (2021). *Venezuela Migration Crisis Peru: Second Largest Destination for Venezuelan Migrants*.

2 Ibid.

BACKGROUND

The right to adequate housing is a fundamental human right that is enshrined in international human rights law³. It ensures that every person has the right to live somewhere with security, peace, and dignity, and to be protected against forced evictions⁴. Housing, land, and property (HLP) rights are crucial for protecting the human right to adequate housing and ensuring that people can establish themselves in a self-determined location without fear of displacement.

Security of tenure is a critical condition for housing to be considered "adequate," and it is essential for a person's ability to access social services⁵. Displacement can significantly impact HLP rights and tenure security of individuals, resulting in forced eviction, loss of property, social support networks, and limited access to essential services and resources.

Previously, HLP rights in the humanitarian context have focused on securing land or buildings for emergency camps and shelters, facilitating restitution for internally displaced persons (IDPs) back to their property, or resettling persons to new land if return is not possible. However, as urbanization, climate change, conflict, and economic hardship lead to prolonged displacement, humanitarian responses to HLP and tenure security must focus on long-term solutions

3 UN Habitat. (2000). *The Right to Adequate Housing – Factsheet 21*. P. 3-27

4 International Organization for Migration (IOM). (2018). *Guidance Note: Integrating Housing, Land, and Property Issues into Key Humanitarian, Transitional and Developing Planning Processes*. P. 1-15.

5 Payne, Geoffrey, Lasserre, Alain. (2012). *Holding on: Security of Tenure – Types, Policies, Practices and Challenges*. P. 10-25.

for urban integration, while ensuring that settled communities have the capacity to welcome increasing numbers of migrants and refugees.

Urban areas pose particularly difficult challenges for migrants, refugees, and IDPs in accessing adequate housing due to higher living costs, xenophobia, and difficulties in acquiring legal documentation to safeguard their rights as tenants. In addition, the coexistence of informal and formal housing markets and shortages of housing and services in urban areas create further challenges for these populations⁶

METHODOLOGY

The research took place over a six-week period in Lima, Perú, supported by the Global Shelter Cluster. Site visits and interviews were conducted in two regions: central Peru, Lima, and the Amazon region of Madre de Dios on the borders of Brazil and Bolivia. Field visits were coordinated with support from the International Organization for Migration (IOM). The research design focused on qualitative data collected from semi-structured field interviews and desk research, including case study research on CCCM and shelter projects with HLP and tenure security components, disability inclusion, settlements approach, eviction response and mitigation case studies, gender mainstreaming in HLP programming, and case studies on addressing GBV in shelter and CCCM projects.

Interviews were conducted with country offices and partners implementing rental assistance programs in LAC to understand skills, capacities, and gaps in addressing HLP and tenure security through rental assistance for different populations. The field interviews with Venezuelan migrants and refugees focused on two groups: beneficiaries of Cáritas' rental assistance project in Lima and those who have not received rental assistance in Madre de Dios. A list of questions guided the interview discussions informed by discussions with staff from Cáritas in Lima working on an ongoing rental assistance project, contextual information provided by operational Perú teams and data from the R4V Interagency Coordination Platform for Refugees and Migrants from Venezuela. The questions focused on understanding the greatest challenges faced by Venezuelan migrants and refugees in accessing a place to rent, types of rental agreements and level of tenure security. Overall, the qualitative data collected from case study research and practitioner interviews were analyzed to draw out key takeaways and recommendations.

WHAT ARE THE MAIN CHALLENGES TO TENURE SECURITY FACED BY VENEZUELAN MIGRANTS AND REFUGEES?

SOCIAL BARRIERS

Discrimination, particularly targeting pregnant women and individuals with children, posed a significant obstacle in securing appropriate rental accommodations. This issue

issue had a disproportionate impact on women, who were more likely to be accompanied by children. Additionally, xenophobia and conflicts between renters and landlords often resulted in forced eviction or harassment to the extent that renters would be forced to leave without any recourse.

The limited availability of legal or customary mechanisms for resolving disputes, coupled with a lack of awareness regarding existing legal and social support, exacerbated the issue. Limited childcare options or social support for migrants and refugees in shelters also limited people's ability to leave the shelter to look for work and housing.

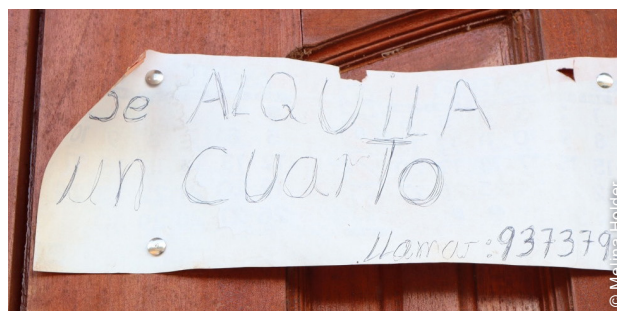
Lack of awareness building about renters' rights and landlord responsibilities also served as a social barrier to tenure security. This was especially prevalent in the context of disability inclusion. There were some cases where a person with disabilities were unaware of their rights to request for housing modifications or support that met their requirements, or where to access other protection, social or livelihood support.

ECONOMIC BARRIERS

The cost of living in Lima and Madre de Dios presented a significant challenge for migrants and refugees to afford their rent. Rental payments often were not provided long enough for rental assistance recipients to secure their economic position enough to continue their rental payments. In Madre de Dios especially, there were limited job opportunities that would provide enough income to cover the cost of rent in the area. Further, the options most available to women were often in environments where there was increased threat of exploitation.

RENTAL PRACTICES

The common practice of verbal rental agreements posed challenges for both renters and landlords, lacking assurances and protections in case of disputes or forced evictions. There were cases where landlords would cut off essential services despite rent being paid, leaving renters with limited options: staying without services or becoming displaced once again. Even when documented rental agreements were used, they did not always have sufficient terms and conditions to offer comprehensive protection. Further, legal or formal pathways for enforcing rental agreements and systems to resolve rental violations were often unclear and inaccessible.



An example of rental advertisement in Madre de Dios, Perú (example of informality of rental situation)

6 University of Oxford. (2010). *Adapting to Urban Displacement. Forced Migration Review*. P.7

WHAT ARE THE MAIN CHALLENGES TO TENURE SECURITY SUPPORT IN RENTAL ASSISTANCE?

FUNDING & CAPACITY CHALLENGES

Due to time, budget and capacity constraints, there was limited ability to monitor rental assistance recipients' post-assistance to evaluate if assistance was provided long enough to improve the livelihood situation of the recipient and maintain tenure security, or what factors continued to pose challenges. Additionally, rental assistance was only provided for a maximum of three months due to funding constraints.

INFORMATIONAL CHALLENGES

Performing comprehensive independent due diligence processes to verify information provided by rental assistance recipients and landlords was a challenge to ensuring all needs of the renters were met and conditions were suitable to proceed with assistance. For example, due to the high rates of discrimination towards people with children, some families would say they had fewer children out of fear of becoming ineligible for assistance. Additionally, landlords sometimes provided inaccurate information about their property ownership or the property's adherence to habitability requirements.

Other informational challenges, such as establishing reliable methods of communication between rental assistance project managers and recipients hindered the monitoring of rental payments and the resolution of disputes or response to evictions. Additionally, inadequate information on procedures and timing of rental payments occasionally made it difficult for renters to explain the process to prospective landlords, leading to hesitancy in renting.

SOCIAL CHALLENGES

Social barriers, such as discrimination and xenophobia often prevented landlords from renting to rental assistance recipients despite the fact that payments were made directly to the landlords. In some cases, renters were still at risk of eviction and harassment even after rental payments were made.

Additionally, limited awareness about the support requirements for different populations of persons with disabilities



An image of Iñapari, Perú, one of the most porous borders between Brazil and Perú where many migrants cross and there is only one operating service provider.

occasionally impacted rental assistance project managers' ability to ensure persons with disabilities who receive rental assistance have adequate support and resources to accessible housing, project information, and legal, communication or other social support.

WHAT DO RENTAL ASSISTANCE PROJECTS NEED TO SUPPORT TENURE SECURITY?

ACTIONS TO ADDRESS SOCIAL, RENTING & ECONOMIC BARRIERS

Community sensitization, either through information campaigns or direct engagement with landlords, could help ease tensions between renters and landlords. It is important to engage directly with landlords and property owners to understand their hesitation and provide the necessary

projects, use of documented rental agreements, rights and responsibilities of renters and landlords, available mechanisms for resolving disputes and provision of rental agreement templates.

Social support network mapping could also assist in addressing social barriers. This should focus on identifying relevant organizations and individuals that can provide assistance in addressing HLP concerns, childcare and legal support, organizations that specialize in support for persons with disabilities, such as Organizations of Persons with Disabilities (OPDs), or other social services. The support network is also a valuable tool for collecting information about the tenure security context, addressing disputes and providing referrals for other available assistance, such as job support services or other programs to help renters continue payments post-assistance.

To ensure rental assistance projects are meeting the needs of all rental assistance recipients, a disability inclusive that is rooted in the principles established by the Convention on the Rights of Persons with Disabilities, including respect for dignity; participation and inclusion; non-discrimination and equality of opportunity; and equality between men, amongst others⁷. Further, a case management approach that integrates housing and tenure security support with income generation, legal support, protection and support for caregivers or family members should be included in rental assistance programming when applicable. Assessments that identify persons with disabilities and their needs should employ recognized data collection methodologies, such as the Washington Group Questionnaire Sets⁸.

COMPREHENSIVE INFORMATION GATHERING

Conducting HLP and tenure security assessments, either independently or in coordination with the overall rental market assessment, that evaluates the level of tenure

7 IASC. Inclusion of Persons with Disabilities in Humanitarian Action. P.7. https://reliefweb.int/attachments/ebc305c6-9252-3412-8ddd-2695ece185af/iasc_guidelines_on_the_inclusion_of_persons_with_disabilities_in_humanitarian_action_2019.pdf

8 Washington Group on Disability Statistics. (N.D.) Washington Group Questionnaire Set. <https://www.washingtongroup-disability.com/question-sets>

security that an individual or community has in their land, property, or in this case, rental accommodation could help rental assistance projects better understand the HLP and tenure security context, proactively address tenure security barriers and plan for needed awareness-building, referrals and exit strategies. HLP due diligence focused on independently verifying the landlord's right to rent out the property, and any information provided by renters and landlords that has the potential to weaken the renter's security of tenure is also needed to ensure project managers are accounting for all variables that could impact tenure security.

EXIT PLANNING

Although rental assistance projects can enhance tenure security during the period of assistance, it is crucial to plan from the beginning of the project how renters will be able to continue their rental payments and maintain or improve their tenure security. This could include identifying and linking renters to complementary income generation or development sector programs, appropriate job-skills trainings, or local organizations already working with government-funded livelihood programs. Monitoring programming is also needed to understand the impact rental assistance programs had on beneficiary tenure security and ability to improve living conditions.

Rental assistance projects provide an opportunity to deliver tenure security and HLP support in the context of urban displacement by providing targeted resources to migrants,

refugees and IDPs to help secure housing and acquire the stability to plan next steps. Rental assistance, when paired with awareness-building, can also play an important role in community integration and sensitization towards renting to migrant and refugee populations.

To effectively scale long-term HLP and tenure security support and minimize the risk of eviction and secondary displacement, rental assistance projects need to incorporate exit planning and programming that tackles key obstacles to tenure security from the beginning of the project. This includes addressing social and financial barriers, promoting renting awareness, tailoring support for different vulnerable populations, and ensuring independent verification of information relevant to HLP rights. Identifying opportunities to leverage existing support and resources, such as through coordinating with development-sector programs or organizations working with municipal government-funded could help overcome barriers with funding and emergency timelines.

Scaling such an approach could have significant implications for addressing urban displacement in Perú and serve as an example for HLP programming in other LAC countries. Given the magnitude of the Venezuelan refugee crisis and the challenges faced by Venezuelan refugees in realizing their right to adequate housing, implementing effective rental assistance programs can play a crucial role in providing HLP and tenure security support for displaced populations throughout the region.



Venezuelan migrants line up for migration procedures in the Brazilian city of Pacaraima, close to the borders of Venezuela.