

## GUIDELINES FOR PRIVATE ACCOMMODATION FOR REFUGEES

A lot of people are offering to host refugees in their own home or to let them use another of their properties. This cohabitation and personal involvement often prove to be a satisfying and enjoyable experience. However, dealing with sometimes traumatised refugees and particularly vulnerable people, but also unrealistic expectations regarding one's abilities to support other people, can lead to a feeling of being overwhelmed and to exploitative situations. The following guidelines have been drawn up to provide an overview of the rights of refugees seeking shelter as well as of the support options available.

### I. Feeling overwhelmed and overburdened

It is crucial to take seriously any enduring signs of stress, strain or sleeplessness and to get psychosocial help if necessary. Anyone around you that you trust and/or contacts with local initiatives and volunteering organisations can be helpful in this respect.

#### **Services available in acute situations:**

- Counselling hotline on mental health  
**+49 (0)241 8036 777** (Mon – Fri 9a.m. – 12a.m. and 1p.m. – 4p.m.)
- Crisis helpline **+49 (0)800 1110111** (24/7)

### II. Any work performed in the household must be paid

Refugees may want to help out with housework and/or take on care responsibilities for people or pets living in the home hosting them. There is a very fine line between favours and actual work:

FAVOURS	WORK
a 'favour' usually describes an isolated activity performed in the context of a close relationship such as the family or neighbourhood. The focus hereby lies on the help provided.	the person doing the work is bound by their employer's instructions and is financially dependent on them. They are performing a job they have committed to doing.

Domestic work is such a job. Most refugees from Ukraine holding a residence and work permit under Section 24 of the German Residence Act can take on this kind of job. They must be paid a fair wage for their domestic work and registered with the relevant authority ('Minijob-Zentrale'). 'Donations in kind' within private households such as free meals or accommodation are not considered a wage.

A written contract will ensure a transparent and safe relationship for both sides.

**IMPORTANT:** people on a 'mini-job' contract have the same rights as full-time employees, i. e.:

- Working hours of 8 hours/day maximum (up to 10 hours in exceptional situations)
- Statutory minimum wage at least
- Sick pay and maternity leave
- Compliance with occupational health and safety rules

#### **More information:**

- Fair Integration <https://www.faire-integration.de/en/>
- Citizen's hotline on labour rights: **+49 (0)30 221 911 004** /  
Mini-jobs: **+49 (0)30 221 911 005**

## Guidelines for private accommodation for refugees

### III. Fair rent

Any residential lease for a duration of more than a year must be concluded in writing. If the tenant cannot pay the rent themselves, the Job Centre can offer help.

**IMPORTANT:** people providing accommodation for refugees are required to rent out their flat at the normal market rate.

Requesting or accepting too high a rent or obtaining a promise of payment for too high a rent may constitute an offence (as per Section 5 of the German Economic Offences Act). Any rent exceeding the market rate by over 20% is deemed too high. Landlords may make themselves liable to prosecution on the grounds of rack-renting if they deliberately exploit their tenants' lack of experience or their difficult circumstances (Section 291 of the German Criminal Code).

The German General Law on Equal Treatment also forbids any unfair treatment on the property market based on an individual's ethnic origin or racist discrimination.

### IV. Hosting children and young people

People hosting unaccompanied minor refugees are also required to comply with additional legislation aimed at protecting children:

- No permission is needed if the host and the children are related (up to three times removed). The hosts must obtain a power of attorney regarding care and custody of minor children from the child's parents and report to the Youth Welfare Office [Jugendamt] as the appointed person.
- If there is no such power of attorney, the child will have to be taken into care by the Youth Welfare Office (see Sections 42 and 42 a of the German Social Code, Part VIII).
- If the child has no regular contact with their parents or if the child's best interests are not adequately protected, the Family Court will have to appoint a guardian.
- Any hosts providing accommodation for over 8 weeks for a child in the absence of any relation of kinship will have to obtain a care permit (Section 44 of the German Social Code, Part VIII).

- In Germany, school is compulsory for all children over the age of 6. To begin with, refugee children and young people will be put in an integration class/preparatory group to learn German. Rules applicable at the level of the individual federal states also apply to Ukrainian refugees.

#### **More information:**

- Association for Unaccompanied Refugees: [www.b-umf.de/en](http://www.b-umf.de/en)
- Local Youth Welfare Office

### V. More information and regional counselling centres

If you need help and/or are unsure about certain legal aspects, make sure you ask for advice from a specialised counselling centre.

- [www.germany4ukraine.de](http://www.germany4ukraine.de)
- Helpline Ukraine: **+49 (0)800 500 225 0** (Mon – Fri 2p.m. – 5p.m.)
- Search for a specialised counselling centre: [www.kok-help.de](http://www.kok-help.de)

#### CONTACT