

Introduction

Findings from the UNHCR Home Visit report “Living in the Shadows” indicate high levels of economic vulnerability amongst Syrian refugees, with two out of three living below the Jordanian absolute poverty line of 68 JOD/person/month (96USD). Levels of poverty are higher amongst female than male-headed households. Most families need to spend more than they earn in order to meet their household needs, with average expenditure being 1.6 times greater than income. Refugees must therefore resort to a range of coping strategies to survive. Almost half (47%) of refugee households are in living conditions assessed as bad or urgent, and two out of five live with poor sanitary conditions. Of those renting, one in five families has no rental contract. This lack of proper tenure documentation can be a barrier to obtaining an MOI card, and leaves tenants vulnerable to exploitation or eviction by landlords.

Upgrading is considered a priority activity under the Jordan Response Plan (JRP) and the Shelter Working Group sector strategy. It relates to the Shelter JRP indicator: “*# of shelters headed by women, girls, boys and men upgraded to adequate standards.*” Though this activity is reported under Shelter, it has a major household-level WASH component.

This document was prepared by a technical task force of the Shelter Working Group (SWG) in Jordan for the Syrian refugee response and is intended to complement the ‘*Explanation of Shelter Methodologies and Standards in the Jordanian Host Community*’ adjusted extract from the UNHCR Shelter and Settlement Strategy for Jordan and *UNHCR’s Global Shelter and Settlement Strategy, 2014-2018*.

Definition

The sectorial objective for the provision of adequate shelter and settlement of Syrian refugees in host communities as defined in the UNHCR Shelter and Settlement Strategy for Jordan is: to increase number of people that have access to shelter solutions that provide privacy and emotional support, protection from elements, space to live and store belongings, facilitate access to utilize essential household services/ infrastructures, enhance security of tenure, minimize risk of eviction and reduce the competition between refugees and vulnerable Jordanian households thus benefiting from peaceful coexistence with host communities.

Upgrading of sub-standard shelters is an integrated approach which addresses multiple household-level needs faced by vulnerable families living in sub-standard buildings. It involves the provision of assistance to support permanent shelter and household-level WASH upgrades in exchange for security of tenure and rent reduction. The intervention addresses the physical aspects of poor living-conditions whilst reducing the household’s rent-burden, reducing their economic vulnerability and provides them with more stability. It contributes towards an increase in the adequate housing stock in Jordan, the local economy and social cohesion through the clear investment in the host community.

This activity is conducted in sub-standard buildings. It is not applied to temporary structures such as tents and informal settlements.

Scope of Intervention

This intervention targets the most vulnerable families living in sub-standard accommodation that lack a combination of any of the following:

- Adequate privacy, dignity and protection from the climatic exposure (i.e. wet and cold)
- Adequate access to safe water and sanitation (therefore resulting in unhygienic conditions)
- Adequate connection to municipal infrastructure and services (e.g. electricity, water supply, waste-water collection, solid waste collection); or
- Expose the occupants to avoidable health and safety risks

Beneficiaries are selected based on a vulnerability scoring developed by each implementing agency. The highest scoring is usually granted to households that have no written lease, are at risk of eviction, or are overcrowded. Female headed households, individuals with physical disabilities, the elderly, and other highly vulnerable individuals are prioritized in these instances as they are more likely to resort to negative coping strategies and less likely to have a secure tenancy.¹ In the future this scoring should be aligned and harmonised with the roll-out of the inter-agency Vulnerability Assessment Framework (VAF).

Interventions are categorized into civil, mechanical, and electrical, however the scope of works to be completed should be agreed between the refugee household, landlord and the organisation. This is intended to empower the refugee household, in agreement with the property owner, and allow them to address their own priorities. Organisations should encourage a focus on the following core shelter needs:

OUTCOME / JUSTIFICATION	ACTIVITY
Improved, durable protection from cold and wet weather, increased security and privacy	Adding permanent doors Adding permanent windows Insulation (roof, doors and windows)
Improved hygiene and access to water and sanitation facilities	Installing latrines Installing hand-washing facilities Installing washing facilities Improved drainage Building new / expanding existing septic tanks Mending leakages in water supply Fixing drainage systems
Improve connection to municipal infrastructure and services	Water supply, through connection to mains / installing water tanks Installing separate electricity meters
Removing Health and safety risks	Adding balustrades or barriers to stairs, balconies etc. Adding electrical earth, removing faulty wiring etc.
Creating separate sleeping areas to improve privacy and to create a warmer living area (Note: smaller rooms are easier to heat and keep warm during winter)	Installing internal doors Installing lightweight partitions

Works must not include any structural works, or works in properties which are structurally unsound.

Renovation of sub-standard shelters can be implemented either through conditional cash grants or directly through contractors. Conditional Cash Transfers can be made to the families (tenants,

¹ Lives unseen: Urban Syrian refugees and Jordanian host communities three years into the Syria crisis (CARE)

landlords, or divided between tenants and landlords) who implement or manage the works themselves. This should be supported by regular visits made by the agency's engineers who should provide oversight and technical advice. Payments are typically split into tranches, contingent upon progress against the bill of quantity or scope of work. Cash is transferred to the beneficiary household(s) via a pre-paid ATM card. The SWG actively supports the sector-wide strategy of moving towards each refugee family having a guichet unique (i.e. one single ATM card for all cash assistance).

It is advised that security or insurance deposits should not be paid to landlords to secure a tenancy agreement. It is important to have the following documents signed between all parties: 1) a valid rental contract between the landlord and the beneficiary, 2) agreement between the agency and the landlord.

A standard rental agreement template exists in Jordan however this is weighted in favor of the landlord². It is therefore advisable to use an alternative approved by the Shelter Working group and verified by a lawyer.³ It is important for a rental agreement to be stamped and signed by the local authorities⁴. This helps to facilitate the issuing of an accurate Mol card which alleviates protection concerns. If the agreement is not authorized it does not legally protect the tenants from eviction. A municipality will authorize leases for a fee of approximately 10-15JD. This involves a check on the status of both the property and the landlord including if the landlord has tax arrears or if the property has irregularities, e.g. lack of building permits, or occupancy permits, or proof of property.

Refugee families should have a clear rental document stipulating rental terms, recognized in Jordanian court system, and access to legal protection in the case of arbitrary eviction or actions by the owner in contravention to the rental.

Agencies should also be responsible for monitoring the household to ensure that both landlords and tenants do not breach the defined agreement over tenancy period. Agencies should consider existing networks and family groups as not to damage existing coping mechanisms and alleviate protection concerns.

Awareness campaigns, workshops and focus group discussions regarding the rights and obligations of both landlords and tenants will run alongside shelter interventions. Workshops will address the issues of restriction on access to housing due to discrimination. Participants will also be informed of both their rights and their obligations as tenants under Jordan's tenancy laws⁵. This will aim to mitigate tensions surrounding housing for Syrians in host communities.

Level of Assistance and Value for Money

Subject to the condition of the sub-standard shelter, the budgeted amount may range on a case-by-case basis. In addition the budget is subject to periodical revisions depending on prevailing construction costs, as well as donor requirements.

Shelter upgrading interventions will be linked to conditions that allow the tenant to remain in the upgraded property for a set period of time with no increase in rent as defined by the agency and the

²Considerations for lease contracts for shelter actors, prepared by NRC ICLA

³ NRC has developed an alternative rental agreement template (Owner Beneficiaries Tenure Agreement) which can be shared upon request.

⁴Article 5: The Law Regulating Leases No.3 (1973)

⁵ For more guidance see NRC's unofficial translation of Jordanian tenancy laws: Landlords and Tenants Law No 11 of 1994 and Civil Code No 43 of 1976 (articles 658-710)

landlord⁶. This can be summarized in the table below which relates investment limits to certain rental conditions.

Intervention	Investment Limit	Minimum Requirements
Shelter Upgrades	Less than 500 JD	Security of tenure for one year No increase in rent for the duration of the lease No eviction
	500 – 900 JD	Security of tenure for one year Negotiated reduction in rent ($\geq 10\%$) No eviction
	900 – 1,200 JD	Security of tenure for at least one year, ideally 18 months Negotiated reduction in rent ($\geq 20\%$) No eviction

Agencies are encouraged to consider incorporating environmental concerns into the project design. This could include the following:

Installation of **solar water heating** to households utilizing renewable energy resource. The solar water heaters will considerably cut down households' energy bills and improve living conditions of beneficiaries.

Energy efficient lighting involves replacing standard bulbs with energy efficient compact fluorescent light (CFL) and light emitting diode (LED) bulbs. This will contribute further towards cutting down household energy bill, reported as one of the main challenge faced by vulnerable families.

The distribution of **water saving kits** to reduce household water consumption. The kit can range from shower heads, taps and flushing tank fittings, cutting the overall water consumption by up to one quarter. In addition to the environmental benefits, water saving measures are also expected to reduce costs of water trucking and wastewater disposal faced by vulnerable households.

Monitoring and Dispute Resolution

It is recommended that agencies conduct monthly monitoring to ensure that tenants are still living in the accommodation, there is no increase in rent, the housing is secure and no additional rents are claimed to the tenants by the landlord. The Shelter WG is developing post-activity-monitoring guidelines to monitor the work and outcomes of projects. Implementing agencies should use these guidelines once they are endorsed by the WG; agencies can also use other monitoring tools specific to their organizations alongside the Shelter WG post-activity-monitoring guidelines. It is also suggested that agencies establish a dedicated hotline number for refugees to use for queries and problems.

Shelter actors can support landlords and tenants resolve their disputes by:

- Ensuring that both parties understand their obligations under the contract with agencies taking time to explain the terms clearly. Arranging legal information sessions for landlord and the tenant together can be a helpful way of making sure both parties understand the seriousness of their contractual obligations and potential remedies at law for breach of contract.

⁶ For more guidance see [NRC's Legal, Regulatory and Protection Considerations for Urban Shelter Responses](#)

- Drafting appropriate contracts that cover the most common types of dispute.
- Providing details of where the parties can go in case of dispute (agreed mediators specified in the contract or legal aid providers).
- Providing a follow-up and feedback mechanism back to the organization.
- Monitoring and recording problems (e.g. evictions) to feed into improved programme design and to share details with other shelter actors in the shelter working group.

Landlords should be supported to regularize their holding through the provision of advice and support. Furthermore enquires should be made regarding the status of the tenant (are they registered with UNHCR, with the Mol). If they are not registered with authorities note that the irregular nature of the property will act as a barrier to them becoming registered and accessing services.