

## INTRODUCTION

This document was prepared by a WASH/Shelter 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. Upgrading of sub-standard shelters is considered a priority activity under the Jordan Response Plan (JRP) and the Shelter Working Group sector strategy. Though this activity is reported under Shelter, it has a major household-level WASH component.

Jordan hosts more than 633,000 registered Syrian refugees, the equivalent of approximately 10% of its population. As of January 2016 some 85% or 538,000 registered Syrian refugees were living in host communities throughout the country in urban and rural areas; 25% of individuals are severely shelter vulnerable and 50% are highly shelter vulnerable. They report shelter as their single most pressing need, and the search for shelter is now one of the key sources of tension between Syrian refugees and Jordanian host communities. For refugees that have been able to secure a roof over their heads it is often at relatively high rental prices. High rental prices increase vulnerability and contribute to insecurity of tenure. One in five Syrian refugee families in host communities do not have any form of rental contract. WASH vulnerability has also been observed in the homes of Syrian refugee and Jordanian families in Northern Governorates in Jordan, this document has been drafted in an effort to standardize and integrate both sectors’ (WASH and Shelter) interventions at household level in host communities.

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The following guidelines have been drafted to guide partners from the Shelter and WASH sectors with the aim of intervening at household level in Host Communities in Jordan, whereas as a consortium in implementation through one common proposal or when signing a Memorandum of understanding to allocate human and financial resources for referrals coming from each partner. The main goal is to establish minimum standards for WASH and Shelter upgrades at household levels as well as encourage coordination between partners from both sectors.

## 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. In addition, as the United Nations and the international body of law acknowledge 'the importance of equitable, safe and clean drinking water and sanitation as an integral component of the realization of all human rights<sup>1</sup>' and 'declares the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights<sup>2</sup>' the guidelines aim to integrate in a standardized manner any WASH upgrades.

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 facilities (therefore resulting in un hygienic conditions)
- Adequate connection to municipal infrastructure and services (e.g. electricity, water supply, waste-water collection, solid waste collection); or
- Means to protect the occupants from avoidable health and safety risks

In order to reach the most vulnerable families with shelter/WASH assistance, organizations are encouraged to use the inter-agency vulnerability assessment framework (VAF) and a vulnerability assessment tool that uses the highest scores for those households that have no written lease, are at risk of eviction, are living in overcrowded accommodation and/or are in need of support to have access to adequate WASH facilities. Female headed households, individuals with physical disabilities, the elderly, families with school-aged boys and girls, and other highly vulnerable individuals and groups should be prioritized as they are more likely to resort to negative coping strategies and less likely to have secure tenancies.

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 organization. This is intended to empower the refugee household, in agreement with the property owner, and allow them to address their own priorities. Organizations should encourage a focus on the following core shelter/WASH needs:

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<sup>1</sup> In resolution A/64/L.63/Rev.1\* of the General assembly published in July 2010

<sup>2</sup> Ibid

| OUTCOME /JUSTIFICATION  | ACTIVITY   |
|---|--|
| Improved, durable protection from cold and wet weather, increased security and privacy  | Adding permanent doors Adding permanent windows<br>Insulation (roof, doors and windows)  |
| Improved hygiene and access to water and sanitation facilities  | Installing latrines/toilets<br>Installing hand-washing facilities<br>Operating and maintaining upgraded facilities<br>Conducting Hygiene promotion and water conservation sessions at HH level<br>Installing washing facilities<br>Improved drainage<br>Building new / expanding existing septic tanks Mending |
| Improve connection to municipal infrastructure and services   | Water supply, through connection to mains / installing water tanks<br>Installing separate electricity meters<br>Repair/ rehabilitate Rain water harvesting<br>Greywater reuse systems (when applicable)  |
| Removing Health and safety risks  | Adding balustrades or barriers to stairs, balconies etc.<br>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  |
| Ensure that people with physical disabilities can move around their dwelling, use toilet facilities and enter/exit their dwelling safely.                   | <i>Refer to separate document on physical accessibility</i>  |

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, 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 landlord<sup>3</sup>. It is therefore advisable to use an alternative approved by the Shelter Working group and verified by a lawyer<sup>4</sup>. It is important for a rental agreement to be stamped and signed by the local authorities<sup>5</sup>. If the lease agreement is not authorized it does not legally protect tenants from eviction and an approved lease agreement is a pre-requisite for the Government of Jordan's verification exercise and is therefore essential to alleviate protection concerns. 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.

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/WASH 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 laws. 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 Landlord. This can be summarized in the table below which relates investment limits to certain rental conditions.

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<sup>3</sup>Considerations for lease contracts for shelter actors, NRC

<sup>4</sup>NRC has developed an alternative lease agreement template, shared with the Shelter and Protection WGs in 2015 and available upon request.

<sup>5</sup>Article 5: The Law Regulating Leases no.3 (1973)

| Intervention     | Investment Limit | Minimum Requirements   |
|------------------|------------------|--|
| Shelter Upgrades | Less than 500 JD | Security of tenure for one year<br>No increase in rent for the duration of the lease<br>No eviction                      |
|                  | 500 – 900 JD     | Security of tenure for one year<br>Negotiated reduction in rent ( $\geq$ 10%)<br>No eviction                             |
|                  | 900 – 1,200 JD   | Security of tenure for at least one year, ideally 18 months<br>Negotiated reduction in rent ( $\geq$ 20%)<br>No eviction |
|                  | 1,200 – 2,000 JD | Security of tenure for at least one year, ideally 18 months<br>Negotiated reduction in rent ( $\geq$ 30%)<br>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. Repair/installation of rain water harvesting systems

**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, when appropriate installation of greywater reuse system 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/WASH WGs 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/WASH 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.
- ✓ 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 program design and to share details with other shelter/WASH actors in the shelter/WASH working groups.

Landlords should be supported to regularize their property through the provision of advice and support to obtain the necessary documentation (e.g. building permits, or occupancy permits) which are prerequisites for authorizing lease agreements.