Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

13 November 2008 [shall come into force on 1 July 2009];

14 January 2010 [shall come into force on 1 February 2010];

11 October 2018 [shall come into force on 1 January 2019].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**On Social Apartments and Social Residential Houses**

**Section 1. Purpose of this Law**

The purpose of the Law is to determine the legal status of a social apartment and a social residential house, the principles of the creation and financing thereof, the range of such persons who are entitled to rent social apartments, and also the procedures by which social assistance is provided when renting out social apartments.

[*11 October 2018*]

**Section 2. Concept of a Social Apartment and a Social Residential House**

(1) A social apartment is an apartment in the ownership of a local government or an apartment rented by the local government which is rented out to a person (family) who, in conformity with the conditions of this Law, has been recognised as entitled to rent such an apartment.

(2) A social residential house is a residential house in which all apartments are rented out to persons (families) who, in conformity with the conditions of this Law, have been recognised as entitled to rent a social apartment.

(21) A social residential house may also be a residential house in the ownership of an association or foundation established with the objective of defending the interests of persons with disabilities, which has been adapted to the needs of persons with disabilities caused by, for example, vision, hearing, mental, or mobility impairments (hereinafter – the person with a disability), in which apartments are rented out to people with disabilities with rent allowances and in which other social services may also be simultaneously provided to such persons, if the local government has delegated the association or foundation to establish such a social residential house.

[*11 October 2018*]

**Section 3. Maintenance and Financing of Social Apartments and Social Residential Houses**

(1) Maintenance and management of social apartments and social residential houses shall be financed from:

1) funds from the local government budget intended for this purpose;

2) funds from the State budget intended for this purpose;

3) rent payments by tenants of social apartments;

4) other funds.

(2) The accounting procedures of social apartments and social residential houses shall be determined by the local government. The procedures for the maintenance, management, and administration of social apartments and social residential houses shall be determined by the local government or the owner or possessor of the respective property.

[*11 October 2018*]

**Section 4. Determination of the Status of a Social Apartment and a Social Residential House**

(1) The issue regarding the creation of social apartments and social residential houses shall be decided by the local government, taking into consideration the demand by low-income persons or needy persons (families) living in its administrative territory, and also the possibilities of the local government. The status of a social apartment and a social residential house shall be determined or withdrawn by the council of the respective local government, making a decision thereon.

(11) In accordance with the procedures laid down in laws and regulations, a local government is entitled to delegate the administration task appointed thereto – to rent out social apartments to the persons with disabilities – to an association or foundation that simultaneously conforms to the following conditions:

1) the purpose of its activity is to protect the interests of the persons with disabilities;

2) it owns a residential house in the administrative territory of the respective local government, the residential house being adapted and equipped according to the needs of the persons with disabilities and being rented out to these persons;

3) it is able to ensure in the residential house owned by it the social and rehabilitation services necessary for the persons with disabilities.

(12) Upon performing the administration task delegated in Paragraph 1.1 of this Section, the association or foundation shall be under functional supervision of the respective local government.

(2) The status of a social residential house may be determined for unrented residential houses in the ownership of a local government which have been built for this purpose or transformed.

(21) In the case referred to in Paragraph 1.1 of this Section, the status of a social residential house for a residential house in the ownership of an association or foundation shall be determined by the council of the respective local government, if at least 80 per cent of the residential house is rented out to the persons with disabilities, low-income persons, needy persons (families), families raising a child with a disability, or persons who take care of the person with a disability.

(3) The status of a social apartment may be determined:

1) for unrented apartments in the ownership of a local government or apartments rented by the local government;

2) for apartments in the ownership of a local government which are rented by low-income persons, if they have expressed a wish in writing to rent a social apartment and the area of the apartment at their disposal does not exceed the norm provided for in Cabinet regulations.

(4) In the case referred to in Paragraph three, Clause 2 of this Section, the local government council may determine the status of a social apartment for the apartment rented by a person, if the tenant of the apartment has expressed the wish in writing to terminate the existing residential tenancy agreement and to conclude a new – social apartment rental agreement.

(5) Apartments and residential houses for which a local government has determined the status of a social apartment or a social residential house are not offered for privatisation and they may not be acquired as property until privatisation of the residential house.

[*13 November 2008; 11 October 2018*]

**Section 5. Persons (Families) who have the Right to Rent Social Apartments**

(1) A low-income person or a needy person (family) to whom one of the following conditions applies is entitled to rent a social apartment:

1) [11 October 2018];

2) he or she rents an apartment that is in the ownership of a local government and he or she has expressed a wish to rent a social apartment;

3) the person is an orphan and has not been provided with a residential space.

(11) The person with a disability, and also a person who takes care of a child with a disability or an adult with a disability is entitled to rent a social apartment.

(2) A person (family) is needy if he or she has been recognised as such in accordance with the provisions of the Law on Social Services and Social Assistance.

(3) A person is low-income if he or she corresponds to the provisions of the law On Assistance in Solving Apartment Matters.

(4) A local government may determine preferential conditions for recognising a person (family) as entitled to rent a social apartment.

(5) A person (family) loses the right to rent a social apartment if he or she no longer conforms to the conditions of this Section.

[*11 October 2018*]

**Section 6. Procedures by which a Person (Family) is Recognised as Entitled to Rent a Social Apartment of a Local Government**

The procedures by which a person (family) is recognised as entitled to rent a social apartment of a local government shall be determined by the council of the respective local government.

[*13 November 2008; 11 October 2018*]

**Section 7. Competence of Local Government Authorities**

(1) For dealing with the issues within the competence of a local government that are governed in this Law, the local government council may establish a special local government authority and approve its by-laws.

(2) The provisions adopted by the local government council which govern the issues within the competence of the local government which are laid down in this Law shall be public, i.e., they shall be placed in a visible place at the building of the local government council or published.

[*13 November 2008*]

**Section 8. Procedures for Submitting an Application and Other Documents**

A person (family) who wishes to rent a social apartment shall submit a written application and the documents referred to in Cabinet regulations certifying that he or she is entitled to rent a social apartment. The documents shall be submitted to the local government in the administrative territory of which the place of residence of this person (family) is located. The procedures for the submission of documents shall be determined by the local government council.

[*13 November 2008*]

**Section 9. Procedures for Registering Persons (Families) Entitled to Rent a Social Apartment**

(1) A person (family) who has submitted all of the documents referred to in Section 8 of this Law and has been recognised as entitled to rent a social apartment is registered as an applicant to renting a social apartment in the order of submission of applications.

(2) The person (family) has an obligation to inform the local government of changes in financial and social circumstances due to which the person (family) no longer conforms to the conditions of Section 5 of this Law.

(3) A person (family) who has lost the right to rent a social apartment is removed from the local government register.

(4) The local government council shall determine the procedures by which persons (families) are registered as applicants to renting a social apartment and removed from the register.

[*13 November 2008*]

**Section 10. Procedures for Renting out a Social Apartment**

(1) A social apartment shall be rented out on the basis of a decision of a local government authority to a person (family) recognised as entitled to rent a social apartment.

(2) The local government council shall determine the procedures and order according to which social apartments are rented out in the administrative territory of the respective local government.

(3) The time of submission of the application, and also provision of the person (family) with an apartment and other circumstances shall be taken into consideration when determining the order of renting out social apartments.

(4) In the case referred to in Section 5, Paragraph one, Clause 2 of this Law, a social apartment rental agreement is concluded, if the following conditions are complied with:

1) the local government council has taken the decision to determine the status of a social apartment for the abovementioned apartment in conformity with the provisions of Section 4, Paragraph four of this Law;

2) a local government authority has taken the decision to rent out the social apartment to the abovementioned person (family) in conformity with the provisions of this Law;

3) the existing residential tenancy agreement with the tenant is terminated.

(5) The decision taken by the local government authority to rent out a social apartment may be appealed against in a court.

[*13 November 2008*]

**Section 10.1 Renting out an Apartment in a Social Residential House of an Association or a Foundation**

(1) When renting out apartments in a social residential house of an association or a foundation, priority shall be given to the persons with disabilities, and also persons who take care of a child with a disability or an adult with a disability, and in such houses:

1) apartments shall be rented out according to the provisions of the association or foundation regarding registration of persons for receiving an apartment, the rights of persons to rent apartments, the procedures for renting out apartments and the time periods of rental agreements, and also the obligations and rights of tenants;

2) the rent for the apartment shall be determined by the association or foundation in conformity with the binding regulations of the respective local government on rent in social apartments and social residential houses;

3) the tenant is not entitled to sublet the rented apartment to another person.

(2) Apartments in the social residential house of an association or a foundation shall be rented out to other groups of persons specified in this Law, if the demand by the persons with disabilities for social apartments has been satisfied.

(3) A tenant of an apartment in the social residential house of an association or a foundation does not have the right to apply for renting a local government social apartment during the period when the person rents an apartment in a social residential house of an association or a foundation.

[*11 October 2018*]

**Section 11. Social Apartment Rental Agreement**

(1) A social apartment shall be transferred for use on the basis of a social apartment rental agreement. A social apartment rental agreement shall be concluded not later than one month after the decision of the local government authority to rent out the social apartment has been taken.

(2) A social apartment rental agreement shall be concluded for a period that does not exceed six months, and it shall be renewed unless after termination of the agreement the tenant and his or her family members have lost the right to rent a social apartment.

(3) The local government authority has the right to refuse renewal of a social apartment rental agreement if the person (family) has lost the right to rent a social apartment. The person may appeal against the refusal of the local government to renew the social apartment rental agreement in a court.

(4) A social apartment rental agreement shall be concluded in writing. The Ministry of Environmental Protection and Regional Development shall develop a sample social apartment rental agreement.

(5) The provisions of a social apartment rental agreement may be amended by mutual agreement of the parties to the agreement.

**Section 12. Rent for a Social Apartment and Public Utility Charges**

The respective local government shall determine the rent for a social apartment. It shall be lower than rent determined for the respective category of local government apartments. The local government may also cover a part of public utility charges.

[*14 January 2010* / *See Transitional Provision*]

**Section 13. Rights and Obligations of a Tenant of a Social Apartment**

(1) A tenant of a social apartment and his or her family members have an obligation to:

1) pay the rent and public utility charges within the time periods specified in the social apartment rental agreement, and also to comply with other provisions of the social apartment rental agreement;

2) vacate the social apartment in the event if the person (family) has lost the right to rent a social apartment and the local government council has taken the decision on vacating the apartment.

(2) The tenant of a social apartment does not have the right to privatise the rented apartment, to acquire it as property until privatisation of the residential house, to exchange, sub-let to another person, to house another persons in it, except for the spouse of the tenant, and also minor children of the tenant and the spouse of the tenant.

[*13 November 2008*]

**Section 14. Termination of a Social Apartment Rental Agreement**

(1) A local government may terminate a social apartment rental agreement by evicting the tenant and his or her family members in the following cases:

1) if the tenants and his or her family members have lost the right to rent a social apartment because they do not conform to the provisions of Section 5 of this Law;

2) the tenant or his or her family members who live with the tenant damage or demolish the apartment or residential house or use it for purposes for which it has not been intended, or violate the terms of use of the apartment, making it impossible for others to live with them in the same apartment or residential house. In such a case a claim for termination of the social apartment rental agreement may be brought to the court also by other persons living in the same apartment or residential house;

3) if the tenant does not pay the rent for the social apartment and public utility charges for more than three months. In such a case the local government shall transfer another social apartment with fewer amenities for use to the abovementioned person, concluding a new social apartment rental agreement;

4) if it is planned to demolish, reconstruct, or thoroughly repair the house in which the apartment is located or if there is danger that it could collapse, and the local government has taken the decision on vacating it. In such case the local government shall transfer another social apartment for use to the abovementioned person, concluding a new social apartment rental agreement.

(2) In the cases referred to in Paragraph one of this Section, the local government authority shall take the decision on vacating the social apartment and shall warn the tenant regarding that.

(3) Within three months after receiving the local government warning, the tenant and his or her family members shall vacate the apartment. If the tenant and his or her family members do not vacate the apartment within the abovementioned time period, they may be evicted by judicial process.

(4) If, in the case referred to in Paragraph one, Clause 1 of this Section, the tenant has expressed the wish to continue renting the same apartment by concluding a new residential tenancy agreement in accordance with the procedures laid down in the law On Residential Tenancy, the local government council may remove the status of a social apartment from the apartment. In such a case the existing social apartment rental agreement shall be terminated and a new residential tenancy agreement shall be concluded in accordance with the procedures laid down in the law On Residential Tenancy.

(5) The tenant may appeal against the decision of the local government on vacating a social apartment in a court.

[*13 November 2008*]

**Section 15. Application of the Law On Residential Tenancy**

The law On Residential Tenancy shall apply to issues related to renting of social apartments which are not governed by this Law.

**Transitional Provisions**

[*14 January 2010; 11 October 2018*]

1. Amendments to Section 12 of this Law regarding the determination of the amount of rent for a social apartment shall not apply to a social apartment rental agreement concluded before 1 February 2010. If, upon expiry of this rental agreement, the agreement is extended in accordance with Section 11, Paragraph two of this Law, the rent shall be determined in conformity with the provisions of Section 12 of this Law.

[*11 October 2018*]

2. Upon determining the status of a social residential house in accordance with the requirements of Section 4, Paragraph 2.1 of this Law, apartments in such a house which the association or foundation has initially rented out to the persons with disabilities, but which, in the cases specified in the law On Residential Tenancy, continue to be rented not by the persons with disabilities but by their adult family members, by concluding respective residential tenancy agreements with the association or foundation, shall be considered as apartments rented out to the persons with disabilities. This provision shall also apply to apartments for the renting of which residential tenancy agreements have been concluded before 31 December 2018.

[*11 October 2018*]

The Law has been adopted by the *Saeima* on 12 June 1997.

President G. Ulmanis

Rīga, 2 July 1997