



YOUR RIGHTS, RESPONSIBILITIES & REQUIREMENTS

as a resident of refugee
accommodation in Berlin



Senate Department
for Integration, Labour
and Social Services

BERLIN



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WELCOME



Sybill Schulz

Chief of the Coordination Body for Refugee Management, Senate Department for Integration, Labour and Social Affairs

Press SenIAS

As the Senate Department for Integration, Labour and Social Affairs (SenIAS), we have spoken out against all forms of discrimination alongside Berlin's SPD/die Linke/Green government and committed ourselves to a policy that appreciates and recognises diversity in all its forms - totally independent of ethnic origin, religion, skin colour, sexual orientation and identity, age or gender. Along with this objective, we have also set ourselves the concrete task of improving the living and arrival conditions of new Berliners with refugee experience. As the coordination body for refugee management (KoordFM), we have been able to support this process of quality and complaints management since 2017 and shift the focus on empowerment and participation.

With active input from refugees, integration facilitators, committed members of the public, counselling services and initiatives, accommodation providers, the State Office for Refugee Matters (Landesamt für Flüchtlingsangelegenheiten - LAF), the specialist department and district refugee coordinators, the daily obstacles and structural flaws of living in

communal housing for refugees have been made visible, and adjustments made to meet their needs.

In a multitude of discussion formats, we have been able to look at current problems and obtain concrete results. For example, there is now an updated, simplified, multilingual version of the house rules for LAF accommodation available to all residents. Another important milestone was the establishment of a straightforward, independent complaints body for refugees and support workers (BuBS) at the beginning of this year - further detailed information about this will be given in this handbook.

Self-determined living and lodging is our common goal. Future housing for refugees in modern residential buildings with a self-contained apartment structure - known as modular accommodation (MUF 2.0) - and improved access to affordable housing are all part of Berlin's overall plans for participation and integration of refugees in the city.

As a body for coordination and integration management, it is particularly important to us that we don't talk about you as new Berliners, but rather talk with you, face-to-face, to learn all about your perspectives and individual needs. In our Expert Talks, you have allowed us to listen to your life stories, your criticisms and your recommendations. Therefore, we would like to say thank you for your trust and encouragement for further participation in exchanges with politicians and administrative bodies.

A special thanks also goes to all the Berliners who committed themselves to refugees, and particularly to the workshop group from the Berlin Refugee Council, and the Berlin network for particularly vulnerable refugees, from local organisations, networks, refugee initiatives and district officials who have actively contributed to this brochure.

This new handbook will support you as a resident by making you aware of your rights when it comes to your accommodation in a reception centre or shared housing.

The Senate of Berlin is aware of the difficulties of living there and is therefore making efforts to shorten the time you have to spend there within the framework of actual and legal possibilities. Our ultimate goal is to make it possible for you to move into your own accommodation. Despite these efforts, there is unfortunately still no avoiding time in shared accommodation. That's why it's such an important issue for the Senate Department for Integration and Social Affairs. Your rights must be protected as a resident of this kind of accommodation. This information booklet should make a helpful contribution to this.



KoordFM: Expert Talk with KoordFM chief Sybill Schulz in 2019



KoordFM: ExpertTalk with refugees, 2019



KoordFM: Expert Talk with women refugees, 2018

INTRODUCTION

Dear readers,

Living in one of Berlin's State Office for Refugee Affairs (LAF) shelters can be very challenging for you and your fellow residents. Due to these circumstances, it is important that you are aware of your rights and the rules of living in LAF accommodation. It is also important that you know which guidelines your accommodation providers have to follow and what employees and securities are authorised to do. These guidelines are primarily the result of the agreement reached with the LAF and include the service and quality specifications (which are updated continuously) as well as the house rules.

This handbook will give you information about your rights as a resident in LAF accommodation. At the end of this handbook, you'll find references for authorities, counselling services and initiatives you can turn to if you think your rights are being or have been violated.

The Federal Republic of Germany is a free and democratic social state governed by the rule of law. This means that the State and its bodies (such as the authorities or the police, but also the LAF) cannot act arbitrarily but must abide by relevant laws at all times.

The first 19 articles of the German Constitution (the Basic Law) are particularly significant in this respect. These are known as the "fundamental rights". The fundamental rights guarantee everyone who lives in Germany protection from illegal infringement of their rights from the State or its bodies, regardless of their origin, sex, nationality or religion. This also applies to accommodation. All authorities are directly bound to the fundamental rights in their actions and they cannot violate them, the LAF included.

Every individual has the right to adequate housing. This is guaranteed by Germany's Basic Law in conjunction with article 11 "International Covenant on Economic, Social and Cultural Rights" and article 28 of Berlin's State Constitution. This basic principle of human rights must be respected at all times.



Welcome group for refugees in Steglitz-Zehlendorf: running party

However, this does not mean that the State is not authorised to influence the cohabitation of its citizens and life in refugee accommodation. In this respect, the German Residence Law, Asylum Law and Asylum Seekers' Benefits Act are of particular significance.

The rules and obligations that will make life in your accommodation easier are governed by the house rules: www.fluechtlingsrat-berlin.de/laf_hausordnung_dez2020/. All residents and employees of the accommodation must abide by the house rules.

The LAF enters into contracts with suitable partners for the running of reception facilities and shared housing as well as for providing security services in our accommodation. Naturally, the Basic Law, its fundamental rights and other

applicable laws must also be adhered to in this respect. As a resident in this kind of accommodation, it's important to know that these contracts also include concrete services and rights for residents. This handbook will explain the minimum requirements agreed concerning accommodation facilities, the duties of their employees and what LAF's contractual partners need to be aware of.

The handbook will also give advice on the consequences that the fundamental rights, laws and regulations and the service and quality specifications will have on your life in the accommodation and what your rights are.

YOU SHOULD ALSO KNOW:

When this handbook refers to your “rights” as a resident in LAF refugee accommodation, it often means claims that are regulated by law which you can take to court (you’ll find a list of the most important legislation in chapter 7). Some of the rights outlined are based on services that have been agreed between the LAF and providers contractually. If you are refused one of these services, then you should contact your accommodation facility’s management in all confidence immediately. You should not have to face any disadvantages because of this (such as being transferred to another room or similar, for example). If you don’t want to do this or cannot clarify your situation with the management, you can go to the LAF itself, the Berlin Independent Complaints Body (Berliner unabhängige Beschwerdestelle - BuBS) or independent counselling services. Refugees who are receiving help from the job centre or a District Office can also contact Social Housing Assistance.



KoordFM: Expert Talk with refugees, 2018

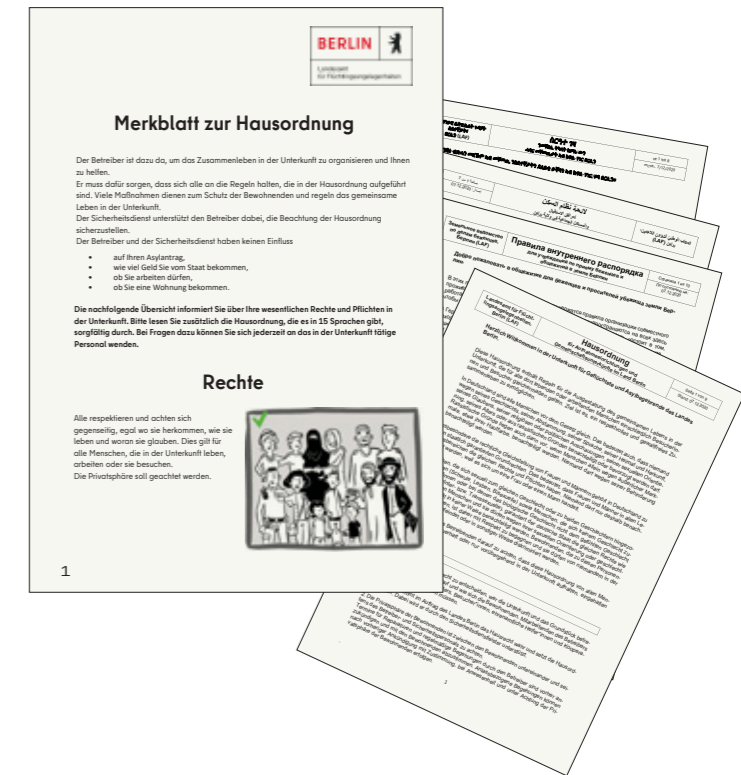
it comes to the hygiene rules and structural minimum standards, the State Office for Health and Social Affairs (Landesamt für Gesundheit und Soziales - La-GeSo) and their minimum requirements for non-contractual homeless shelters (hostels, B&Bs, apartments) apply. The LAF has no influence in this regard. If you have any questions or complaints about exercising your rights in the accommodation, please contact your district authority or an independent counselling service.



KoordFM: Exhibition with young refugees, 2020

— Over the past few years, the LAF’s requirements for refugees have been subject to regular further development through the responsible office. The information in this handbook corresponds to the status as of summer 2021. Depending on when a facility was put into operation, there may be some differences on individual points. There are different types of shared housing facilities - types 1-3 - which differ from one another in terms of their construction and their care services they offer.

— Alongside the reception facilities (Aufnahmeeinrichtungen - AE) and shared accommodation (Gemeinschaftsunterkünfte - GU) for refugees, Berlin also has other housing facilities for homeless people (so-called non-contractual accommodation). The LAF is not responsible for residents of these facilities. These are taken care of by the District Offices (social housing assistance/specialist bodies for housing shortages). The general references to the Basic Law and its fundamental rights also apply to these facilities. When



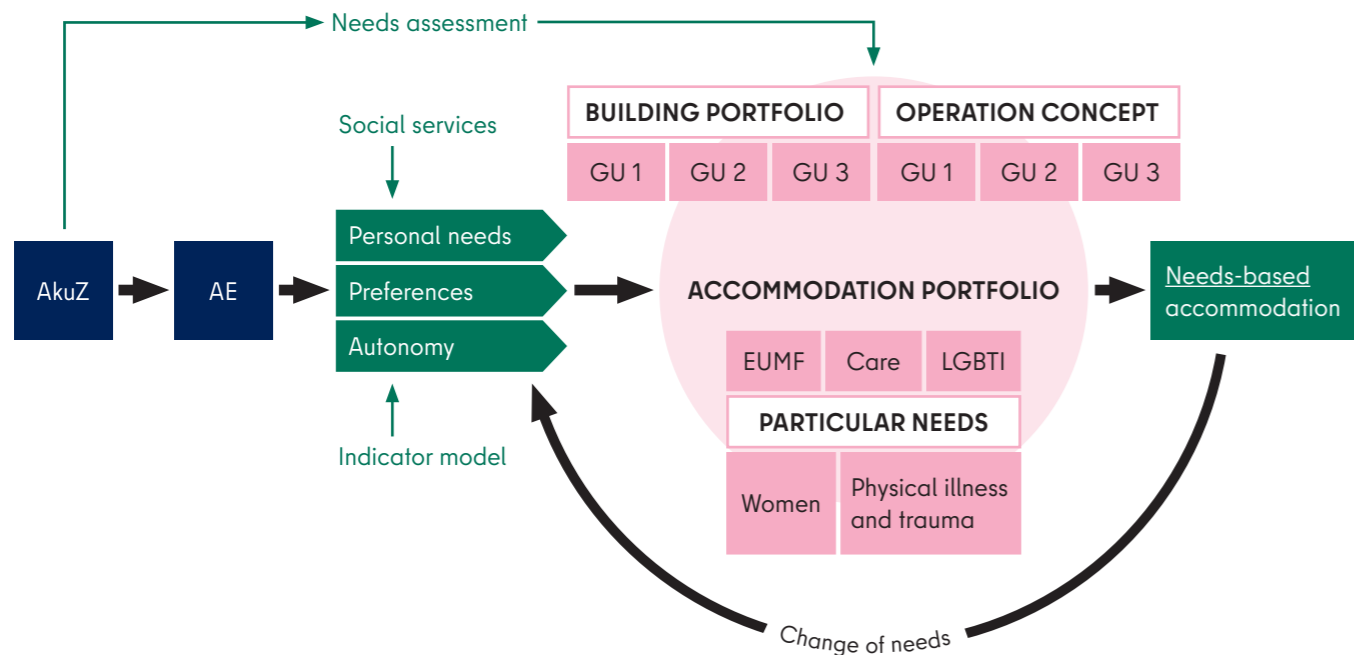
The following diagram gives a schematic illustration of the LAF's procedures to guarantee needs-based accommodation:

TARGET IMAGE FOR ACCOMMODATION

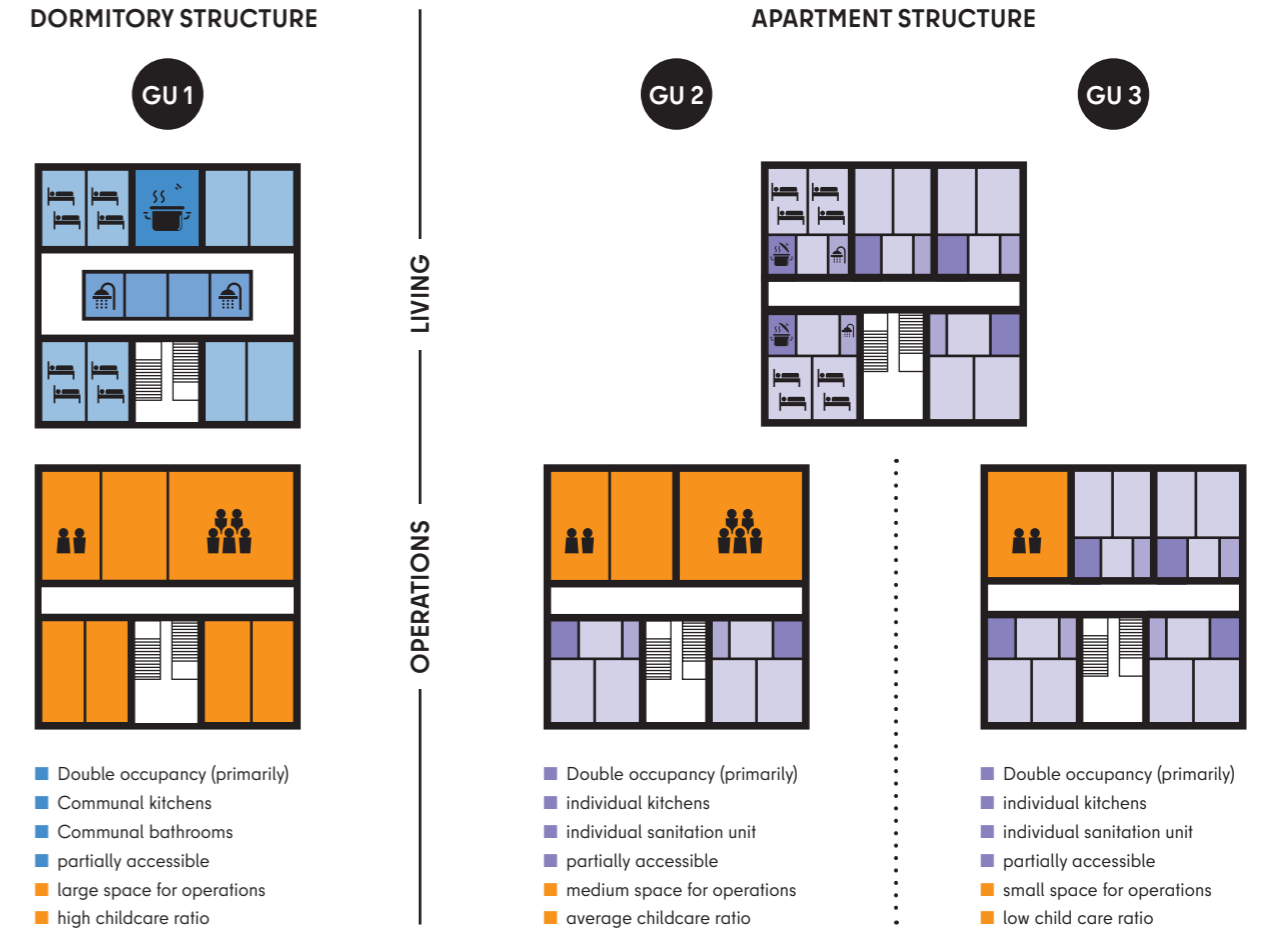
1. Over-arching goal: Independent living and needs-based support via our regulatory system

The LAF cannot mediate instances within private apartments. The LAF can only give support in such cases, e.g. within the framework of the refugee home's cooperation agreement.

2. Goal: Needs-based, quality-assured accommodation



The following image provides an **overview of the different types of shared housing available (GU)** with respect to their spatial quality: G1 facilities have a classic dormitory structure, whereas G2 and G3 facilities are structured like apartments with a smaller number of consultation and common rooms.



The different types of accommodation differ further in terms of their room furnishings and the deployment of staff. This is referenced in annex 1. If you would like to know what type of accommodation you are living in, please ask your accommodation management or the LAF itself.

CONTENTS

1. <u>FAQs about LAF Accommodation Facilities for Refugees</u>	10
2. <u>Accommodation Staff's Responsibilities and Residents' Rights</u>	14
3. <u>Minimum Requirements for Your Accommodation</u>	28
4. <u>Your Rights when You Have Particular Needs</u>	34
5. <u>Rent in the Accommodation Facility?</u>	38
6. <u>Complaints</u>	42
7. <u>Important Legal Bases</u>	46
8. <u>Annexes</u>	48
9. <u>List of Abbreviations</u>	52

1.

FAQS ABOUT LAF ACCOMMODATION FACILITIES FOR REFUGEES

WHY DO I NEED TO LIVE IN A RECEPTION FACILITY FIRST INSTEAD MOVING STRAIGHT INTO AN APARTMENT?

The reception of refugees is regulated by law in Germany. The Asylum Law is the most important piece of legislation in this regard. This law stipulates that those seeking asylum in Germany have to stay in a **central reception facility** before moving elsewhere upon their arrival. There, they will receive their meals as a payment in kind, i.e. all meals are provided by either the accommodation facility itself or an external catering service (as is currently quite common in Berlin). Upon arrival in Berlin, you will initially be housed a central reception facility, the arrival centre (AkuZ) before being assigned a place in a decentralised reception facility some days later.

HOW LONG DO I HAVE TO STAY IN A RECEPTION FACILITY?

When you will actually be allowed to move from a catered reception facility into a communal facility with limited costs depends on many factors. For example, it depends how long the asylum process lasts or whether you have dependents who are minors. At the longest, you'll have to stay in a reception facility until the end of the asylum process, which **normally lasts about 18 months** or 6 months if you have children. An obligatory residency of more than 18 months is only possible in exceptional cases regulated by law. The LAF, the Welcome Centre for Integration Commissioners or the BuBS can give you details about this.

There are also reasons that a person might be released from the reception facility earlier. These reasons for this are regulated by §§ 48-50 of the German Asylum Law (Asylgesetz - AsylG) and apply to asylum seekers. For example,



LAF: AKUZ

this might apply to **people who require a particular kind of protection** (i.e. they belong to the groups named in Article 21 of the “EU Reception Commissions Directive” - RL 2013/33/EU) who might experience particular hardships when staying in a reception facility. This includes minors, people with a disability, elderly people, pregnant people, single parents of underage children, victims of people trafficking, people with severe physical illnesses, people with psychological disorders and people who have been victims of torture, rape or other forms of physical or sexual violence, such as victims of female genital mutilation, as well as religious minorities and lesbian, gay, bisexual, trans and intersex refugees. You can also be released from a reception facility in other individual cases of hardship or threats.



KoordFM: Quality management exchange with Integration, Labour and Social Affairs Senator Elke Breitenbach and integration facilitators, 2019.

The regulation stipulated in §§ 48–50 of the German Asylum Law (AsylG) also apply to refugees who need to remain in a reception centre longer than 18 months due to legal exceptions. This means: if, according to these regulations, there is a reason you need to be released from the reception facility sooner, it doesn't matter if you were supposed to stay there longer than 18 months.

The LAF assesses regularly if you **are no longer legally obliged to stay in a reception facility**. Your reception facility must either display or distribute flyers with information about this. You can get more information on this from the LAF's social services or at Berlin's Welcome Centre for Integration Commissioners. The LAF has also posted hints about this online at www.berlin.de/laf/wohnen/informationen-fuer-fluechtlinge/. You can also make your own application to be released from the obligatory residency in the reception facility. However, it is best you seek advice on this from a counselling service or a lawyer.

WHEN CAN I MOVE INTO AN APARTMENT?

You will be informed by the LAF in writing as soon as you are no longer obliged to stay in a reception facility by German asylum laws. You will then be authorised to rent your own lodgings. If you don't have your own income and are in receipt of services from the LAF or a Berlin District Office, you can only rent properties below a specific **rent limit**. You will be housed by the LAF in shared accommodation until you find an suitable apartment. There, you'll be able to prepare your own meals.

Berlin's District Offices have **advice centres for people looking for apartments** that can support you along the way to finding the right flat for you, provided you are no longer obliged to stay in a reception centre.



LIG-B: LAF accommodation

I AM ALREADY A RECOGNISED REFUGEE OR HAVE ALREADY RECEIVED SUBSIDIARY PROTECTION. WHY DO I STILL HAVE TO STAY IN SHARED HOUSING?

Unfortunately, there just aren't enough suitable flats to provide housing for everyone who is looking for one right now in Berlin. That's why many refugees still don't find their own apartment when their asylum process is finished. The District Office, which gives you your financial benefits, can therefore ask the LAF for administrative assistance to house you in shared accommodation so that you do not become homeless. You will, however, not be obliged to stay in shared housing. It is the State's responsibility to ensure residents do not become homeless and the LAF and city districts must fulfil this task.



LAF: Modular accommodation for refugees (MUF)



KoordFM: Specialist conference for quality and complaints management, 2019.

WHAT SHOULD I BE AWARE OF WHEN LIVING IN A RECEPTION FACILITY OR SHARED ACCOMMODATION?

Several people from various countries and cultures have to live together in a small space in the LAF's shared facilities and share parts of their lodgings such as sanitary spaces and kitchens. So that this cohabitation can work without conflicts or problems, everyone who lives or works at the facility must adhere to certain rules. These rules will be explained in the **house rules** you will have been issued with. It's important you take the time to read these house rules because they don't just contain everything you'll need to know during your stay at the facility but also **important information about your rights and the opportunities available to you**.

Should you have any questions about the house rules, you can contact the facility's staff, the LAF's social services or the BuBS any time.

2.

ACCOMMODATION STAFF'S RESPONSIBILITIES AND RESIDENTS' RIGHTS

2.1.

What are managers, social workers and security's responsibilities in my accommodation and what aren't?

The people working in our facilities have many different duties. For example, there are house managers, deputy managers, administration workers, housekeepers, social workers, volunteer coordinators, security officers and, in some cases, child carers. The deployment of staff depends on the type of accommodation and the current contractual situation between the LAF and their provider. You'll find more tips on this in annex 1.

ACCOMMODATION MANAGEMENT

Accommodation management is responsible for ensuring that contracts with the LAF are being implemented. They organise life in the facility and its processes. They also ensure that house rules are being adhered to and ensure that post is being delivered, for example. When someone breaks the house rules, the managers can give out written warnings or, if that doesn't work, they can even ban people from the facility. They also help resolve disputes. It's a very important task for the providers to ensure that **the rights of all residents are protected** and ensure that **women and children are protected and no resident experiences any kind of violence in the facility**.

SOCIAL WORK AND CHILDCARE

The **Social Team** is there to help you with any social problems or questions you might have. Use of the counselling and childcare services is always **voluntary and free of charge**. This applies to all support given by the facility.

The extent of counselling services offered by facilities can vary greatly, as it depends heavily on how much counselling is required by residents of each individual facility. Shared housing facilities are therefore divided into levels of requirement (accommodation types 1, 2 or 3).

Aside from this, you can also contact an external counselling service any time when you need support. You can find a list of counselling services divided into each district online at this address: www.berlin.de/fluechtlinge/berlin-engagiert-sich/berliner-initiativen/

EXAMPLES OF SOCIAL WORK'S RESPONSIBILITIES (DEPENDING ON TYPE OF ACCOMMODATION):

- Help with understanding letters from the authorities
- Help with clarifying additional needs for social benefits, e.g. due to pregnancy, illness or disability, for children and young people etc.
- Providing language mediation
- Providing support when accessing medical care, looking for suitable doctors and making appointments at doctor's surgeries/hospitals.
- Help with applications for social benefits and housing (filling out forms and appeals where appropriate) at job centres, the LAF, the Social Security Office, social housing assistance, the Familienkasse (child benefit), employment agency, health insurance, Youth Welfare Office (childcare vouchers) etc.
- Help looking for/applying for a suitable nursery/school place for children.
- Help looking for a suitable (free) German course, professional qualifications, training and job vacancies.
- Help meet deadlines in your asylum/immigration proceedings, help looking for a suitable asylum/migration advice service and looking for the right lawyer for you.
- Help when looking for a home, e.g. when applying for a certificate for housing eligibility or credit investigation inquiries (Schufa).
- Help with internet services and job application letters

- Help to meet rent costs - help with protection against monetary claims from third parties (debt advice, e.g. telephone contracts)
- Mediation of conflicts between residents and/or the neighbourhood
- Help in cases of violence/discrimination
- Building neighbourhood networks, cooperation with volunteers and initiatives

These are only examples. Social services' responsibilities also depend on the type of accommodation you're living in and of course the facility's requirements.



Hayatuna: Security Officer



Hayatuna: Social services

In most LAF accommodation facilities, **volunteer coordinators** can also provide support in certain cases. Examples might be when you have questions about looking for a flat or help with official appointments.

The current contract provides free childcare in all LAF facilities (except in type GU 3 shared housing). Independent of this, every child living in Berlin is entitled to a place in a normal nursery, called Kindertagesstätten in Germany (Kita). www.berlin.de/familie/de/informationen/anmeldung-fuer-die-kindertagesbetreuung-139

In order to get a nursery place, parents must apply for a childcare voucher (Kita-Gutschein) at the Youth Welfare Office (Jugendamt). These can be redeemed at any nursery or childcare centre in Berlin.

ADMINISTRATION

The admin staff help management with the facility's daily administration tasks. They are also there to help you **register your new place of residence with the district's citizen's office.**

ATTENTION: REPORT ALL CHANGES OF ADDRESS TO THE BAMF!

In addition to your **registration at the citizen's office (Bürgeramt)**, you will have to inform the Federal Office for Migration and Refugees (BAMF) and sometimes your court/lawyer of **every change of address** until your asylum process is completed! The Bundesamt für Migration und Flüchtlinge (BAMF) is the authority that receives your asylum application and will assess it before making a final decision. Social services or your facility's administration department can help you with this. However, you must approach them yourselves! If you do not report your change of address to the BAMF on time, they might send asylum interview appointments or rejection letters to your old address. In some circumstances, you might miss important deadlines, meaning you won't get the opportunity anymore to defend yourself in court.

You can find a template for reporting your change of address to the BAMF in chapter 5.6 of Berlin's online guidebook for refugees: www.fluechtlingsrat-berlin.de/ratgeber

SECURITY SERVICES

Security service staff (hereafter: security) are there to guarantee **the safety of all residents**, particularly during the night and at weekends. They also stop unauthorised persons from entering the facility and protect residents from people who might threaten, endanger, harass or disturb them in any way. They are also there to try and de-escalate any conflicts, and they should set an example with their own behaviour. Security must intervene when there is danger to life, although only in very specific, regulated situations, such as protecting people from violence, for instance. **However in this case they are only authorised to act expressly in accordance within the terms of the LAF's contract. Apart from that, they aren't authorised to do anything more than anyone else.** This is regulated by § 127 of the German Criminal Procedure Code (Strafprozessordnung - StPO) which authorises every individual to detain

a person temporarily without any kind of judicial order. They must either be caught in the act or under police pursuit and under suspicion of fleeing or they are not immediately identifiable.

Security can also act in self defence: § 32 of the German Penal Code (Strafgesetzbuch - StGB) defines self defence as protection required to avert an imminent illegal attack against yourself or another person.

In emergencies, security must notify the police or emergency services and perform first aid. They are also supposed to prevent damages to property. Security must document and report all incidents that endanger residents to house management.

Security can check facility ID cards at the entrance and ask visitors to present a form of ID (any document with a photograph is sufficient, e.g. health insurance cards, driving licences, student IDs etc). However, they cannot store any visitor's personal data or retain any ID documents - even temporarily.

Security shift managers can only ban people from facilities in exceptional circumstances when house management cannot be contacted. LAF facilities must always have at least one **female security officer** on the premises at all times. All security staff in all LAF facilities must wear **badges with showing their name** or ID number at all times, as well the name of the security company so that they are clearly identifiable.



Hayatuna: emergency call

PROTECTION FOR WOMEN, CHILDREN AND LGBTI PEOPLE

If you experience violence from other residents, staff or security services, your accommodation facility must offer you support. This also applies to incidences of racism or discrimination or insults based on your gender identity or sexual orientation, or indeed if you are a victim of bullying. Of course, you can also contact the LAF, an external counselling service, the Youth Welfare Office (when children are involved) or the police if your situation involves violence or threatening behaviour. If you are not being threatened directly or experiencing violence, it is better that you contact a counselling service before calling the police (see the link on page 51).

All LAF facility providers must have a written **policy for protecting women and children from violence**. Providers must also organise regular counselling sessions and events based on protection against violence. There must also be a **contact person responsible for child protection** that you can turn in to all cases where children's welfare is at risk. The same applies for **the protection of women and LGBTI people** (lesbian, gay, bisexual, transgender, transsexual and intersex).

For any other instances of discrimination in the facility, it is up to management to assess the situation and intervene. Management must also provide you with external counselling on request. But you can also ask for information about the services available when you haven't had a negative experience. Providers must make this information freely accessible to all residents (e.g. on a poster in a common room etc). Staff must act immediately when there are signs that **child's welfare is at risk**, i.e. they must try to speak to the parents or, if necessary, inform the LAF or the Youth Welfare Office. For example, signs of risk to a child's welfare include parents seriously violating their duty of supervision, when children are subjected to or witness physical or mental abuse, or they appear neglected or are behaving suspiciously. Other than in these exceptional circumstances, **staff must not interfere**

LIMITS TO WHAT SECURITY CAN DO:

What security staff is authorised to do is stipulated by their contract with the LAF or the provider. They cannot act beyond their competences. They are not the police and therefore do not have police powers.

They are not allowed to carry weapons, i.e. no guns, truncheons, teargas, tasers or use any torches as batons or to blind people. They cannot have dogs with them.

Security cannot perform **body searches in any circumstances**. There are no exceptions to this rule.

They cannot search **your pockets or your rooms**. There are also no exceptions to this (for further information on searches, see chapter 2.2, page 27).

They cannot **confiscate any of your belongings** (except in self defence/first aid), even temporarily.

No security staff member should break these rules or threaten, pressurise or discriminate against you. If this happens to you, please contact house management or the LAF complaints management immediately. You can also make a complaint to the BuBS. Anonymous complaints can be made both there and to the LAF.

with a child's upbringing – only their parents are responsible for that! However, if you are a parent and believe **conditions in your accommodation are putting your child at risk**, you should speak to the person responsible for child protection or contact a counselling service or your District Youth Welfare Office.

Find out more in the guidelines for child protection at www.bildungsserver.berlin-brandenburg.de/kooperation-schule-jugendhilfe-k, available in PDF-format.

OUR EMPLOYEES DO NOT DECIDE ON YOUR ASYLUM PROCESS OR YOUR RESIDENCY

At no point will house management, staff or security have any influence on decisions concerning your asylum process or residency status made by the BAMF, courts or the State Office for Immigration. Only the BAMF can decide on your asylum application. Decisions on residency permits, suspensions and deportation are made by the State Office for Immigration (Landesamt für Einwanderung – LEA), the State's immigration authority.

What staff and security at your facility know or think about you has no affect on your right of residency in Germany. You can of course also contact your facility's social workers or a



KoordFM: Workshops in LfG-B accommodation in Pankow with the task force "Recognition of Diversity"

counselling service if you need help with a rejected asylum application.

Find out more in chapter 5 Berlin's Guidebook for Refugees online: www.fluechtlingsrat-berlin.de/ratgeber

OUR EMPLOYEES DO NOT DECIDE HOW MUCH MONEY YOU WILL RECEIVE

Decisions on whether you're entitled to (financial) aid and how much are based on the social security statute books AsylbLG, SGB II or SGB XII. The LAF, the District Office (Social Affairs) responsible or the job centre will assess this and make the ultimate decision. Your accommodation staff have no influence on this decision. Normally, you have to apply for these benefits. Social services, counsellors and lawyers



will help you with any individual questions. Counsellors and lawyers will explain any decisions made by the LAF, job centre or District Office (Social Affairs) and KoordFM: Workshops in LfG-B accommodation in Pankow with the task force "Recognition of Diversity" let you know if you can appeal against these decisions. For example, if your benefits are cut or if your application is rejected.

Find out more in chapters 10 and 11 of Berlin's Guidebook for Refugees online: www.fluechtlingsrat-berlin.de/ratgeber

OUR EMPLOYEES DO NOT DECIDE IF YOU GET AN APARTMENT

The staff at your facility won't decide if you get a flat, the landlord will. The Social Affairs Office or the job centre will decide if the rental costs are appropriate and if your benefits can cover them. Ask your facility's accommodation services to help you find a flat or to help you apply for your costs to be covered. Local counselling services and support initiatives can also help you find a flat, e.g. district welcome groups.

People with particular protection requirements can ask the LAF to put them on a waiting list for a "Refugee Home", see the website: www.berlin.de/laf/wohnen/informationen-fuer-fluechtlinge/wohnungen/

Find out more in chapter 9 of Berlin's Guidebook for Refugees: www.fluechtlingsrat-berlin.de/ratgeber

YOUR FACILITY'S EMPLOYEES

DO NOT DECIDE IF YOU ARE ALLOWED TO WORK OR GET A JOB

Whether or not you're allowed to work depends on your current residency status. If you have a suspension or a temporary residency permit, you must apply for a permit from the LEA before you can begin work or training. Ask your social services or a counsellor to help you with your application. If you are prohibited from working, you can contest it. You'll find addresses for advisory services in the annex.

In many housing facilities, it is possible to make use of so-called "work opportunities" (§ 5 AsylbLG). Currently, residents receive an allowance of 80 cents an hour for these "work opportunities". "Work opportunities" must be distributed equally among all residents in a facility. No-one should receive an unfair advantage or disadvantage. However, essential works such as cleaning or renovations cannot be carried out as "work opportunities".

Find out more about this in chapter 14 of Berlin's Guidebook for Refugees online: www.fluechtlingsrat-berlin.de/ratgeber



KoordFM: Evaluation of residents' surveys in an AWO Refugium Buch facility, 2018.

FACILITY STAFF

CANNOT DEMAND MONEY FROM YOU

Accommodation staff and providers cannot demand money from you.

Use of washing machines, tumble dryers, showers and kitchens within your facility come at no cost to residents. The same applies for using social services and the catering and hygiene products that are sometimes provided by the facility (only in reception facilities). You also don't have to pay a deposit for furniture, keys or lifts.

Providers' costs are covered by the LAF. Therefore, you will never have to make **any payments to your providers**. You will receive a written payment request directly from the LAF if you are required to pay for accommodation costs based on your income (compare chapter 5).

If your provider or staff still demand money from you, then insist that they give you written justification for it and take it to the LAF or an advisory body to have it assessed.



KoordFM: Poster in AWO Refugium Buch facility



KoordFM: Poster in AWO Refugium Buch facility

2.2.

What are your rights in your facility?

House management must guarantee your (fundamental) rights in the facility and ensure that they are respected by all of its employees. This also particularly applies to **the protection of your privacy and personal rights!**

CAN ANYONE OPEN OR RECEIVE POST FOR YOU?

German law stipulates that post which is explicitly addressed to you (e.g. letters) cannot be opened by anyone else without your permission. These rules even apply if you do not have your own post box. House management can of course take in letters for you (for exceptions see box below), but they cannot open them or give them to anyone else without your express agreement. Therefore, they must always hand over your post to you **unopened** or place it in your postbox. If someone opens your post without your permission, it is a violation of laws that apply to the whole facility. In this case, you could report it to the police as a violation of **privacy of correspondence laws**. If you need any support for this, contact the BuBS or one of the other advisory bodies found in the annex of this handbook.

If you live in a **reception facility**, staff have to inform you when you receive any post. Ask them each day if any post has come for you. Your facility must display information on posters about when you can collect your post.

In **shared facilities**, staff don't have to inform you when your post arrives. Unlike in reception facilities, shared accommodation often has post/letterboxes for residents. Check your post box every day or ensure that someone lets you know when your post arrives. If there aren't post/letterboxes in a facility, it is up to staff to make sure you get your post. Each accommodation facility will have created its own process for distributing post.

If you're not getting your post on time because there is only a very limited time allotted each day to collect your post, please speak to house management of the LAF or BuBS's complaints body.

The LAF is aiming to improve its distribution system for post in the future. However, any changes will have to encompass the requirements of all 80 of the LAF's facilities.

FORMAL DELIVERY OF POST:

Important letters from the BAMF or from courts are often sent in a **yellow envelope**. **Always keep this yellow envelope**. The delivery date is noted on each of them. This is important because deadlines are counted from the day after this, for example when you are appealing against an rejected asylum application through the BAMF! In **shared facilities**, yellow envelopes and their delivery notices have to be **handed over to you personally**. If you aren't in or the postal service missed you, then your letter can be handed over to a family member, a permanent roommate or to **the facility's management**. This is known as a "substitute delivery". Therefore, please ask/check every day if you have received any post, as deadlines begin as soon as a substitute delivery has taken place. Postal services can also leave behind a small note to inform you that your post has been left at a post office branch. In this case, you will have to **pick it up at a post office as soon as possible** because the letter is already considered "delivered".

Postal services don't hand over yellow letters to you personally in a **reception facility**, instead they are given to house management or authorised personnel. They will then have to deliver the letter to you and note down the date of delivery on the envelope. By law, the letter will then be considered "delivered" **3 days after being handed over to staff** and only if the person who took in the letter for you gives it to you later on. Always pay attention to the date the postal services have written on any yellow envelope social services or accommodation staff give to you. If a few days have passed since the day written on the envelope even though you have asked about your

post every day, then get a written confirmation that you only received the letter on that day. Do not go without getting this confirmation.

Mistakes still occur when delivering your mail. For example, the postman/postwoman might give your letter to an unauthorised member of staff or security personnel instead of house management or house management themselves might not give your letter to you on time. If you miss any important deadlines because of a delivery issue, please check whether the delivery was carried out correctly with the help of an advisor or lawyer! If it is proven there was a delivery error, you will not be penalised.



Hayatuna: handing over post

CAN STAFF ENTER YOUR ROOM WITHOUT YOUR PERMISSION?

Providers are obliged to ensure that rules are being followed and oversee hygiene in a facility as well as maintain it. Therefore, staff may sometimes have to enter your room to assess it in cases of vermin infestations or the need for repairs, for example. However, this doesn't mean they can enter your room without your permission or when you aren't there!

House management, staff, security and your fellow residents have to respect your **fundamental right to the inviolability of the home** (article 13 of the Basic Law) and the **protection of your privacy** (article 2, paragraph 1 and article 1, paragraph 1 of the Basic Law). The domiciliary right applies to your room. This means, you decide who enters your room and can stay there and who can't.

Only in cases of an **acute emergency** such as a fire, severe accident or acute danger to health or life can someone enter your room without informing you first. This is known as "**danger in delay**". If facility staff enter your room in your absence, they must leave written justification in your room and with house management to do so.

Otherwise, accommodation staff absolutely **cannot enter your room** in your absence or without your permission. When you are in your room, they must knock and wait for you to tell them they can come in. You (and your roommates if you live in shared accommodation) must be notified of appointments for repairs, pest control, inspections or anything else beforehand, and your agreement is required for them to be carried out.



Hayatuna: Entering your room

If someone enters your room against your will when there is no grave danger you can make a criminal complaint for trespassing. This application must be submitted in writing to public prosecution, the police or the courts or it can be recorded in minutes at the public prosecutor or court. If you are unsure if a member of staff is authorised to enter your room, please ask them to state their reason for entering. Take a note of the incident and approach house management, the BuBS (for more detailed info see chapter 6) or an advisory service.



Hayatuna: Searching closets

ARE STAFF ALLOWED TO INSPECT YOUR ROOM, CLOSETS OR BELONGINGS?

Accommodation staff cannot inspect your room, your closet or your personal belongings. There are no exceptions to this rule.

The police even need a warrant when someone is being deported, for example if they want to search your closets or under your bed.

Without a search warrant, the police can only enter your room if you are being deported. “Entering” means that the police can only have a look around your room. They cannot carry out further searches (i. e. opening cupboards etc).

If the police are searching your room, always ask to see their search warrant! Always ask for a written record of the search. This will have to include the reasons for the search. This is particularly important in cases where the police claim there is danger in delay. Always ask for a protocol or reference if your things are taken away.

If you have any doubts about whether the police where authorised to enter/search your room, you can approach the LAF, BuBS or seek professional legal advice (e.g. a lawyer or speak to an advisory body for refugees.

WHAT SHOULD YOU DO IN A MEDICAL EMERGENCY?

If, due to an acute **medical emergency** you require a fire brigade **ambulance** or an emergency doctor’s visit, security or other personnel in your facility must help you call for one. **Neither accommodation staff nor security can decide whether or not there is a medical necessity for one!**

WHAT ARE THE POLICE AUTHORISED TO DO? WHAT HAPPENS WHEN SOMEONE IS BEING DEPORTED?

The police can only search your room if they have a **search warrant**. A search can only take place without a warrant in exceptional circumstances, for example when there is a danger in delay. Examples of **danger in delay** can include when the police are pursuing a suspect right after the crime and there is a justifiable suspicion that they are in your room or if a suspect poses a direct threat to life. **If the police produce a warrant to search one of your roommate’s belongings, they can only search that roommate’s property and not your own.**

Neither has the medical expertise to judge whether or not an ambulance is required. An ambulance must come whenever there is a suspected medical emergency and alternative transport to a hospital is not possible, such as an ambulance for instance.

You are also entitled to phone an ambulance yourself in an emergency (telephone number: 112) if you cannot make your own way to a hospital on time. If security or accommodation staff do not phone an ambulance despite your request, report this immediately to house management or the BuBS.

If it is less urgent and you cannot wait for a local doctor’s consultation hours, you or your facility staff/security can call an on-call doctor (telephone number: 116 or 117) day or night. You can get medical advice over the phone and ask for a visit from an on-call doctor. A doctor will then come to you at your residence by car within the next few hours.

WHAT SHOULD YOU DO IF YOU EXPERIENCE VIOLENCE IN YOUR FACILITY?

You are entitled to call the police if you experience sexual or any other kind of violence. Staff and security at your residence must also call the police for you if you request it. It does not matter who has committed the act of violence. You always have the right to speak to the police and make a complaint, even if you are told otherwise. Speaking to an advisory service beforehand is recommended whenever possible. Ask your social services for the addresses of specialised advisors.

There are many initiatives and organisations who you can turn to for support, practical tips or more information here in Berlin. You can see a list of them by district online at www.berlin.de/fluechtlige/berlin-engagiert-sich/berliner-initiativen/.

CAN YOU HAVE VISITORS?

You are entitled to receive visitors in any of the rooms assigned to you by house management as well as your facility’s communal areas. You can find specific details on visitors in the house rules. **You can receive visitors from 6am-10pm.**

If you want to have overnight visitors, please speak to house management. They will then check with the LAF if this meets your facility’s requirements (i.e. if there are free rooms). In acute situations such as if your child is sick or one of your roommates is in need of care, visitors may stay in the facility spontaneously. But please tell management beforehand. Your children can of course have their friends over without their parents having to meet house management first.

The LAF is going to advertise in all suitable facilities that visitors can stay overnight temporarily. It will also be assessed if and how this might be made possible in future facilities, as long as they are able to and write this into their contracts with providers.

House management have a responsibility to make you aware of the facility’s visiting rules appropriately (e.g. with posters, leaflets etc). This information must also contain details of whether only visits are permitted outside of night-time quiet hours or whether visitors are also allowed to stay overnight in the accommodation in the aforementioned emergency situations. Visitors must register upon entry. Door staff can check visitors’ IDs but cannot retain them for the duration of their visit or record their name or any other data concerning their visit. House management, social services and security are not permitted to be present during your visit or ask what your relationship to your visitor is.

It's your decision who you can invite into the facility. However, please ensure that your roommates' personal rights aren't violated during your visit. You might also receive support visits from **your lawyers, counsellors and NGO-workers in your facility**. They cannot be refused entry to your facility.

Visiting rights may be restricted as a means of stopping the spread of COVID-19. These will be based on State laws and of course apply to providers of refugee facilities too.

You can contact the LAF, an advisory service or the BuBS if your house management completely bans visits or is very restrictive about them.

WHAT HAPPENS WHEN YOU ARE AWAY FROM THE FACILITY OR IF YOU WANT TO TRAVEL?

You are allowed to leave the facility overnight. However, if you're going to be away for more than 24 hours, please inform your facility staff, as your place can be given away to someone else after 3 days.

If you want to leave **for more than three days**, you must inform the admin department in your facility. People who **receive LAF benefits** can be absent for up to **20 days a year without losing their place at their current facility with the LAF's approval**. This period can last longer in exceptional circumstances, e.g. due to hospital admission (see the LAF house rules § 3.8 and § 3.9).

Approval is granted if there are no legal reasons preventing it and the absence is necessary for important reasons (e.g. hospital admission, meeting with authorities out of town, permitted employment out of town, attending certain family events such as weddings, funerals etc.). Permission can also be granted for more than 20 days in certain exceptional cases (e.g. a prolonged hospital stay).

ATTENTION: THE FOLLOWING ONLY APPLIES TO RESIDENTS IN RECEIPT OF BENEFITS FROM THE LAF:

Please inform your house management if you would like to apply to keep your place in the facility if you are going to be absent for more than three days. The LAF has made a form available in all residences (see annex 2) which you can use to send your application by e-mail to the LAF. **Please do not send the form to the LAF directly. Instead, ask your accommodation's management to inform the LAF of your wishes using this form.**

(Note: if you leave your facility for a longer period of time **without the LAF's agreement**, it is not guaranteed you will get your current room back in the same facility. You might even be given a place in another residence.)

It is unclear if longer absences are permitted for people who receive benefits from the **job centre** or the **Social Affairs Office**. It is best you find out from your service provider before a prolonged leave of absence to provide clarity on legal issues and, if applicable, apply for an official leave of absence.

WHAT HAPPENS TO YOUR BELONGINGS WHEN YOU NO LONGER LIVE AT THE FACILITY?

All of the facility's own property (i.e. ones you didn't bring with you) must be returned intact when you move out. It will be assumed that any items left behind can be disposed of. This can be done at the expense of the residents.

If you have to leave the facility at short notice because you have been banned, you will be guaranteed the chance to get any property you left behind back. Your **property rights on all of these items** are therefore always respected.

Documents and valuables left behind by residents are held by the provider for safekeeping if the owner cannot be reached. The legal regulations regarding lost property (§§ 965ff. German Civil Code) shall remain unaffected. Your provider will keep these items for six months.

IS VIDEO SURVEILLANCE ALLOWED IN OUR FACILITIES?

Video surveillance is forbidden in your room, communal areas, kitchens, bathrooms, stairwells, lifts and hallways. Video surveillance is **only permitted in freely accessible entrance areas of a facility**. It can only be used to uphold your domiciliary rights or for the prosecution of criminal offenses.

Recordings must be deleted as soon as they are no longer required. This usually means after 24 – 48 hours at the latest. Your provider must always make you aware of video surveillance systems in place. For example, they can display this on a poster or sign explaining who is being monitored and for what purpose as well as when recordings are deleted and how you can make complaints. You are always entitled to information on your rights when being monitored by CCTV.

WHAT CAN YOU DO IF YOU ARE BANNED FROM A FACILITY?

Management can issue you with warning if you have broken any house rules. Warning must be **given to you in writing and justification for them must be given**. A ban from premises can be issued after your third warning. Bans must also be justified in writing. The ban will be **valid for three months** and will only apply to the facility you have been banned from. In principle, only the management of the accommodation has the right to issue a ban.

However, this does not necessarily mean you will get your place in the facility back once your ban period has run out. But you will be allowed to enter the facility again.

Immediate bans can only be issued in exceptional circumstances, for example if there has been violence against another resident. These can sometimes be issued by security's shift managers. Shift management can be found at the facility's entrance. Find out about situations where a ban can be issued in the house rules (compare § 11 of the house rules for LAF accommodation facilities).

If you believe you have wrongly been issued with a warning or a ban, you should appeal against it, in writing if possible. Accommodation management must receive your appeal and react to it. You can also name witnesses.

You can also e-mail the LAF in response to a ban: Unterkunft-QS-Beschwerde@LAF.Berlin.de

You can also approach the BuBS (see chapter 6).

If you are issued with an on the spot ban from a facility, you must be provided with **subsequent accommodation** from your provider or authority responsible, even if the ban has been issued at the weekend or outwith your Social Affairs Office or provider's opening hours. **Bans must not make anybody homeless, even for one night!**

PROTECTION AGAINST DISCRIMINATION

No-one can discriminate against, put you at a disadvantage or indeed an advantage on the basis of your **religion, political beliefs**, your **nationality or heritage**, your **gender** or your **sexual orientation**. No-one must be discriminated against because of an **illness, disability** or their **age**. You have the right to practice your religion freely provided you do not break any laws in doing so. However, you cannot try and urge your fellow residents to follow your religious beliefs.

This applies to everyone who lives or works in a facility. If you are discriminated against, you go to social work in your residence or contact an advisory service.

The **State Body for Equal Treatment against Discrimination** (Landesstelle für Gleichbehandlung gegen Diskriminierung – LADG) also provides its own advice services, look online at www.berlin.de/sen/lads/beratung/diskriminierung

If your residence staff (including security) behave in a discriminatory manner towards when carrying out their duties, you can also contact the LADG ombudsman services for the City of Berlin: see online at www.berlin.de/sen/lads/recht/ladg/ombudsstelle/.

INTERNET ACCESS

Providers are contractually bound to provide **free WiFi** in communal areas, at the very least. The LAF is trying to provide free WiFi reception in all of its rooms. If you do not get sufficiently stable internet access in your facility, please contact the BuBS or an advisory body. Facilities must also provide computer workspaces in common rooms for their residents (except in GU 3 facilities).

HAVING YOUR SAY

In LAF residential facilities, all residents have the right to be involved in shaping of their shared like in the facility (code-termination/having a say). It's your provider/facility management's responsibility to allow and support the **creation of a residents' council** or a similar body. For example, they must provide rooms for this.

PLEASE REMEMBER:

Accommodation staff have no influence on ...

- Your asylum process or your residency permit/suspensions thereof
- How much you receive in social benefits
- Whether you receive a flat
- Whether you receive a work permit.

Employees can help you exercise your rights in these areas if you want them to.

Facility employees cannot ...

- search residents' private living spaces
- enter or inspect residents' private living spaces without prior permission or only in cases of danger in delay
- open and read residents' mail
- inspect visitors' pockets, completely ban visits or issue bans from the facility without significant danger or disturbances caused
- install CCTV in stairwells, lifts, common rooms or living spaces
- report your absences to the police or the LEA or de-register you from post delivery at the Citizen's Office (Bürgeramt) when you are not absent permanently

— check your presence/absence regularly (provided such checks aren't stipulated in your provider's contractual duties for the purpose of settling accommodation costs with the LAF)

— prohibit the purchase of newspapers.

House management and staff must ...

- keep any valuables you leave behind for a period of six months
- ensure that your rights are upheld in the facility
- call a doctor/ambulance in the event of a medical emergency
- protect you from violence/discrimination in your residence
- give residents opportunities for self-organisation and participation.

The police can only search your belongings if they have a search warrant or when there is a real, serious danger or threat to life.



KoordFM: Opening reception with pictures of refugees in the Senate Office, 2019.

3.

MINIMUM REQUIREMENTS FOR YOUR ACCOMMODATION

Providers at **LAF accommodation facilities** must fulfil all of the **LAF's** contractually agreed **service and quality specifications**. Further minimum requirements for the facility pertain to hygiene plans well as Berlin's supervision laws for buildings and homes (see chapter 7).

Depending on the type of accommodation (arrival centre, reception facility, GU 1, GU 2, GU3), different requirements will apply to the various kinds of **LAF facilities** on offer, which can also change over time. However, the following always applies:

- The provider **will normally clean the interior spaces** (but not your private living spaces) once a day in accordance with the hygiene plan and the service and quality specifications (twice a week in Type GU 3 shared accommodation). You can read up on how often and the exact times this will happen in your facility's hygiene plan.
- At least one **sink** must be provided for every 5 residents (compare hygiene plan, page 5).
- There must be at least one **shower** for every 10 residents, (compare hygiene plan, page 5).
- There must be at least one **toilet** for every 10 female residents and every 15 male residents (compare hygiene plan, page 5).
- Sanitation facilities must be **lockable** and separated according to gender in shared accommodation.
- There must be at least 4 hobs provided for every 8 residents in shared facilities. There must also be washbasins and individual fridge facilities (20-30 litres load capacity per resident) (compare hygiene plan, page 6).
- All rooms must be lockable and you must be given a **room key**.
- **Lockable wardrobes** must be provided in dormitories (compare hygiene, page 5).
- **Contractually regulated living spaces** for every adult **must be at least:**
 - For a single-bed room: 9 m²
 - For a two-bed room: 15 m²
 - For a three-bed room: 21 m²
 - For a four-bed room: 27 m²
- The **floor space in square metres** must be displayed on every apartment/room door.
- **No more than four people** should be living in one room (exceptions can be made for families) (compare "individual living spaces" in the service and quality specifications for reception facilities, for GU 1 and GU 2).
- Plugs must be **child-proofed** in all rooms accessed by children.
- Hallways and access to communal areas must be sufficiently **well-lit**.
- **The number of staff** required to be on site at any given time by the contract between the provider and the facility must be present. (House management, social services, childcare etc.)



Hayatuna: Furnishings upon moving in

House management can decide which room you will live in and who your roommates will be. Couples, domestic partners and families **must be housed together**. There cannot be more than one **family** living in the one room. Single people cannot claim a single room. They can, however, claim a single room if there are particular medical reasons stopping them from sharing (see chapter 4). When assigning rooms, house management must take your **safety** into account.

It should even be possible for you to have a degree of privacy in dorms. If you have any issues with your roommates, ask if it is possible to change rooms. House management must inform you beforehand if a new roommate is moving into your room.

WHAT FURNISHINGS DO ROOMS NEED TO HAVE?

Every room comes with a bed with a mattress, a pillow and covers for every roommate – including children. Bunkbeds normally aren't allowed. Residents will receive bedding, towels and cleaning devices from their house management. Rooms have a (lockable) wardrobe, a table, one chair per resident, a bin and a fridge if one isn't already available in the other rooms. Furnishings are replaced due to wear and tear.

ARE YOU ALLOWED YOUR OWN FURNITURE OR ELECTRICAL DEVICES?

In consultation with the management of the accommodation, residents can add their own furnishings in their rooms. This includes furniture and rugs, for example. However, please pay attention to the points made in § 5 of the house rules. Residents' own heating and cooking devices may not be used in the living areas due to fire safety rules. The use of other electrical appliances in the rooms is only permitted following consultation with the provider. If you are completely prohibited from using your own furniture and electronic devices, please speak to BuBS complaints management.



Hayatuna: Furnishings upon moving in

WILL YOU GET A KEY FOR YOUR ROOM?

Every resident will receive a room key or a transponder for their room, including children over 12. If you live with several other single people in one room, you are entitled to a lockable wardrobe.

Your provider cannot ask for a deposit on any keys/transponders issued. If the room key or transponder is repeatedly lost, the resulting costs can be charged to the resident.

WHAT SHOULD SHOWERS, BATHROOMS AND TOILETS BE FITTED WITH?



Hayatuna: Furnishings upon moving in (above), communal bathroom (below)

Showers and toilets must be lockable and separated by gender. Warm water must be available 24/7. Sanitation rooms and the individual shower stalls are appropriately protected from view. Showers must have a sufficient number of hooks and storage shelves. **Toilets must always have enough toilet paper and soap dispensers.** They must also have closed **bins for period products.**

Consumable goods for communal spaces are supplied by your provider. This includes toilet paper and liquid soap for any dispensers.

WHO GIVES YOU UTENSILS FOR COOKING?

Residents will receive kitchen utensils from their accommodation management to cook for themselves. The required minimum provision consists of crockery, cutlery, a pot and a pan.

WHO CAN USE THE COMMUNAL SPACES?

All accommodation facilities must have communal spaces. These rooms are for all residents and are for small parties, meeting fellow residents, and sport etc. However, communal rooms are sometimes booked at certain times for a range of purposes such as German classes, for example. Ask your house management if you would like to use one of the com-

mun rooms. Aside from a reception and retreat room, there must also be a childcare space and a homework room for school children.

Restrictions may be placed on the use of communal rooms due to the ongoing COVID-19 situation. These restrictions will be in accordance with State laws that also apply to providers of refugee accommodation.



Hayatuna: Communal kitchen



Hayatuna: Common room at a facility



Hayatuna: Laundry room

WHAT ABOUT WIFI ACCESS?

See “Internet Access” in chapter 2, page 32.

WHAT ARE THE RULES FOR WASHING CLOTHES, CLEANING, HYGIENE AND VERMIN?

All residences must have rooms for washing, drying and ironing clothes fitted with the appropriate equipment. Washing machines and dryers must be available for you to use at any time (except during rest time at night). You are entitled to **free use of washing machines and tumble dryers**. You must be allowed to wash your clothes as often as you think is necessary. Equally, you must be allowed to use whatever detergent and washing schedule you like. Please pay attention to dosing

instructions in order to achieve the best washing results and minimise the amount of detergent residue in your waste water.

According to house rules, you are responsible for cleaning your own room and any mess you make in communal areas (e.g. the kitchen). However, it is up to the **cleaning company** to clean communal areas and sanitation spaces/kitchens outside of rooms/apartments regularly, whenever they are on-site. Cleaning must take place once a day. Your provider cannot demand you clean communal toilets or showers outside of your own apartment/room.

In line with the hygiene plan, cleaning equipment for each kind of room are provided.

If you notice any **vermin** in your room (e.g. bedbugs or cockroaches), always report it to your residence management immediately, as infestations must also be reported to public health authorities. You can also contact the BuBS or an ad-



JUH: BuBS advisory team, Neukölln

visory service. It is your house management's duty to ensure there is effective pest control in place. Costs of pest control will be covered by your provider.

CAN YOU PUT THE HEATING ON ANY TIME?

You can put the heating on at any time during the heating period from 1st October to 30th April. The rest of the year, your house management must put the heating on if outside temperatures fall below 15°C at 9pm on three consecutive nights. Living spaces must have a temperature of at least 20-23°C and 18°C in bedrooms at night.

WHAT HAPPENS IF SOMETHING GETS BROKEN?

If, for example, an oven breaks, a toilet gets blocked or the warm water or heating goes out, your house management will ensure they are repaired/replaced on time. However, there can be delays to this due to several reasons. Please ask your house management if you have further questions. If items aren't repaired, you can make a complaint to the LAF's complaints team or contact the BuBS.

If something needs repaired at no fault of your own - i.e. deliberate damage/destruction of a piece of residential equipment - you will not be charged for their repair/replacement.

WHAT REQUIREMENTS ARE THERE FOR FOOD IN RECEPTION FACILITIES?

If you currently have to live in a reception facility and therefore receive all your meals, you are entitled to sufficient (at least 2600 kcal/day), balanced, varied and vitamin-rich food. **Religious and health requirements** will be taken into account. You must receive at least one hot meal per day, and you will also receive 2 litres of drinks per person every day. If you will be absent during the day due to any appointments with the doctor, authorities or German classes, you must receive a **lunch packet** which will also be balanced and varied. If you have to leave the facility early in the morning, your breakfast must be supplied to you on time. This applies to **school children** as well.

Talk to your house management or contact the BuBS if you think your food is insufficient, lacking or does not meet your requirements.

Kritik **Beschwerde** **Wünsche** **Lob**

B U B S
Berliner unabhängige Beschwerdestelle

Unsere Beschwerdebüroen sind -wenn Sie Ihre Beschwerde in Ihrer Sprache auf.

Dies kann persönlich, telefonisch, über die Website oder per E-Mail geschehen. Alle Gespräche sind vertraulich.

Unsere Beschwerdebüroen sind -wenn Sie Ihre Anliegen an das LAF oder eine andere Behörde weiter, sofern Sie dies wünschen. Alle Gespräche sind vertraulich und wir geben nur Informationen weiter, wenn Sie dies möchten.

Die Berliner unabhängige Beschwerdestelle (BuBS)

Unser Ziel ist es, die Lebensbedingungen von Geflüchteten zu verbessern. Wir helfen Geflüchteten in Berlin dabei, ihre Wünsche und Kritik zu äußern.

Wir sind vor allem für die Bewohnerinnen und Bewohner von Aufnahmeeinrichtungen und Gemeinschaftsunterkünften da.

Sie können uns online oder telefonisch kontaktieren. Oder Sie kommen in die Beschwerdestelle in der Donaustraße zu unserer Sprechstunde. Wir werden auch

in den Unterkünften des Landesamtes für Flüchtlingsangelegenheiten (LAF) unterwegs sein.

Wir sprechen Arabisch, Farsi, Dari, Englisch, Tigrinya, Kurdisch und Deutsch. Gebärdensprache und andere Sprachen können organisiert werden. Alle unsere Räume sind barrierefrei.

Alle Gespräche sind vertraulich und können anonym bleiben.

Die Hilfe ist kostenlos.

Kontakt

Berliner unabhängige Beschwerdestelle (BuBS)
Donaustraße 78
12043 Berlin

+49 30 816901-2570
beschwerde@bubs.berlin
www.bubs.berlin

Anfahrt:
U-Bahn Karl-Marx-Straße oder
Bus Geygerstraße (M41) vom Hermannplatz

Logo: JOHANNITER BERLIN

Information leaflets and posters from the complaints service (BuBS)



4.

YOUR RIGHTS WHEN YOU HAVE PARTICULAR NEEDS

Some refugees have additional requirements that their accommodation must take into account. For example:

- Pregnant people
- People with a disability
- People with severe physical or mental illnesses
- People who have been victims of torture, rape or other severe forms of physical or sexual violence.
- Victims of people trafficking
- Women travelling alone
- Single parents
- Families with underage children
- Gay, bisexual, lesbian, trans and intersex people (LGBTI)
- Elderly people
- People who belong to a religious minority in their home country.



KoordFM: Information campaign about vaccinations in a facility in Tempelhof, 2021

Asylum seeker's right to **needs-appropriate accommodation for so-called "protected" groups** are based on article 21 of the EU's Asylum Reception Guidelines (Guidelines 2013/33/EU) and article 20, paragraph 3 of the EU's Qualification guidelines (Guidelines 2011/95/EU) for recognised refugees. There can also be other reasons for particular requirements among refugees and asylum seekers.

Assessments for a special requirement can be based on whether someone needs to be housed somewhere that they will have their own bedroom or **kitchen/bathroom** (apartment). Other aspects for assessing particular needs can include: needing to live with another person who can give them the help they need with a disability/illness, the possibility of **self-catering, an accessible residence** and a bathroom. It might also include the need for a facility that specifies in protecting residents against discrimination or attacks (e.g. for women travelling alone and LGBTI people etc. It might also include the a person's right to be let out of a reception facility and be moved to shared accommodation where they

can prepare their own meals, provided no other housing is available.

Talk to your residence's staff about (your) particular requirements or apply to the service provider responsible for you (LAF, job centre or Social Affairs Office). Your facility's social services or an advisory service can also help you, for example the **Berlin Network for Refugees in Need of Protection** (Berliner Netzwerk für schutzbedürftige Geflüchtete - BNS).

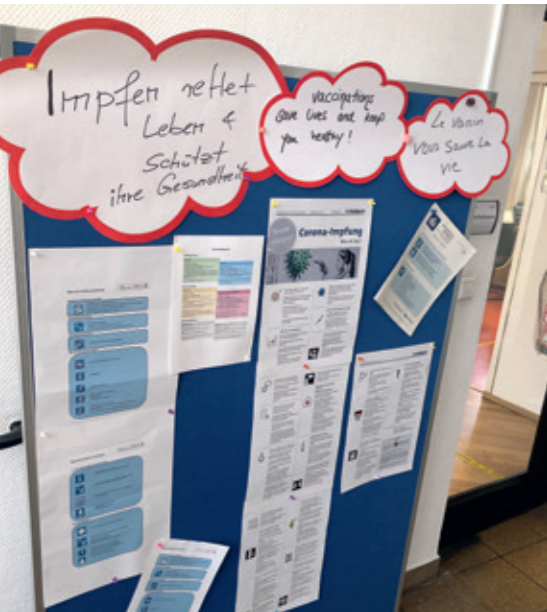
Elevators should at least be made available to people who cannot use the stairs. This includes elderly or chronically ill people, people with disabilities but also pregnant people and people with small children who need to be carried. Please speak to your house management or the BuBS if you are

refused access to a lift or apply to be transferred to another facility if yours doesn't have a lift and you cannot use the stairs.

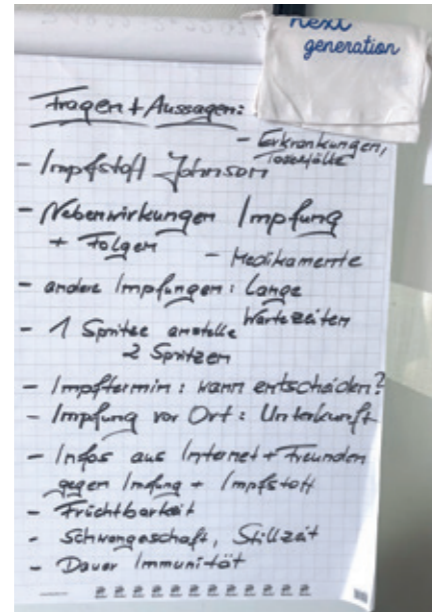


Hayatuna:
Fire extinguisher

There are regular **fire drills** in our accommodation. If you cannot take part in a drill for medical reasons, you are not obliged to. Find out about what to do in the event of a fire from your social services.



KoordFM: Information campaign on vaccines in LAF residences, 2021



KoordFM: Residents' survey on vaccinations, 2021



KoordFM: Information campaign on vaccines, Reinickendorf, 2021

5.

RENT IN THE ACCOMMODATION FACILITY?

There is a small user fee (rent) for accommodation from our provider. If you cannot pay for this yourself (little/no earned income; no/too few assets), you can apply at the job centre, Social Affairs Office or the LAF for your costs to be covered. If you are entitled to benefits, applicable accommodation costs will be covered in part or entirely. If you have questions about whether you might have to pay rent or how much you will have to pay, your accommodation's social services or advisors are there to support you!

If you live in an **LAF residence**, the following **limit** applies to any costs that might be charged to you, following regulation from the Senate Department for Integration, Labour and Social Affairs:

- 344 Euros per month for 1 person
- 590 Euros per month for 2 people
- 738 Euros per month for 3 people
- 984 Euros per month for a family of 4 or more
- 210 Euros per month for students and apprentices who are in receipt of a training allowance (BAB) or a student grant (BAföG). These regulations apply if you are also not receiving unemployment benefit II (Hartz IV) or any social aid or benefits under the Asylum Seekers Benefits Act.

For further information see annex 3.

These regulations are currently (as of: August 2021) being reviewed under the jurisdiction of Berlin's Social Welfare Court.

If you or any of your family members have an income and are therefore required to pay accommodation costs (see maximum rates above), you will receive a bill from the LAF. You can of course have the legality of these bills checked. Further information on this can be found in annex 3 of the information leaflet.

Current procedures are only a temporary solution until the relevant authorities reach an agreement on a fee policy.

WHAT DO YOU HAVE TO DO?

Should you be required to pay, you can contact an advisory service or the BuBS. They will assess your issue and look out for any indications that the payment request might not be legal.



KoordFM: Exchange of expertise at the women's accommodation Nachbarschaftsheim Schöneberg, 2021

6.

COMPLAINTS

Your rights must be respected by everyone in your accommodation. If you believe your rights are being violated, you can take legal action. This includes offensive remarks, threats, physical violence, discrimination, sexual harassment, assault, dismissive or controlling behaviour, victimisation or bullying.

If other residents are affected it might be useful to agree how best you can assert your rights together.

You should **document** any infringements of your rights (in writing or as an audio recording).

What happened, where did it happen and when? Were there any witnesses? Do you have any photos/videos of it?

Inform your accommodation management ideally in writing if you ever believe your rights have been violated. If you submit a written complaint, you can get help from advisory services, volunteer supporters and the BuBS. If you believe that another resident's rights are being infringed but you personally aren't affected, please also inform management provided the resident in question consents to you telling them. You can bring witnesses to any talks with accommodation management. Take a note of the managers' reactions/ assurances.

Normally, **management should find a solution for you**. If making a complaint to management doesn't help or you think management themselves are breaking rules, you should be able to write a complaint and submit it to the proper authority with the help of an advisory body.

Find a list of **advisory services for refugees in Berlin** here: www.fluechtlingsrat-berlin.de/asyberatunginfoblatt



KoordFM: Complaints surgery with integration facilitators, 2019

YOU CAN TAKE YOUR COMPLAINT TO:

Berliner unabhängige Beschwerdestelle - BuBS

Address: Donaustraße 78, 12043 Berlin-Neukölln

Telephone: 030/ 816901-2570

General contact: info@bubs.berlin

Complaints: beschwerde@bubs.berlin

Public transport: U-Bahnhof Karl-Marx-Strasse or take the bus to the Geygerstraße (M41 from Hermannplatz)

Website: www.bubs.berlin

BuBS is an independent advisory service that will handle your complaints anywhere in Berlin and pass them on to the institution responsible. Complaints handlers who speak your language will visit you at your residence, see your facility's posters for office hours. You can also visit the BuBS central office in Neukölln or submit your complaint by e-mail or by phone. See their websites/multilingual flyers you can find in your accommodation for office hours and further information.

The BuBS advisors will accompany you throughout the complaints process. You can also make anonymous complaints. All discussions are confidential.

Complaints concerning any grievances in LAF-facilities should be submitted to the LAF's "Quality Assurance" department by e-mail Unterkunft-QS-Beschwerde@LAF.Berlin.de with the Berlin Refugee council copied in buero@fluechtlingsrat-berlin.de.

You'll find more information on the LAF website: www.berlin.de/laf/wohnen/informationen-zum-betrieb-von-unterkuenften/qualitaetssicherung

You can also contact the district's refugee coordinators for problems in your accommodation (see the LAF's list: www.berlin.de/laf/engagement/dateiablage/bezirkliche-fluechtlingskoordinatoren012020.pdf).



KoordFM: Complaints surgery with integration facilitator, 2019

For structural defects or overcrowding in rooms or even hygiene problems or food supply shortages, you should also submit your complaint to the appropriate **District Office** department for **building** or **health**.

In cases of acute danger, please call the **police** on the emergency number 110. Please report crimes to the police after consulting with an advisory service.

For medical emergencies, please call an emergency doctor or a fire brigade ambulance on 112 or an on-call doctor on 116 or 117.

MAKE YOUR ISSUE PUBLIC

The Federal Republic of Germany is a free and democratic state governed by the rule of law. The Basic Law guarantees every individual the right to express their opinions freely and publicly, provided doing so does not infringe the rights of others. If your complaint to your management or the aforementioned bodies does not lead to a satisfactory outcome, you can **approach the relevant Senate Department or the MP representing your accommodation's area in Berlin's parliament (Abgeordnetenhaus). You are also allowed to protest against grievances with your accommodation publicly.** You can submit a petition to the state parliament's petition's committee.

You are able to ask one of the city's refugee-led organisations or initiatives for support.



KoordFM: Advisory board pilot project Independent Complaints Management (BuBS), 2018.

The Senate Department for Integration, Labour and Social Affairs is the leading supervisory body for the LAF, see online at www.berlin.de/sen/ias. Concerning its specialist supervision, one of the Senate Department's particular responsibilities is ensuring that the LAF fulfils its duties according to law. However, the people responsible may change after the State Parliament elections in September 2021. You may also ask the spokesperson for refugee matters in the parliament. Find out from the Berlin Refugee Council, for example. They are the best people to write to.

You can also talk to **media outlets** about the problems in your accommodation. You don't have to give your name. Another possibility would be to **organise protests or rallies**.

There are many initiatives and organisations who you can turn to for support, practical tips or more information here in Berlin. Find a list categorised by district at www.berlin.de/fluechtlingsrat-berlin-engagiert-sich/berliner-initiativen/.

7.

IMPORTANT LEGAL BASES

BASIC LAW OF THE FEDERAL REPUBLIC OF GERMANY

www.gesetze-im-internet.de/gg/index.html

CONSTITUTION OF BERLIN

www.berlin.de/rbmskzl/regierender-buergermeister/verfassung/

EUROPEAN GUIDELINES FOR RECEIVING REFUGEES

www.eur-lex.europa.eu

RESIDENCY LAW

www.gesetze-im-internet.de/aufenthg_2004/

ASYLUM LAW

www.gesetze-im-internet.de/asylvfg_1992/

ASYLUM SEEKERS BENEFITS LAW

www.gesetze-im-internet.de/asylblg/

INFECTION PROTECTION ACT

www.gesetze-im-internet.de/ifsg/



KoordFM: Women refugees qualifying in child day care, 2021

HYGIENE PLAN IN ACCORDANCE WITH § 36 OF THE INFECTION PROTECTION ACT (AS OF 21.12.2016)

www.fluechtlingsrat-berlin.de/laf_rahmenhygieneplan_aug2020

ADMINISTRATIVE PROCEDURE ACT

www.gesetze-im-internet.de/vwvfg/

GENERAL EQUAL TREATMENT ACT (AGG)

www.gesetze-im-internet.de/agg/

BUILDING SUPERVISORY ACT BERLIN

<https://gesetze.berlin.de/bsbe/document/jlr-WoAufGBEV4P2>

8.

ANNEXES

ANNEX 1:

OVERVIEW OF OPERATIONAL CONCEPTS/QUALITY AND DESCRIPTION OF LAF SERVICES

Note: Old contracts have been removed. These are generally similar to GU 1 type accommodation.

Parameters	Reception Facility	GU 1	GU 2	GU 3
Ideal/typical staff ratio	<p>Facility Management:</p> <ul style="list-style-type: none"> - 1.0 full-time positions per residence with a capacity of up to 130 places - 1.5 full-time positions per residence with a capacity of 131-500 places - 2.0 full-time positions per residence with a capacity of 501-1,000 places - 3.0 full-time positions per residence with a capacity of over 1,001 places <p>Social worker:</p> <p>0.010 full-time positions per capacity (at least 1 full-time position per residence)</p> <p>Psychologist:</p> <p>0.002 full-time positions per capacity The position of a psychologist can be provided by an external service in agreement with the State of Berlin.</p> <p>Social worker and child carer:</p> <p>0.015 full-time positions per capacity (at least 1 full-time per residence)</p> <p>Volunteer coordinator:</p> <p>0.002 full-time positions per capacity (at least 0.25 full-time positions per residence)</p> <p>Administration staff:</p> <p>0.010 full-time positions per capacity (at least 0.25 full-time positions per residence)</p> <p>Financial staff:</p> <p>0.010 full-time positions per capacity (at least 0.5 full-time positions per residence)</p>	<p>Facility Management:</p> <ul style="list-style-type: none"> - 1.5 full-time positions for every residence of up to 500 places - 2.0 for up to 1,000 places <p>Social worker:</p> <p>0.010 full-time positions per resident</p> <p>Psychologist:</p> <p>0.002 full-time positions per resident</p> <p>Social worker and child carer:</p> <p>0.009 full-time positions per resident</p> <p>Volunteer coordinator:</p> <p>0.002 full-time positions per resident</p> <p>Admin worker:</p> <p>0.004 full-time positions per resident</p> <p>Finance staff:</p> <p>0.002 full-time positions per resident</p> <p>Caretaker:</p> <ul style="list-style-type: none"> - 0.5 full-time positions per residence with up to 300 places - 1.0 full-time positions per residence with up to 500 places - 2.0 full-time positions per residence with up to 1,200 places 	<p>Facility Management:</p> <ul style="list-style-type: none"> - 1.5 full-time positions per residence with a capacity of 500 places - 2.0 full-time positions per residence with a capacity of 1,000 places <p>Social worker:</p> <p>0.004 full-time positions per resident</p> <p>Social worker and child carer:</p> <p>0.006 full-time positions per resident</p> <p>Volunteer coordinator:</p> <p>0.002 full-time positions per resident</p> <p>Admin worker:</p> <p>0.004 full-time positions per resident</p> <p>Finance staff:</p> <p>0.002 full-time positions per resident</p> <p>Caretaker:</p> <ul style="list-style-type: none"> - 0.5 full-time positions per residence with up to 300 places - 1.0 full-time positions per residence with up to 500 places - 2.0 per residence with up to 1,200 places 	<p>Facility Management:</p> <p>1 full-time position per residence</p> <p>Social worker:</p> <ul style="list-style-type: none"> - 1.0 full-time positions for up to 200 residents - 0.5 full-time positions for any further capacity of up to 100 people <p>Caretaker:</p> <ul style="list-style-type: none"> - 0.5 full-time positions per residence with up to 300 places - 1.0 full-time positions per residence up to 600 places

Parameters	Reception Facility	GU 1	GU 2	GU 3
Ideal/typical staff ratio	Caretaker: - 0.5 full-time positions per residence with capacity of up to 300 places - 1.0 full-time positions per residence with up to 500 places capacity - 2.0 full-time positions per residence with up to 1,200 places capacity			
Site security	24/7	24/7	24/7	No
Food provision	3 meals per day	Self-catering	Self-catering	Self-catering
Room cleaning	Done by resident	Done by resident	Done by resident	Done by resident
Facility cleaning	Daily cleaning of communal spaces according to the hygiene plan. Regular checks for vermin infestations with consideration for house rules including documentation.	Daily cleaning of communal spaces according to the hygiene plan. Regular checks for vermin infestations with consideration for house rules including documentation.	Daily cleaning of communal spaces according to the hygiene plan. Regular checks for vermin infestations with consideration for house rules including documentation.	Communal areas cleaned twice weekly
Features of sanitation facilities	Consumer goods for communal areas are supplied by the provider.	Consumer goods for communal areas are supplied by the provider.	Own supplies due to apartment set-up	Own supplies due to apartment set-up
Features of the cooking facilities	Consumer goods for communal areas are supplied by the provider.	Consumer goods for communal areas are supplied by the provider.	Own supplies due to apartment set-up	Own supplies due to apartment set-up
Room facilities	Initial fittings of rooms are provided by the State of Berlin. Rooms are fitted with a bed, locker, table and chair.	Initial fittings of rooms are provided by the State of Berlin. Rooms are fitted with a bed, locker, table and chair as well as fridge space.	Initial fittings of rooms are provided by the State of Berlin. Rooms are fitted with a bed, locker, table and chair as well as fridge space.	Initial fittings of rooms are provided by the State of Berlin. Rooms are fitted with a bed, locker, table and chair as well as fridge space.

Parameters	Reception Facility	GU 1	GU 2	GU 3
Furnishings	Providers must ensure that new residents receive new or washed linens/towels.	Providers must ensure that new residents receive new or washed linens/towels.	Providers must ensure that new residents receive new or washed linens/towels.	Providers must ensure that new residents receive new or washed linens/towels. Residents are responsible for washing.
Sanitary products	Supplied by provider	Obtained by resident	Obtained by resident	Obtained by resident
Use of own furniture	No	Additional (small) furnishings can be added with management's agreement, however must be taken away again upon moving out.	Additional (small) furnishings can be added with management's agreement, however must be taken away again upon moving out.	Additional (small) furnishings can be added with management's agreement, however must be taken away again upon moving out.
Use of own electronic devices	Own electrical devices can be brought to residences in compliance with house rules. Their use is subject to fire protection rules.	Own electrical devices can be brought to residences in compliance with house rules. Their use is subject to fire protection rules.	Own electrical devices can be brought to residences in compliance with house rules. Their use is subject to fire protection rules.	Own electrical devices can be brought to residences in compliance with house rules. Their use is subject to fire protection rules.
Use of communal areas	All communal spaces should be free for everyone to use. Communal rooms should be made available for the following purposes: games room, homework room, guest lounge, refuge room. Consultation rooms must also be made available.	All communal spaces should be free for everyone to use. Communal rooms should be made available for the following purposes: games room, homework room, guest lounge, refuge room. Consultation rooms must also be made available.	All communal spaces should be free for everyone to use. Communal rooms should be made available for the following purposes: games room, homework room, guest lounge, refuge room. Consultation rooms must also be made available.	There are no communal rooms. Consultation rooms are available.
Washing clothes	Washers and dryers are to be made available. As a rule, there should be roughly one washing machine for every 25 residents.	Washers and dryers are to be made available. As a rule, there should be roughly one washing machine for every 25 residents.	Washers and dryers are to be made available. As a rule, there should be roughly one washing machine for every 25 residents.	Washers and dryers are to be made available. As a rule, there should be roughly one washing machine for every 25 residents.

Parameters	Reception Facility	GU 1	GU 2	GU 3
Computers	Permanently installed desktop computers and free internet access must be made available to residents in communal rooms provided (at least 2 devices per 100 residents). The State of Berlin covers the costs of procuring the devices.	Permanently installed desktop computers and free internet access must be made available to residents in communal rooms provided (at least 2 devices per 100 residents). The State of Berlin covers the costs of procuring the devices.	Permanently installed desktop computers and free internet access must be made available to residents in communal rooms provided (at least 2 devices per 100 residents). The State of Berlin covers the costs of procuring the devices.	Does not apply
Heating	During the heating period from 1st October to 30th and when the external temperature falls below 15 degrees centigrade at 9pm for 3 consecutive nights. In these cases, the accommodation must provide sufficient heating in your residence. The State of Berlin covers heating costs.	During the heating period from 1st October to 30th and when the external temperature falls below 15 degrees centigrade at 9pm for 3 consecutive nights. In these cases, the accommodation must provide sufficient heating in your residence. The State of Berlin covers heating costs.	During the heating period from 1st October to 30th and when the external temperature falls below 15 degrees centigrade at 9pm for 3 consecutive nights. In these cases, the accommodation must provide sufficient heating in your residence. The State of Berlin covers heating costs.	During the heating period from 1st October to 30th and when the external temperature falls below 15 degrees centigrade at 9pm for 3 consecutive nights. In these cases, the accommodation must provide sufficient heating in your residence. The State of Berlin covers heating costs.
Visitors	Normally during the day between 8am and 10pm and in exceptional circumstances with agreement from management and the LAF.	Normally during the day between 8am and 10pm and in exceptional circumstances with agreement from management and the LAF.	Normally during the day between 8am and 10pm and in exceptional circumstances with agreement from management and the LAF.	Yes
Internet access	WiFi reception must be guaranteed by the provider in communal spaces and individual living areas.	Providers must guarantee WiFi reception in communal areas. Many facilities also have WiFi in the rooms.	Providers must guarantee WiFi reception in communal areas. Many facilities also have WiFi in the apartments.	All apartments have WiFi access.

ANNEX 2:

APPLICATION TO RETAIN YOUR PLACE IN THE FACILITY

AFTER PROLONGED ABSENCE

Shared accommodation facility , Berlin

To: Abwesenheiten@laf.berlin.de

Concerns: Mr/Mrs/Other , born on

Dear Sir / Madam,

Mr/Mrs/Other is applying for a leave of absence

from until , because

.....

It wasn't possible to apply earlier because

.....

Please confirm that my current place at the facility will be kept for me for the duration of my absence.

ANNEX 3:**CO-PAYMENT OF LIVING COSTS IN LAF ACCOMMODATION****DEAR READER,**

Do you live in accommodation provided by the State Office for Refugee Affairs? Do you have your own income? Depending on your income, you may have to pay something towards living in your accommodation, in the same way you pay rent for a flat. But you do not need to cover the entirety of the costs: your contribution is based on the size of your income and has an upper limit placed on it. We would like answer the most frequently asked questions about these contributions with this information leaflet. For more specific questions concerning your own situation, please approach the job centre, social affairs office or the LAF or a specialised advice facility.

WHAT IS THE MAXIMUM CONTRIBUTION?

As accommodation prices are so high in Berlin, the State has decided to limit how much you can pay in contributions. That means: You will never pay any more than the amounts listed below:

- 344.00 Euros for 1 person per month
- 590.00 Euros per month for 2 people
- 738.00 Euros per months for 3 people
- 984.00 Euros per months for families with 4 or more people.
- 210.00 Euros per months for students and apprentices who receive an apprenticeship allowance (BAB) or student grants (BAföG). This only applies to those who are not in receipt of unemployment benefit (Hartz IV) or social aid in accordance with the asylum seeker's benefits act.

DO I HAVE TO PAY A CONTRIBUTION AND HOW IS IT DETERMINED?**You are not automatically entitled to livelihood benefits**

If your income is so high that you cannot receive livelihood benefits such as Hartz IV (unemployment benefit), social aid or other benefits pertaining to the asylum seeker's benefits act, you will have to pay your contribution in full (see section, "What is the maximum contribution?").

You are studying or have an apprenticeship

Students and apprentices in receipt of apprenticeship grants (BAB) or student grants (BAföG) will pay a fixed share of 210.00 Euros per month. This rule applies if you also are not receiving unemployment benefit (Hartz IV) or social aid/benefits in accordance with the asylum seekers benefits law. If you receive these benefits you therefore qualify for the following segment "you are eligible for additional benefits for your livelihood".

You are eligible for additional benefits for your livelihood

You have a very low income and qualify for additional unemployment benefit II (Hartz IV), additional social aid or benefits in accordance with the asylum seeker's benefits law. In this case, your income will be assessed with the living benefits you current receive in order to determine your contribution.

Living benefits include:

1. You will find the terms **standard requirements** or **basic benefits** for money used for everyday necessities such as food, clothing, mobility, participation in culture (assessed by the job centre, social affairs office or the LAF).
2. For rental and heating (assessed by job centre, social affairs office or the LAF), you will find the term **accommodation costs**.

When calculating your contribution, your income will be charged for the so-called standard requirements and basic benefits after deducting any allowances.

Your accommodation costs will only be charged if your income is so high that it exceeds the standard requirements/basic benefits. In this case, you will have to cover a part of your living costs (contribution). The rest of the costs are covered by your service provider, i.e. the job centre, social affairs office or the LAF.

HOW DO I FIND OUT HOW MUCH MY CONTRIBUTIONS WILL BE? HOW DO I PAY THEM?

You will receive a **cost absorption declaration from the job centre, social affairs office or the LAF**. This declaration means that the benefits provider will have to take over a part of your living costs. Declarations of cost absorption are always limited to a set time period. It will also state how high your contributions will be. But you will only have to pay once you receive a bill from the LAF.

You will also receive a further declaration in addition to the cost absorption declaration. This is known as the **acknowledgement of debt**. This commits you to paying your contribution to your living costs. Please sign your acknowledgement of debt.

If you have any children and they must also pay a contribution, you will receive a third declaration. This is known as a **declaration of assignment**. Please sign this declaration. In doing so, you declare that you agree for your child's contribution to be deducted directly from your benefits and paid to the LAF. No further action is required on your part.

The **bill** sent back by the LAF will also state its purpose, your contribution and the month you have spent living in the facility. Please pay this contribution within 14 days of receiving the bill. Please provide the bill's purpose as well.

ATTENTION: Fines can be charged when your contribution is not paid. This can lead to you losing your accommodation place in the worst case scenario.

ATTENTION: If your income changes after your declaration has been issued, your contribution might change too. It is your duty to inform your job centre, social affairs office or the LAF about any changes in income.

WHAT DETERMINES HOW MUCH I PAY?

The following factors determine how much you will pay in contributions:

- how high your income is
- whether you are entitled to benefits: Standard requirements for Hartz IV, social aid or benefits corresponding to asylum benefits law aid is higher than the asylum seeker's benefits law's basic benefit.
- your allowance: Your allowance can vary depending on which benefits (e.g. Hartz IV, asylum benefits law payments etc).
- the cost of your accommodation, i.e. the costs incurred by your accommodation's provisions. They will be displayed by day; the term **rate** is used by the job centre, social affairs office and the LAF.
- the number of people who are being billed for the contribution (if you are here with your family)

NOTE: With your allowance and the limitations placed on your contributions, you will never be asked to use your own income to pay for your accommodation. You might not even have to pay a contribution if your income is small enough.

If you have any questions concerning your contribution, please contact your job centre, social affairs office or the LAF/specialised advisory services.

9.

LIST OF ABBREVIATIONS

AE	Aufnahmeeinrichtung - Reception Facility
AG	Arbeitsgruppe - working group
AGG	Allgemeines Gleichbehandlungsgesetz - General Equal Treatment Act
AkuZ	Ankunftszentrum - arrival centre
ASH	Alice Salomon Hochschule
BAMF	Bundesamt für Migration und Flüchtlinge - Federal ministry for migration and refugees
BAB	Berufsausbildungsbeihilfe - vocational training grant
BAfög	Bundesausbildungsförderungsgesetz - Federal Students' Training Assistance Act
BNS	Berliner Netzwerk für besonders schutzbedürftige Geflüchtete - Berlin Network for particularly vulnerable refugees
BGB	Bürgerliches Gesetzbuch - German Civil Code
BuBS	Berliner unabhängige Beschwerdestelle - Berlin independent complaints office
bzw.	beziehungsweise - or
d.h.	das heißt - that means/i.e.
etc.	et cetera
EU	Europäische Union - European Union
EUMF	ehemalige unbegleitete Flüchtlinge - Former Unaccompanied Minor Refugees
f.	folgend - following
ff.	fortfolgende - following
ggf.	gegebenenfalls - if/where necessary
GU	Gemeinschaftsunterkunft - Shared accommodation facility
Hayatuna	Project for Future Workshop Heinersdorf - Citizen's Association Berlin-Heinersdorf e.V.
Hartz IV	Unemployment Benefit II as a Basic Social Benefits for Job Seekers provided by the Job Centre
IB	Internationaler Bund Berlin-Brandenburg gGmbH
JUH	Johanniter Emergency Services (registered association)

Kita	Kindertagesstätte – Child daycare centre
KoordFM	Coordination Body for Refugee Management, Senate Department for Integration, Labour and Social Affairs
LAF	Landesamt für Flüchtlingsangelegenheiten Berlin – State Office for Refugee Affairs
LAGeSo	Landesamt für Gesundheit und Soziales Berlin – State Office for Health and Social Affairs
LEA	Landesamt für Einwanderung – Ausländerbehörde – State Office for Immigration – Foreigners Authority
LfG-B	state-owned refugee accommodation company in Berlin
LGBTI	lesbian, gay, bisexual, transgender, transsexual and intersex people
MUF	Modulare Unterkunft für Flüchtlinge/Neubau (Version 1.0 und 2.0) – Modular accommodation facility/new build (versions 1.0 and 2.0)
o. ä.	oder ähnlich – or similar
ÖPNV	Public transport services in Berlin
PDF	Portable Document Format (Standard format for screen and print formatting)
QM	Quality management
RL	Richtlinien – Guidelines
S.	Seite – Page
SenIAS	Senate Department for Integration, Labour and Social Affairs
sog.	sogenannt – so-called
StGB	Strafgesetzbuch – German Penal Code
StPO	Strafprozessordnung – German Code of Criminal Procedures
u. a.	und andere – and others
usw.	und so weiter – (lit.) and so on (etc.)
vgl.	vergleiche – compare
WfF	Apartments for Refugees (Wohnraum-Kontingent für Geflüchtete im Rahmen eines Kooperationsvertrages der Wohnungsunternehmen mit dem Land Berlin)

LEGAL NOTICES

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Senate Department for Integration, Labour and Social Affairs (SenIAS)
 Field Office for Refugee Management Coordination (KoordFM)
 Oranienstraße 106
 10969 Berlin

REDACTION, PROOFREADING

Sybill Schulz, Senate Department for Integration, Labour and Social Affairs/ KoordFM

TYPESETTING, LAYOUT

Braun Grafikdesign Berlin

PHOTOS

SenIAS, KoordFM
 State Office for Refugee Affairs
 Johanniter Emergency Services (registered association)
 Welcome party for refugees in Steglitz-Zehlendorf Future Workshop
 Heinersdorf – Berlin-Heinersdorf Refugee Association
 Title page kitchen: Southworks Creative LTD/ photocase.de
 Title page children: davidpereiras/ photocase.de

