

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 1 of 9
		As of: 07/12/2020

## **Welcome to the accommodation for refugees and asylum seekers in the state of Berlin.**

These house regulations contain rules for shaping collective life in the accommodation and apply both for everyone living and working there as well as for visitors. The aim is to provide a respectful and peaceful collective environment.

In Germany, everyone is equal in the eyes of the law. This also means that no one can be discriminated against or given preferential treatment based on their gender, origin, language, home country and heritage, faith, religious or political views, sexual orientation, age or race. Discrimination on the grounds of race also includes people being discriminated against purely because of external features such as skin colour. No one can be discriminated against because of their disability.

In particular, the equality of women and men before the law is part of the fundamental rights guaranteed by the state in Germany. This means that women and men have the same rights and obligations in all areas of life. No one can be discriminated against based solely on their gender.

People sexually attracted to those of the same sex or both sexes (gay men, lesbians, bisexuals) and people who cannot be assigned a gender or whose biological gender does not match their gender identity (intersexual or transgender) are guaranteed the same rights as all other people by the German State and cannot be discriminated against in any way based on their sexual orientation or gender identity. Residents who belong to these groups of people should therefore be shown respect and must not be treated with hostility or discriminated against in any other way by anyone in the accommodation.

It is the provider's responsibility to make sure that everyone staying in the accommodation, whether for a long period or just temporarily, adheres to these house regulations.

### **§ 1 Right to determine entry**

1. The right to determine entry is the right to decide who can enter and stay in the accommodation and property and how the residents, employees of the provider and security service provider, visitors, volunteers and collaborators must behave.

The provider exercises the right to determine entry on behalf of the state of Berlin and enforces the house regulations. It is supported by the security service provider in this respect.

2. The privacy of the residents must be respected by the residents themselves and by the provider's staff and security personnel.

Residents must be consulted about and notified in advance of the dates of repairs and regular inspections carried out by the provider. Occasional inspections may be carried out following prior notice with the consent of and in the presence of the residents, while respecting their privacy.

Staff must knock at the door and wait for permission to come in before entering the room.

The provider's staff and security personnel as well as the responsible regulatory authorities are not permitted to enter the residents' rooms without permission unless there is an imminent danger. A danger in particular includes a risk of damage to persons or property. The inviolability of the home pursuant to Article 13 of the Basic Law shall also apply to rooms in reception

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 2 of 9
		As of: 07/12/2020

centres and shared accommodation for refugees in addition to private homes. This inviolability may only be restricted on a legal basis. Such a legal basis exists in the Residence Act. However, searches may only be carried out with a court order.

If there is no one present in the room when staff enter, they must leave a written explanation in the room and with the management of the accommodation.

3. The operation of a business and any trade as well as advertisement for business purposes is prohibited.

4. Bag and cabinet checks may only be carried out by the police, provided that there is a legal basis to do so.

## **§ 2 Scope of application**

These house regulations are applicable to the entire site of the accommodation. They are binding for all residents, visitors, volunteers, collaborators as well as employees of the provider and security service provider.

## **§ 3 Residents**

1. The prerequisite for residents to be entitled to stay in this accommodation is a valid declaration of assumption of costs or allocation by the State Office for Refugee Affairs (LAF).

2. A permanent right of residence is not established by the temporary stay.

3. Every resident receives a resident ID card that must be presented to the provider's staff and/or security personnel on request and should always be carried with the resident.

4. The residents' active participation in shaping collective life in the accommodation is strongly encouraged and must be supported by the provider and/or management of the accommodation by means of appropriate services, such as forming a resident council or other forms of involvement.

5. All residents are obliged to use electricity, water and heat sparingly.

6. Attaching outside antennas is only permitted with prior consent of the provider and in compliance with the laws and regulations applicable in the state of Berlin.

7. Common areas whose use can be reserved for certain groups of people are also available to residents in the accommodation. The provider shall regulate the times of use. The common areas can be used in different ways, such as for meetings, physical activity, watching TV together or training courses. Accommodation staff can provide you with more detailed information.

8. The management of the accommodation must be informed at the earliest opportunity of a temporary absence of more than one day (hospital admission, meetings with authorities out of town or other important reasons) and when moving out. If it is possible to plan the absence in advance, the management of the accommodation should be informed as soon as possible. A

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 3 of 9
		As of: 07/12/2020

lack of information arising through the fault of the resident may lead to them no longer being entitled to their current place after the third day of absence.

9. The following applies for residents in accommodation other than a reception centre:

In the case of a planned absence of more than three days, the place in the accommodation can be held provided that 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.). The authorities providing the social benefits must give their consent for this (LAF, job centre, district office).

For residents receiving these benefits from the LAF, the absence for the reasons specified can usually be permitted for up to 20 days per calendar year without the place in the accommodation being lost and it becoming necessary to move into new accommodation, provided that there are no legal grounds to the contrary. Permission can also be granted for more than 20 days in certain exceptional cases (e.g. a prolonged hospital stay).

The absence must be requested from the LAF in advance.

Accommodation staff can assist you if you are unsure which office to contact to request the permitted absence.

10. A contact person of the provider or security service provider is available to residents at all times in emergency situations (for example, acute illness, threats or violent assault). They can also call the emergency services. Accommodation staff will also strive to assist residents in coping with particularly stressful incidents. Other questions and concerns can be raised with the provider during office hours or with the LAF complaint management (email: [unterkunft-gs-beschwerde@laf.berlin.de](mailto:unterkunft-gs-beschwerde@laf.berlin.de)).

#### **§ 4 Other persons**

1. Residents may receive visitors in their rooms. The management of the accommodation stipulates the details of visitor rules, in particular visiting hours, as part of the right to determine entry in consultation with the LAF. The residents shall be informed in a suitable manner by the management of the accommodation of the visitor rules in force in the accommodation. This information also contains details of whether visits are only permitted outside of night-time quiet hours or whether visitors are also allowed to stay overnight in the accommodation in certain circumstances.

2. Visitors of residents as well as volunteers and collaborators must provide photo identification (passport, identity card, health insurance card, student card or similar) and sign in at reception before entering the premises and out again when leaving. They will receive a visitor's pass. The provider or security service provider is not permitted to collect or process personal data of visitors, volunteers or collaborators.

3. Any persons residing illegally in the property are trespassing and will be reported. The volunteer and visitor hours are displayed separately and must be respected.

State Office for Refugee Affairs, Berlin (LAF)	House regulations for reception centres and shared accommodation in the state of Berlin	Page 4 of 9
		As of: 07/12/2020

## § 5 Cleanliness and tidiness

1. It is prohibited to consume alcohol or drugs in the streets and outdoor areas of the accommodation.
2. Smoking is not permitted anywhere in the building, including shisha and e-cigarettes. Residents must only use the designated smoking areas outside. Residents must themselves ensure that these areas are kept clean.
3. Residents are responsible themselves for cleaning their rooms including their windows. Residents must ensure that they adequately ventilate their rooms including during the winter months (it is recommended to fully open the window for a short time as opposed to continuous ventilation with the window ajar).
4. All parts of the building including living and sleeping areas as well as communal areas and rooms (for example, communal kitchens and communal washrooms) must always be left in a clean condition. Any dirt must be cleaned up immediately and independently by the person who caused it. Play areas (such as play rooms or homework rooms) must be left in a clean condition.
5. In consultation with the management of the accommodation, residents can add their own furnishings in their rooms. This does not apply if doing so contravenes legislation, leads to a considerable reduction of the useable living space or has an adverse effect on other residents. In any case, added furnishings remain the responsibility of the resident. This also includes, in particular, removal of the items from the accommodation when the resident moves out.
6. The residents' own carpets must not be securely attached to the floor. Residents must vacuum and roll up the carpets once a week and mop the floor. The carpets must be shampooed once a year (according to § 36 Protection against Infection Act - Framework Hygiene Plan).
7. If the bed frames are not used for sleeping, the mattresses must not be placed permanently on the floor but must be stored on the bed frames during the day in order to enable adequate ventilation and so as not to obstruct the escape routes in an emergency where residents must quickly vacate their room. In accommodation with underfloor heating, mattresses must not be placed on the floor.
8. Waste, food leftovers and the like must not be poured down sinks in the interests of avoiding blockages in the plumbing. Household and kitchen waste, disposable nappies, sanitary products and the like must not be disposed of down toilets and sinks. They can be put in the designated waste bins.
9. The furnishings must be treated with care. All residents have a duty to avoid damaging the furniture and the building itself. Damage must be reported to the provider's staff immediately. Attaching nails, hooks, screws and the like without permission is prohibited. Wall fixings can, however, be requested from the management of the accommodation and are done by the caretaker if permission is given.
10. In accordance with § 36 Protection against Infection Act - Framework Hygiene Plan, rubbish must be separated, collected in bags or containers with lids and disposed of on a daily basis.

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 5 of 9
		As of: 07/12/2020

11. All residents will receive bed linen, towels and crockery when they move in. Towels must be washed every week and bed linen at least every three weeks at at least 60 degrees (§ 36 Protection against Infection Act - Framework Hygiene Plan)

12. Residents do their own laundry.

a. Washing machines are available free-of-charge for laundry. They must be operated with care in accordance with the operating instructions and only used with detergent intended for washing machines.

b. Tumble driers are available free-of-charge for drying clothes. They must be operated with care in accordance with the operating instructions. Drying laundry in living areas is not allowed so as to prevent the formation of mould. Laundry may be dried on the balconies with available airers.

c. The use of communal washing facilities is at the residents' own risk.

d. The provider and the state of Berlin do not assume liability for damage or theft.

e. The provider's staff can be contacted if there are any questions.

13. Keeping pets is not permitted.

14. The provider's staff must be informed immediately if a pest infestation (e.g. bugs, lice, rats) is discovered.

## **§ 6 Protection from noise**

1. Noise should always be avoided. Residents must be considerate of their neighbours and fellow residents. Music is only permitted at low volume.

2. Quiet hours are between 10 pm and 6 am. No loud work or activities can be carried out during this time. Activities at low volume are allowed. No loud activities or work must take place at all on Sundays and bank holidays. Sound reproducing apparatuses and musical instruments may only be used at low volume at all times.

3. If the window is open or when in open spaces, conversations and discussions on mobile phones must be conducted in a way that does not disturb residents of neighbouring buildings as a result of excessive noise.

4. Normal noise from children must be tolerated. The natural need of children to play must be tolerated by everyone. However, parents must take responsibility for their children being considerate of others (fellow residents, neighbours etc.).

## **§ 7 Storing prams, bicycles, walking aids and other objects**

1. It is prohibited to store prams, bicycles, walking aids and other objects in the stairwell and corridors. All emergency exits and escape routes must be kept clear at all times of day and night.

State Office for Refugee Affairs, Berlin (LAF)	House regulations for reception centres and shared accommodation in the state of Berlin	Page 6 of 9
		As of: 07/12/2020

2. Bicycles, prams and walking aids may only be stored in the designated areas.
3. Every resident is responsible themselves for the security of the stored bicycles, walking aids etc. The provider and state of Berlin do not assume any liability in this regard.

## § 8 Safety

1. All residents are obliged to be instructed by the provider on what to do if there is a fire and to take part in fire drills in the accommodation.
2. In the event of a fire, the instructions of the emergency services and fire safety team as well as the instructions on the "What to do if there is a fire" board must be complied with. There is an assembly point in the outdoor facilities. Emergency exits and escape routes must be kept clear at all times of day and night and have zero fire load.
3. Removing or damaging smoke alarms and detectors, fire extinguishers, fire detection and alarm systems and other safety equipment poses a serious threat to all residents and is prohibited.
4. Residents' own heating and cooking devices may not be used in the living areas. The use of other electrical appliances in the rooms is only permitted following consultation with the provider. Further use may be prohibited if this rule is not adhered to. The use of portable socket outlets or extension cables is prohibited, as is any type of open fire.
5. Objects must not be placed on the outdoor windowsills as these could fall off and injure someone.
6. All entry doors as well as basement and courtyard doors must be kept shut after 10 pm. Windows in the basement and stairwell must always be kept shut unless other arrangements have been made by the management of the accommodation, in particular for reasons of infection control.
7. The provider must be informed immediately if the lighting in the corridor or stairwell is faulty, as faulty lighting may cause accidents.
8. Playing is not permitted in the stairwell for safety reasons. Children are allowed to play in the designated areas (play room and playgrounds, outside facilities).
9. Parents are obliged to supervise their own children. Parents are responsible for ensuring that their children comply with the house regulations.
10. The completed information sheets **What to do in an emergency (Annex I)**, **What to do if there is a fire (Annex II)**, **Emergency plan (Annex III)**, **Escape and rescue plan (Annex IV)** are part of the house regulations and must be carefully read by all residents, or read out by the provider for those who are illiterate, and explained by the provider.

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 7 of 9
		As of: 07/12/2020

### **§ 9 Liability**

1. Residents and visitors are responsible for the damage they cause and liable in accordance with the legal regulations. These legal regulations are derived from the German Civil Code (BGB).
2. Employees of the provider or security service provider are responsible for any damage they cause to residents' property and liable in accordance with the legal regulations (German Civil Code).
3. If the room key or transponder is repeatedly lost, the resulting costs can be charged to the resident.

### **§ 10 Contact persons for concerns**

Residents can contact the following contact persons and offices at any time with their questions, suggestions, concerns or complaints:

- Questions, concerns and complaints with regard to living in the accommodation can be directed to the management of the accommodation or the contact person designated by them.
- Complaints with regard to the living situation in the accommodation can also be raised with the management of the accommodation. In addition, complaints, including anonymous ones, can be made to the State Office for Refugee Affairs (LAF) and also to the Berlin Independent Complaints Office, once it is up and running.
- The refugee coordinators in the district provide information on district support services for refugees, amongst other things.
- The Commissioner for Integration and Migration of the Senate provides comprehensive information and advice on areas such as residency rights, family reunification, asylum procedures, social benefits, finding accommodation, employment, school and other aspects relating to welcoming and integration of refugees.
- Committed citizens run volunteer initiatives to provide support for refugees, such as with coping with everyday life, administrative procedures, looking for work and accommodation and other matters.

The provider shall display the relevant contact details somewhere in the accommodation where they can be seen by all residents.

### **§ 11 Breaches of the house regulations and criminal offences**

1. Breaches of these house regulations may result in being banned from the establishment and losing your place. Bans must be issued in writing and reasons given. The written order of the ban will be handed over to the person(s) concerned.
2. The procedure set out by the LAF must be complied with when issuing bans. In principle, only the management of the accommodation has the right to issue a ban. In exceptional cases

<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 8 of 9
		As of: 07/12/2020

(when residents or employees are in danger) and in particular if there are breaches in accordance with Point 3 below, the shift manager of the security service may also issue a ban if the manager of the accommodation is not on site and cannot be called at short notice.

Two written warnings must always be given before a ban can be issued. A ban is only given for the third warning. A ban remains in force for no longer than 3 months and only for the current accommodation. The ban does not apply to the entire family.

3. An immediate ban may be imposed for particularly serious breaches of the rules contained in these house regulations. An immediate ban is in particular intended to protect other people from attacks and is permitted for the following strictly prohibited actions or offences:

- any form of threat (including verbal)
- any form of violence (in particular directed at women, children, religious minorities and other vulnerable individuals) or even just the threat of violence
- possession of or trading weapons and weapon-like objects prohibited under the German Weapons Act (this includes in particular firearms of any type, but also certain weapons that could be used to cut or stab). If there are any doubts as to whether an object constitutes a prohibited weapon, the nearest police station will provide information. The manager of the accommodation can tell you where it is located.
- trafficking in illegal drugs in the establishment and in the outside areas
- any type of “bullying”, i.e. the repeated and regular, primarily psychological harassment, persecution and harming of a person by individuals or a group
- criminal offences reported to the police As long as the police investigations are ongoing, an immediate ban is only permitted if it is necessary for protecting the residents or staff of the accommodation from a potential danger
- serious crimes (e.g. sexualised violence, grievous bodily harm, arson) in the accommodation
- repeated stalking if there is assumed to be a risk of reoccurrence or the injured party cannot reasonably be expected to live together with the perpetrator owing to the gravity of the crime.

As well as immediately banning the individual(s) from the establishment with the consequence that they lose their place in the accommodation with immediate effect, breaches of the house regulations linked to the possession of weapons or illegal drugs and trading/dealing these objects, as well as other serious crimes in the accommodation and violence against residents or employees may be reported to the authorities and lead to criminal proceedings being brought against the perpetrator(s).

4. Residents who have been banned from the establishment can contact accommodation staff to find out which office to contact in order to receive a place in a new accommodation centre.

5. The affected persons may make a complaint about a ban being issued to the LAF or the Berlin Independent Complaints Office (BuBs). The LAF will then check whether the ban is justified or whether it has to be lifted.



<b>State Office for Refugee Affairs, Berlin (LAF)</b>	<b>House regulations for reception centres and shared accommodation in the state of Berlin</b>	Page 9 of 9
		As of: 07/12/2020

### **§ 12 Moving out**

1. If the moving-out date has not been specified by the provider or the LAF, the respective residents must notify the management of the accommodation of their moving-out date as soon as possible, but no later than 2 weeks before.
2. The door key and resident ID card must be handed back immediately when moving out.
3. When moving out, all items belonging to the establishment must be returned in full.
4. When moving out, residents are obliged to take all items brought into the accommodation by them or at their instigation, unless they come under point 3. It will be assumed that any items left behind can be disposed of. This can be done at the expense of the residents. 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. This means that the documents and valuables left behind are kept for six months and the provider will attempt to identify and inform the owner. If it is not possible to return the items to the owner within this period, the provider may dispose of this lost property.