

Housing, land and property in Beirut, in the light of the port blast

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1 Summary

The massive port blast that rocked Beirut and its suburbs on August 4, 2020 affected over 200,000 homes. The blast came on the heels of multiple overlapping crises that have further undermined the ability of vulnerable households to access adequate housing in urban areas throughout the country. The conditions of the dwellings (e.g., overcrowding, poor insulation), the modality of housing acquisition and occupancy (e.g., weak tenure security), and the costs they impose present **sizable challenges to uphold the right to adequate housing for a large percentage of the population** living in Lebanon.

Studies about housing, land, and property (HLP) issues have pointed to several reasons behind the shortfall in adequate housing in Lebanon, specifically (i) the **lack of a housing policy framework**, (ii) the reliance on **land and housing** to attract foreign capital and serve **as safe assets for anxious capital**, (iii) the heavy penetration of **private interests** in the organization of the sector, (iv) the **inadequate regulations** governing housing transactions, particularly rent, (v) building and urban regulations that intensify **incentives for redevelopment**, and (vi) the **poor maintenance of the housing stock** and urban infrastructures. These challenges affect city dwellers in all Lebanon's cities. Vulnerabilities are nonetheless compounded for social groups that suffer from additional forms of discrimination related to age, gender, class, nationality, legal status, religion, political belief, ethnicity, sexual orientation, or otherwise.

This study seeks to take stock of the housing, land and property framework and the multiple forms in which housing vulnerability is playing out in the context of the repair and recovery phase of Beirut in the aftermath of the port blast.

The report recommends **improving housing conditions for vulnerable populations in Beirut through three levels: national policymaking, area-specific, and household level interventions.**

The methodology adopted for this study is qualitative and consists of laying out housing issues and threats in the context of the areas affected by the blast to unravel the **full spectrum of housing, land and property challenges** in Beirut. Based on a mapping of these challenges, the research strategy relied on an in-depth analysis of thirty case studies. Fifty-five extended interviews were conducted with residents, and another twenty-six extended interviews were conducted with landlords. In addition, eighteen interviews were conducted with key informants to complement the research. During the analysis phase, the cases were examined in relation to their intersection with the legal framework, housing-related policies, and the urban and building regulations in place. The findings were consolidated and synthesized to inform the report's recommendations.

2 List of abbreviations and acronyms

BBED	Beirut Built Environment Database
BUL	Beirut Urban Lab
CDR	Council for Development and Reconstruction
CFR	Cash for Rent
DGA	Directorate General of Archaeology
DGU	Directorate General of Urbanism
ESCWA	Economic and Social Commission for Western Asia
FER	Forward Emergency Room
HLP	Housing, Land and Property
HLP-TTC	Housing, Land, and Property Temporary Technical Committee
ICLA	Information, Counselling and Legal Assistance
INGO	International Non-governmental Organization
LBP	Lebanese Pound
MSNA	Multi sectoral needs assessment
NGO	Non-governmental Organization
NRC	Norwegian Refugee Council
OCHA	United Nations Office for the Coordination of Human Affairs
PCH	Public Corporation for Housing
UN-Habitat	United Nations Human Settlement Programme
UNHCR	United Nations High Commissioner for Refugees
USD	United States Dollar

3 Introduction

3.1 The context

The massive port blast that rocked Beirut and its suburbs on August 4th, 2020, caused damages equal to a sizable earthquake and left more than 200,000 apartments affected.¹ The blast came on the heels of months of protests that followed the financial meltdown of Lebanon's currency and its national bankruptcy. It also overlapped with the multiple consequences of the COVID-19 crisis. At the time of writing this report, the Economic and Social Commission for Western Asia (ESCWA) estimates that 9 out of 10 households in Lebanon are adopting negative coping mechanisms to deal with the ongoing economic and financial crises.² In addition, the World Bank estimates that 55% of the general population is trapped in poverty. At the same time, unemployment rose between 2019 and 2020 from 11% to 37%.³

These overlapping crises have an enormous impact on the ability of Lebanon's vulnerable households living in urban areas to access affordable housing. Several reports and studies published ahead of the crisis had pointed to the inadequacy of Lebanon's housing sector to address the rising needs of impoverished Lebanese, refugee, and migrant worker households.⁴ There was ample evidence that the conditions of the dwellings (e.g., overcrowding, poor insulation), the modality of housing acquisition and occupancy (e.g., weak tenure security), and the costs they imposed, presented significant challenges to a large percentage of the population living in the country.^{5,6}

These studies had further pointed to several reasons behind these issues, particularly (i) the lack of an adequate housing policy framework,⁷ (ii) reliance on land and housing to attract foreign capital and serve as safe assets,⁸ (iii) the heavy penetration of private interests in the organization of the sector, (iv) the inadequate regulations governing housing transactions, particularly rental schemes, (v) building and urban regulations that intensified incentives for redevelopment, and (vi) the poor maintenance of the housing stock and urban infrastructures. While these challenges affected Lebanon's cities at large, vulnerabilities were particularly compounded for social groups that suffered from additional forms of discrimination related to age, gender, class, nationality, legal status, religion, political belief, ethnicity, sexual orientation, disability, or otherwise.

The Beirut port blast increased many of these challenges. An already deteriorated housing stock was severely affected by the physical implications of the blast. Furthermore, disagreements over the modalities of repair and the allocation of compensation within a collapsing economy and a poorly regulated framework caused further displacements. In addition, dwindling incomes and spiralling hyperinflation threatened numerous households with eviction because they no longer can afford to pay their rent, mortgage, or forward payments to real-estate developers.

3.2 Purpose of the research

This study seeks to take stock of the multiple forms in which housing vulnerability and land ownership are playing out in the context of the emergency response and recovery of Beirut in the aftermath of the port blast.

The report provides a general overview of the challenges that households face, particularly the most vulnerable among them, as they seek to repair their homes and as they try to fight eviction schemes arising in the areas affected by the blast. The study further aims to unravel the formal and informal strategies that have helped some of these households return or keep their homes and makes recommendations about interventions in the short, medium, and long term that could increase tenure security and improve the modalities of housing acquisition for vulnerable communities.



A severely damaged house in Mar Mikhael, March 2021. Photo: Mona Fawaz/NRC

4 Methodology

The methodology adopted for this study consists of mapping housing challenges and threats in the context of the areas affected by the blast to unravel the full spectrum of housing, land, and property (HLP) issues that exist in Beirut. The research strategy relied on a qualitative approach, selecting case studies for in-depth analysis. During the analysis phase, these cases were examined in relation to their intersection with the legal framework, housing-related policies, and the urban and building regulations in place. The findings were consolidated and synthesized to inform the report's recommendations.

The steps of the adopted methodology are detailed below.

4.1 Case study analysis

The research team began by mapping multiple housing, land and property scenarios and challenges that emerged in the areas affected by the port blast. Despite the limited time and the constraints on conducting fieldwork in the context of the COVID-19 pandemic, the team looked to assemble the largest number of cases reflecting the diversity of profiles, occupancy statuses, and other forms of vulnerabilities (e.g., individual profile) that play a role in exacerbating housing challenges in the post-blast context. The mapping of cases also looked to cover the diversity of interactions between actors, particularly landlord/tenant relations, NGOs, banks, developers, contractors, and property owners, among others.

A wide array of preliminary information about possible case studies was already available to the research team at the time this study was undertaken.⁹ These cases account for the full spectrum of issues identified by different actors and fleshed out in Table 6.1. of this report, according to the following main categories: (a) Poor housing conditions, (b) Tenure vulnerability, (c) Neighbourhood threats, (d) Affordability issues, (e) Blast specific issues, and (f) Individual vulnerability.

Following this review, thirty representative cases were selected for in-depth investigation, including a review of property titles, general physical observations, and interviews with residents, landlords, sponsors (Kafeels), brokers, property owners, and other actors involved in post-disaster recovery (i.e., Mukhtar, INGOs, NGOs, FER and BUL). The profile of the resident-household and mode of occupancy (i.e., form of tenure, such as formal/informal tenancy) of multiple profiles of household (e.g., nationality, gender, class, years of occupation) and the physical condition of the building (heritage/non-heritage home, severity of structural damages) were considered in the selection. This documentation allowed researchers to then distill the consequences of direct individual factors as well as those that result from policy and legal frameworks.

In analyzing each case study, the research team also sought to locate it into a broader reading of the urban context that was essentially built by existing research conducted at the American University of Beirut's Beirut Urban Lab. This research includes

(i) the BBED (Beirut Built Environment Database)¹⁰ project to check for building development or real estate activities relevant to the identified cases, (ii) the ongoing vulnerability research¹¹, to look at people’s vulnerabilities in the context of the port blast, the currency devaluation, the financial crisis, and the COVID-19 pandemic, and (iii) housing financialization¹² study that maps the laws and regulations related to Housing, Land and Property cases before and after the port blast.

Qualitative in-depth semi-structured interviews were conducted with residents¹³ and property owners of the cases identified through the selected strategy. The interview protocol covered an in-depth analysis of the households’ housing trajectory and ongoing challenges related to housing, land and property issues before and after the blast. Interviewers also inquired about disputes and dispute resolution, including actors involved, rules followed, and institutions that intervened in the process. A total of 55 in-depth interviews were conducted with residents, and 26 in-depth interviews with property owners (**Table 4.1**). These qualitative interviews were selected based on the cases’ intricacies. All interviews began by securing consent and observed the guidelines of respondents’ protection, including COVID-19 prevention measures.

Table 4.1: Respondents categories			
In relation to property		By Nationality	
	Number of interviewees		Number of interviewees
Landlords	11	Lebanese	48
of which developers	3	Syrian	14
Landlord brokers and/or property managers	4	Palestinian	1
Tenants	33	Ethiopian/ Sudanese. / Bangladeshi	5
of which under old rent	6	By Gender	Number of interviewees
of which unrecorded rent	25	Women	22
Squatters	7	Men¹⁴	46
Owners-residents	15		
of which owners in shares	7		
of which on mortgage	3		
Migrant worker sponsor	1		

The research team also conducted numerous informal conversations in the neighbourhoods. These side conversations occurred on an ad-hoc basis and helped elucidate numerous aspects of the channelling and functioning of aid as well as ongoing challenges faced by neighbourhood dwellers.

4.2 Interviews with key informants

Given the short duration of the project, only a small sample of key informants was selected for interviews. It was significant for the research team to learn from the different strategies and forms of housing assistance adopted by non-governmental organizations. The team interviewed five local and international NGOs involved in post-disaster housing recovery with multiple profiles to uncover the tensions and problems observed on the ground. The research team also mapped the different processes and strategies that these NGOs adopt. Selection of NGOs interviewed was also based on those involved in advocating rights of multiple vulnerable groups such as migrant workers, Syrian refugees, low-income Lebanese families, and others.

In addition, in-depth interviews were conducted with key public informants to gauge their perspectives and the potential directions they were considering to improve housing protection. Interviewees included locally elected representatives, the Forward Emergency Room, the Public Housing Agency, and the Directorate General of Archeology.

Meetings with planning specialists provided important insights about the legal status and conditions of households living on publicly expropriated land, illegal land occupation cases, buildings held in shares. Consultations with lawyers helped validate the legal background of the selected case studies and the possible interventions with respect to property and planning laws, including the respective authorities and responsibilities of landlords, tenants and municipal authorities. Interviews with NGO/INGO workers and researchers allowed the research team to triangulate information about households gathered in neighborhoods and helped to assess the feasibility of the report's recommendations.

4.3 Data analysis and consolidation of scenario and mappings

The field research findings were first synthesized on the basis of: (i) legal, (ii) regulatory, (iii) social, and (iv) physical factors. Data was classified along these axes and three main factors affecting housing patterns: informality, compounded crisis and predatory development, as recurrent themes. These factors were used as the main entry points for the analysis section of the report. In addition, the case studies allowed the research team to classify all the forms of housing vulnerability and organize them to intersect with external factors.

4.4 Consultation sessions and validation

The main issues that emerged from the case studies were examined with legal experts to unravel how challenges intersect with the legal framework in Lebanon and whether/how they can be addressed through legal measures. In analyzing the cases, the team also relied on its detailed knowledge of Beirut's built environment, its housing market, and the housing regulatory framework built over the past years through different studies. The report also benefited from the detailed review of specialized lawyers, in addition to several consultations with legal experts on issues of housing rights, property rights, expropriation, and property taxation.

To validate findings and recommendations, the research team conducted one validation meeting with key informants, including researchers and organizations engaged in housing emergency response and recovery in the affected areas. NRC Research Reference group also validated the findings and assessed the draft report.

4.5 Limitations

Given the short duration of the research and context in which it was conducted, it is worth pointing to some of the limitations:

- The study provides a landscape of the housing, land and property issues faced in the post-blast context by collecting data and stories from earlier studies and conducting in-depth investigation of case studies in the blast-affected neighbourhoods. Although quite exhaustive, these findings cannot claim to provide a comprehensive overview since no systematic survey of housing conditions, repair modalities, or neighbourhood scale transformations was possible in the scope of this report.¹⁵
- Due to the short duration of the research, the number of case studies was limited to 30. Further research might show additional challenges faced by households and landlords living in blast affected areas, and can provide further representation to the collected data.
- The dynamic conditions in Lebanon where the financial meltdown and the political crisis are leading to a rapid deterioration of living conditions requires continuous feedback. As such, the findings of this study should also be understood in the context when it was conducted (March-August 2021).
- Due to COVID-19 protocols, most interviews had to be conducted either outdoor or over the phone, which might have also implied lack of nonverbal communication and prevented field researchers from directly verifying some of the statements, assessing damage or repairs, or observing households directly. Conversely, by responding to questions over the phone, some respondents expressed relief that they could secure higher privacy for their answers.

5 Housing, land, and property in Beirut port blast affected areas: The policy framework

Lebanon's housing, land, and property context is marred with structural challenges that hinder adequate and affordable housing provision for the majority of the city-dwellers in the country. As such, it is imperative to locate the effects of the Beirut port blast in context, understanding how the challenges of repair and recovery overlap with pre-existing conditions. This section of the report outlines the public policy frameworks that have shaped housing vulnerabilities. The section specifically reviews the regulatory frameworks that organize housing provision and post-disaster recovery in the aftermath of the Beirut port blast.

5.1 A policy framework that exacerbates housing vulnerability

The right to housing is enshrined in the Lebanese Constitution and laws. The Lebanese Constitutional Council has stated in the Decree No. 6/2014 that Lebanon observes “the right to adequate housing based on international laws imposing an obligation on public authorities to adopt general social and economic policies in housing, balanced development, and adequate transportation networks.”¹⁶

This right that the Constitutional Council has asserted, extends to adequate shared mobility that encourages “living in different areas” and avoiding “the disruption of housing structures and social fabrics.”¹⁷ The Council has also reaffirmed in the Decree No. 3/2017 that citizens are constitutionally entitled to housing. The Council has also demanded that the legislative and procedural authorities formulate policies and set laws to achieve this goal.

Despite these affirmations, the past five decades in Lebanon's cities have steadily undermined access to housing for most city dwellers, particularly in Beirut. The Lebanese civil war (1975-1990) caused significant population displacements and left a devastated housing stock in need of much repair.¹⁸ In its aftermath, three decades of neoliberal governance have exacerbated the housing deficit where the heavy penetration of private interests in the city's land and development sectors has fostered a built environment prone to gentrification trends and object of financial interests.¹⁹ Furthermore, the absence of public housing policymaking has allowed this vital sector to be shaped by the side effects of other sectoral needs, particularly financial ones, thereby leading to sharp increases in land and housing costs and the deterioration of the quality of the housing stock.^{20,21}

Consequently, population displacement and fragile tenure security have become the norm for low and middle-income social groups over the past two decades. These challenges affect further those who, besides the burden of housing costs, have compounded vulnerabilities.

Conversely, public agencies have failed to incentivize the production of affordable housing or to play a role in its development. Everyone, including the lowest income groups, has to rely on market frameworks to access housing. Furthermore, much of the housing market is either liberalized or poorly regulated,²² and its functioning relies on an array of informal arrangements that complement the ambiguity of the regulatory framework.²³ These arrangements, in turn, reflect the sharp social inequalities in the country, whereby the most vulnerable social groups find their fragility frequently compounded with the threat of eviction. In sum, public agencies have limited affordable housing strategies to subsidizing housing loans targeting mid-to-low-income residents while allowing private actors to capitalize on land.

In this section of the report, three critical contextual factors are identified for consideration in Beirut's post-blast recovery's housing, land, and policy framework: i) a weak and malfunctioning institutional setup, ii) a poor regulatory framework for housing, and iii) high public reliance on foreign aid and donor assistance.

5.1.1 The institutional framework

The housing framework in Lebanon

The two public bodies entrusted with providing affordable housing in Lebanon, namely the Public Corporation for Housing (PCH)²⁴ and Municipalities²⁵, have not played an effective role since the end of the civil war. On the one hand, the PCH has limited its interventions to the disbursement of subsidized housing loans to a narrow social group²⁶. While this intervention was sometimes effective in supporting lower-middle income households' access to homeownership, it also integrated many others into the logic of long-term borrowing that considerably enhanced their vulnerability during the current economic downturn. On the other hand, despite explicit legal texts that entitle it to support housing provision, the Municipality of Beirut has consistently failed to intervene in this sector, contributing to population displacements over the past three decades²⁷.

In addition to these public bodies, two planning authorities, the Directorate General of Urbanism (DGU) and the Council for Development and Reconstruction (CDR), influence building development and consequently the cost and availability of housing. Given its mandate in defining zoning, building laws, and regional urban governance across the country, the DGU influences affordable housing provision.²⁸ The CDR also plans large-scale infrastructure, including roads and public transit systems. In line with other agencies, however, planning agencies have failed to facilitate affordable housing provision.

It is noteworthy that Lebanese public agencies do not see non-Lebanese city dwellers as potential beneficiaries of any of the policies or interventions they may introduce. Instead, the more vulnerable among them are subjected to multiple regulations limiting access to work and legal residency that exacerbate their housing vulnerability.²⁹

The public housing recovery framework in the post disaster context

Several agencies have played a role in the post-disaster recovery.

The Forward Emergency Room: as an initial response, two weeks after the blast, the Lebanese Army instituted the Forward Emergency Room (FER)³⁰ that was entrusted with (1) coordinating efforts on the ground through identifying areas of intervention, (2) allocating different areas of intervention to NGOs/INGOs³¹ and monitoring the progress of works, and (3) assisting citizens and keeping them informed with relevant decisions. The FER established an online portal³² and required all agencies intervening in the neighbourhoods affected by the blast to register their work with the unit. The FER also established a call centre that still receives complaints and responds to city dwellers' needs when possible. Since August 2020, the role of the FER has expanded, and it has taken charge of coordinating damage assessments and distributing compensation with funding secured through the High Relief Council.

High Relief Council: The High Relief Council is a public institution initially established during the civil war through the Legislative Decree 22/1977 to manage disasters. The Council has the authority to extend emergency relief with facilitated procedures. In the post-blast context, the High Relief Council was entrusted with receiving the donations granted to the state, putting forward mechanisms to allocate and disburse aid, conducting surveys, and managing administrative, logistical, and financial activities related to the blast recovery. The Council was also entrusted with establishing a consultancy board that includes representatives of international and local organizations. However, in practice, the role of the High Relief Council has been minimal, and most of its tasks were delegated to the FER.³³

The 194/2020 Law Committee: On October 22nd, 2020, the Lebanese parliament voted in the Law 194/2020 as its comprehensive response to protect blast-affected areas and to regulate the recovery process. The Law officially established a coordination committee. The committee composed by 9 members³⁴ is entrusted with overseeing the recovery process, gathering and registering all assessment surveys and documents on blast-related damages, and estimating the cost of reconstruction, renovation, rehabilitation of damaged properties, and the compensation value per lot. Initially expected to complete data collection and to set up an online platform within three months of its establishment,³⁵ the committee only met once for a limited period.³⁶ Again, the Forward Emergency Room (FER) took over most of the responsibilities initially allocated to the committee³⁷ and stood as the only public actor involved in surveying damage and distributing compensation.³⁸

Individual public agents: Since the Law 194/2020 did not reconsider the permit process required for reconstruction, the Beirut City Governor and the Director-General of Archaeology (DGA), both members of the Law 194 committee, have coordinated the permit process within Beirut, as needed, given their roles and jurisdictions. The Director of the DGA has championed a survey of heritage buildings to be protected. The Beirut City Governor has also intervened to protect heritage buildings, sometimes trumping reluctant landlords by authorizing the repair and buttressing of heritage buildings even when property owners have not agreed to it. In this context, the absence of an active role for the elected municipal council has been widely pointed out.

5.1.2 The regulatory framework for housing provision

The regulatory environment that organizes the production of urban space, property exchange, and acquisition in Lebanon is consistently swayed to strengthen the role of land as real-estate asset over housing.³⁹ Housing regulations (i.e., lifting rent control), building development activities (i.e. the revised Construction Law 646/2004 regulating building permits, the Law 139/2019 regularizing building violations), and property laws (i.e. Code of Contracts and Obligations, Law 296/2001) have all reflected this trend. Furthermore, financial policies lifted constraints on banks to invest in real-estate during the past decade⁴⁰ while the Central Bank incentivized housing loans at subsidized rates.⁴¹ As such, a proper reading of Lebanon's housing policy needs to consider that regulations affecting housing production and exchange in the past three decades were formulated in the context of financial strategies rather than housing opportunities. These regulations looked to ease the circulation of capital in multiple sectors, particularly the building sector.

Rent regulations: since 1992, rent regulations were fully liberalized in Lebanon, with the Law 160/1992 mandating a three-year contract not subject to price controls. However, all contracts signed before 1992 were kept under the “old” (pre-1992) rent control regulation, with strong anti-eviction protection and minimal adjustments to the rental fees, despite the massive devaluation of the Lebanese pound. Since then, a two-tier market exists, with radically different costs and protections for the two population groups who are distinguished according to the year they signed their rental contracts (before/after 1992) rather than actual objectively assessed needs. Indeed, the maintenance of protection for rent contracts that predate 1992 for three decades came in response to the mobilization of tenants who benefited from this protection, rather than evidence that it was set in place to protect affordability. This protection effectively backfired in exacerbating landlord/tenant tensions. In 2014, a law was passed to lift rent control. The Law was revised and adopted in its final form on 28/02/2017. Law 2/2017 effectively lifts all rent control by 2026, in the most optimistic scenarios, potentially earlier if the timeline is benchmarked as of the initial passage of the Law in 2014.

Co-ownership laws in Lebanon facilitate the consolidation of property: designed to ease the management of property by consolidating property and reducing the number of claimants as much as possible, property laws effectively placed small-scale co-owners in a vulnerable position vis-à-vis takeovers. For example, a property holder who claims 75% of property shares can control the usage and exploitation of the property, pushing out small-scale shareholders.^{42,43} The Code of Contracts and Obligations allows more powerful co-owners to launch a legal proceeding known as “ceasing in-division” against other shareholders, forcing them to either buy the whole property or sell their shares. Small-scale shareholders who do not have the financial capacity to buy the whole property are typically compelled to sell their shares, thus losing their right to housing.⁴⁴

The regulatory framework is designed to facilitate the flow of capital in the built environment⁴⁵: between 1995-2018, dozens of circulars were issued by Lebanon's Central Bank to encourage banks to extend capital towards property purchases. In addition, property laws were revised in 2001 (Law 296/2001) to facilitate property acquisition by foreigners as a strategy to attract foreign capital. The Law 296/2001 reduced property taxation for eligible non-Lebanese purchasers (from 11% to 6%) and reduced the restrictions it had placed on non-Lebanese buyers to purchase land.

Property law discriminates against vulnerable groups: the 2001 amendment⁴⁶ of the “Right to Real Estate Acquisition for Foreigners” (1969) has been widely interpreted as the effective prohibition of Palestinian refugees from having any kind

of real estate rights in Lebanon, including through inheritance.⁴⁷ The impacts of this amendment, which are observed mainly outside the blast areas, are very significant for the Palestinian community.

Property taxation exempts vacant units from the payment of property and municipal taxes, effectively encouraging speculative practices: the Law issued on 17/9/162 on built property tax and Municipal Law 60/88 implicitly exempt empty units from property tax and Municipal fees by only imposing such taxes on occupied apartments. Earlier studies have found that these laws provide the wrong incentives for property owners and encourage speculative behaviour.⁴⁸

Zoning regulations, building laws, and heritage preservation regulations widen the rent gap⁴⁹, maximising the potential profit obtained from displacing residents and promote redevelopment of the targeted areas. These regulations have incentivized new building developments, gentrification, and the financialization of housing trends that have increased housing vulnerability.

5.1.3 The regulatory framework for post-disaster recovery

Law 194/2020

As pointed out above, Lebanon's parliament approved Law 194/2020 as the only framework for the post-disaster recovery. The Law was mandated with the specific aims to (1) protect severely affected neighbourhoods, and (2) support the recovery and reconstruction of all affected areas.

The Law introduced several measures designed to protect buildings and residents in blast-affected areas. Thus, Article 3 of the Law prohibits all kinds of property transfers on all real estate parcels⁵⁰ located in severely affected neighbourhoods⁵¹ for two years after the date of publication of the Law, effectively until 22/10/2022.⁵² The Law further mandates the Ministry of Culture to develop a plan for the restoration of damaged buildings of heritage value, thus emphasizing the importance of safeguarding design characteristics and attributes of historical value.

Article 5 of the Law also introduces protections for residents by extending all rental contracts (commercial and residential) for a year, irrespective of whether the building had been damaged by the blast or not. Although not clearly stipulated, this provision extends to tenants under verbal contracts who should also benefit from the same extension and be protected from eviction. Moreover, to protect property owners from defaulting on their housing loans, Article 6.10 in Law 194 extends the deadlines for the repayment of housing loans for over one year [October 2019 – August 2021]. It mandates the rescheduling of payments, however without indicating the modality through which this rescheduling will occur. These ad-hoc responses extend some of the measures already established by, Law 160/2020⁵³ and Law 185/2020, in response to the COVID-19 pandemic and the financial crisis with respect to housing.

Law 194/2020 primary approach to reconstruction is the provision of compensation, exemptions on fiscal tax and permit fees and subsidizing imported construction material by the Central Bank. Thus, the Law sets up a general framework for compensation that extends to all tenants and property owners whose properties/housing units were affected by the blast and authorizes a "committee" established by the Law to regulate the process of damage assessment, cost estimation, and distribution of compensation. The Law also sets a framework for allocating compensation funds.

It relies on international aid and donations that are solicited by the committee and channeled to affected individuals. A credit line was allocated to the committee by the Council of Ministers in the value of 1,500 billion LBP.⁵⁴ Although not spelled out clearly, the Law mandates that compensation is distributed by priorities, based on the most vulnerable and those who have not received aid from other organizations.

In addition, article 6 of the Law stipulates that all affected individuals and actors working in the recovery response may benefit from a bundle of tax and fee exemptions, including exemptions from tax on imported construction material, municipal fees, property tax, property transfer fees, reconstruction and renovation permit fees, and electricity, water, and telecom fees for the years 2020 and 2021. Repair permits are nonetheless still required when buildings have suffered from structural damage or if the building is deemed to have heritage value. In Lebanese law, all construction permits are filed by the property owner(s) or their representatives, which means that tenants whose houses have structural damage and/or heritage value have to secure the approval of a landlord.⁵⁵ The Law also requires the approval of the Ministry of Culture in case the damaged structure has heritage value.

Finally, Article 9 of the Law requires the Central Bank to subsidize imported construction materials required for the recovery and reconstruction of affected areas. The law nonetheless limits the beneficiaries to those who have a U.S dollar bank account.⁵⁶

5.1.4 Compensation schemes

The disbursement of compensation is a principal constituent of the Lebanese Law and international conventions.⁵⁷ Compensation schemes have been the primary mechanism through which the State intervenes in post-disaster recoveries since the end of the civil war (1990). According to Lebanese law, compensation should be decided in the judiciary framework, on a case-by-case basis, with just and transparent criteria to estimate the recompense equitably.⁵⁸ In practice, however, the Beirut port blast context does not differ from earlier episodes of post-crisis recovery where ad-hoc committees are set up and decide on compensation modalities. In the summer of 2020, the task of estimating damage was delegated to the FER and the Law 194/2020 committee instead of the court. On this ground, the High Relief Council allocated on 19/10/2020 through the Decision 137/2020, 150 billion LBP as an emergency compensation fund and delegated its distribution to affected individuals to the FER⁵⁹, according to criteria that prioritize the neediest and most vulnerable.⁶⁰ The amount received by the households would be deducted from the total compensation value that (should) have been estimated by the “Law 194 committee”. While initially targeting 10,274 units⁶¹ for the first emergency instalment, by March 10th 2021 20,297 middle and lower-middle households out of 62,087 households were partially compensated (32.6%).⁶²

Although the damage evaluation criteria were not clearly defined⁶³, interviews and visits to the FER, as well as a report authored by the Legal Agenda⁶⁴ and Public Works Studio⁶⁵, provided an overview of the process. The FER established a damage assessment committee that sought to compile information gathered by other agencies (e.g., NGOs, the Order of Engineers and Architects, The American University of Beirut’s Maroun Semaan Faculty of Engineering and Architecture). In line with the activities assigned to the “Law 194 committee”, the FER also conducted its own survey to develop a Case File for each lot including: (1) level of damages, (2) the approximate value of repair, (3) the socio-economic status of the building occupants,

(4) the number of occupants in the building, (5) due diligence in relation to property documents and date of occupancy (6) any other relevant information. Based on this assessment, the FER committee then agreed on the targeted beneficiaries for the first emergency compensation and the value of compensation per beneficiary.

According to the FER criteria, the households benefitting from the “emergency compensation” should be those living in low to mid-level housing units, in neighbourhoods closer to the blast, and who had not received assistance. The value of the “emergency compensation” per household was calculated based on the damage assessment survey and total cost to repair estimate conducted by the FER for each affected household. The disbursed “emergency compensation” value is the first instalment of compensation and is likely to be deducted from the total cost to repair value.⁶⁶ To date, only partial compensation has been disbursed. It has been announced that the remaining amount will be settled at the official exchange rate, irrespective of further devaluation of the currency.⁶⁷

Table 5.1: Value of estimated compensations by fer in Lebanese pounds and corresponding US dollar value

Value of damages (in LBP)	Value of emergency compensation in Lebanese pounds (LBP)	Value of compensation in US dollars (USD) at official rate.	Value of compensation in US dollars (USD) based on average black market rate between August 2020 and February 2021 (1USD=7,800 LBP)
0 – 499,999	300,000	200	38
500,000 – 999,999	500,000	333	64
1,000,000 – 19,999,999	600,000 – 11,999,999* <small>*60% of the estimate value of damages</small>	400 - 7,999	77 – 1,538
20,000,000 – 39,999,999	13,000,000	8,666	1,667
40,000,000 – 59,999,999	14,000,000	9,333	1,794
60,000,000 – 79,999,999	15,000,000	10,000	1,923
80,000,000 – 99,999,999	16,000,000	10,666	2,051
100,000,000 – 149,999,999	17,000,000	11,333	2,179
150,000,000 – 199,999,999	18,000,000	12,000	2,308
200,000,000 - +	20,000,000	13,000	2,564

5.1.5 Insurance companies

Although the review of insurance companies is outside the scope of this report, it is worth pointing out that many high-end buildings in the areas affected by the blast had insured the property. Families who took subsidized housing loans from the Public Corporation for Housing are also mandated to ensure their apartments against fire through the borrowing bank. To date, very few companies have paid compensation, as the companies argue that they are waiting for the results of the investigations on the causes of the blast that may relieve them from paying indemnities if criminal intent is proved.⁶⁸ The main exception to this practice is noted among the low-value insurances of households who were forced to secure insurance as part of the

conditions of obtaining a loan. Among those, the Head of the Public Corporation for Housing has shared his own experience, advocating on behalf of tenants and securing some of the payments.⁶⁹

5.1.6 Taking stock

A weak public recovery framework

In sum, despite the multiple public institutions engaged in the post-blast recovery, the institutional framework designed by the State demonstrates weak coordination and overlapping responsibilities of public agencies. It also shows that many of the attempts at activating a role for public agencies have failed. Even more concerning is the tendency to limit the role of public agencies to the disbursement of international aid and compensation while overlooking the activities on the ground and delegating the actual reconstruction tasks to non-governmental bodies. A top-down approach to this recovery framework has also been highlighted, excluding city-dwellers from decision-making mechanisms.⁷⁰

The general post-disaster recovery framework is limited to a building reconstruction framework and pays little attention to collective amenities and the recovery of the social fabric.⁷¹ There is no integrated understanding of repair, no attention paid to shared spaces, and no consideration to the social and economic framework in which the recovery is to happen, potentially delaying or barring the return of dwellers.

Moreover, Law 194/2020 pays little attention to the possible legal and administrative hurdles that may emerge from the requirements of having landlords' approval to proceed with building repairs. As pointed out by several key informants and stakeholders,⁷² this issue disempowers tenants from initiating the repair process, mainly when the landlord is either absent or looking to evict a tenant by halting repairs. Interviews with the FER had shown that numerous complaints were recorded when landlords refused to repair their buildings, finding in the blast an opportunity to evict tenants. To circumvent this difficulty, the city Governor has adopted an ad-hoc process in which he allows NGOs to conduct repairs in heritage buildings without the authorization of property owners, especially when the latter are absent,⁷³ provided heritage protection is secured⁷⁴.

The most evident shortcoming of Law 194/2020 is its silence on post-disaster recovery processes: mechanisms or modalities of repair are not clarified, and the parties responsible for conducting repairs are not defined.⁷⁵ The Law 194/2020 also fails to clarify the modalities through which compensation is paid, how it is evaluated, who is prioritized, and how the most vulnerable groups are identified for support. In addition, Law 194/2020 upholds the protection of heritage but it fails to institute criteria for its identification or modalities for its rehabilitation.⁷⁶ In pointing to further limitations of the Law, the Legal Agenda also reported that the Law failed to address all the points of contention that would emerge between landlords and tenants over the payment of rents when units are partially or fully damaged⁷⁷, arguing that this failure places the more vulnerable party in a precarious position. Finally, the Law 194/2020 failed to provide temporary housing provisions for those whose homes became inhabitable.

In addition to these limitations, delays in activating the role of the committee established by the Law impeded state-led recovery and the timely disbursement of compensation to those affected by the blast. In this context, given the weak role of

public agencies, non-governmental actors involved in the response were, in some occasions, more prone to creating disparities on the ground given the unsystematic and sometimes poorly coordinated assistance

The principle of compensation

In thinking about the repercussions of allowing the principle of monetary compensation to dominate the post-disaster recovery, undesirable trends were created in a country that has adopted compensation as the cornerstone of its post-disaster interventions since the end of the civil war (1990).⁷⁸ The report argues that Lebanon's successive national governments have typically limited their social responsibility to paying indemnities for displaced households and/or to supporting post-violence repairs⁷⁹. The same principle rules, at least partially, the current recovery phase. Experienced by decades of such practices and an arbitrary framework of recovery, city-dwellers⁸⁰ are well equipped to use the post-disaster opportunity as a unique moment to get as much assistance as possible. This leads to numerous exploitative practices that have characterized every post-disaster recovery, including landlords seeking to prevent tenants from obtaining compensation they hope to keep to themselves. This is not to say that compensation is altogether undesirable. Rather, compensation is negotiated and forms the ceiling of the only entitlement that city dwellers can currently expect from public authorities as counterproductive to enacting the right to adequate housing.

During fieldwork conducted for this research, it was observed that the principle of compensation had incentivized opportunism among Lebanese citizens. Indeed, the practice of negotiating compensation is instituted as a critical modality through which field researchers documented landlord/tenant tensions and abuses. Many of the abusive practices were a direct derivative of the compensation scheme through which landlords sought to obtain the compensation for repairs to themselves. Stories about post-blast evictions were recurrent in the most impoverished neighbourhoods (e.g., Karantina), where landlords, themselves impoverished, sometimes evicted tenants to pretend they lived in the housing unit and benefit from post-disaster compensation themselves. Other landlords moved in with tenants or claimed they shared the units with them, as in a documented case in Bashoura. These practices were more easily implemented vis-à-vis migrant workers and refugees than Lebanese households.

6 The forms of housing vulnerability

Table 6.1: The forms of housing vulnerability				
Form of vulnerability	Type	Description	Associated threat	Most affected population
Poor housing conditions prior to the blast	Overcrowding	Multiple families living in one small unit, with a high density of person/m2.	Liveability: lack of privacy, mental health issues, easy transmission of diseases particularly COVID-19, gender based violence, etc.	Syrian refugees Migrant Workers
	Poor physical housing conditions	Dilapidated conditions and lack of maintenance due to absentee owners, remaining effects of civil war, predatory developments.	Liveability: poorly insulated and serviced apartments pose a threat to health, safety, and dignity.	Migrant workers, Syrian refugees Impoverished Lebanese households.
Tenure vulnerability	Invalidation of rent control protection	Revisions of rental law in 2014 and 2017 will lead to lifting rent control fully to all households without compensation by 2026 at the latest. Landlords deliberately not collecting rent to invalidate the rent control	Eviction: the old rent contracts will be annulled by 2026 latest Loss in value of compensation which are calculated in courts and paid in local currency at official rate.	Elderly Lebanese households who benefitted from the pre-1992 rent control, about 30% of older neighbourhoods.
	Unrecorded Rental contracts	Oral contracts provide weaker protection than officially recorded ones. Unregistered contracts are in violation of municipal tax law and also imply tax evasion.	Easier eviction when tenure security is flimsy Change in terms: increase rents/service fees, change duration.	Migrant workers Syrian Refugees Lebanese households

Form of vulnerability	Type	Description	Associated threat	Most affected population
Tenure vulnerability	Squatters	Occupation of abandoned buildings either due to public projects or unfinished buildings, or severely dilapidated buildings with absentee owners.	<p>Lack of tenure security often acts as a disincentive to invest in upgrading/improving the housing unit, leading to poor liveability.</p> <p>Threat of eviction given that the woccupancy status lacks legal grounds.</p> <p>Dependence on political parties and/or local figures to avoid eviction.</p>	Lebanese households
	Temporary Arrangements and hosted Households	Hosting is a temporary form of residence in which vulnerable individuals and/or families are allowed to stay with relatives for a defined period of time.	Threat of eviction due to the temporary and informal arrangement	Syrian Refugees Lebanese individuals Migrant workers
	Contested Ownership	Multiple property claimants may disagree over ownership of the lot and put forward conflicting claims of ownership.	<p>Loss of investment when some of the claimants who could have paid for access and/or informal ownership find their claims unrecognized.</p> <p>Eviction: Owners with no substantiated proof might be evicted from their homes if property claimants with substantiated claims file a lawsuit.</p>	Lebanese households

Form of vulnerability	Type	Description	Associated threat	Most affected population
Tenure vulnerability	Contested Inheritance	Individuals may fail to record inheritances over several generations, they may also fail to subdivide a building causing conflict over the distribution of apartments within an un-subdivided building. In many cases, some of the descendants live within the building while others do not, which prompts conflict over access, benefits and rights.	<p>Lower security of tenure since owner-residents still pay rent to relatives who claim shares in the building.</p> <p>Threat of redevelopment: Property conflicts incentivize inheritors to sell the property and resolve family divisions. Property law facilitates the process of streamlining property and its consolidation, often forcing vulnerable shareholders to sell their shares</p>	Lebanese residents in Beirut's aging neighbourhoods: Bachoura, Karantina, Mar Mikhael, Badawi with special attention to women who are often worse-off in the allocation of inheritances.
	Low-income mortgage holders	Lebanese individuals who had access to publicly subsidized housing loans are unable to cover mortgage instalments given the overlapping effects of the COVID-19 crisis, port blast, and financial meltdown.	<p>Default on payment: Families could lose their homes if unable to meet payment criteria.⁸¹</p> <p>Negative coping mechanisms: selling belongings, foregoing direly needed medical care, losing retirement pensions, using repair compensations to meet required instalments.</p>	An estimated 30% of the 470 Lebanese PCH mortgage loan holders in blast affected areas. ⁸²

Form of vulnerability	Type	Description	Associated threat	Most affected population
Neighbourhood scale threat of eviction	Urban Renewal and Real-Estate Development	Vibrant real-estate market heavily incentivized by public subsidies encourages developers to purchase property, evict residents, and redevelop areas.	<p>Displacement: Residents evicted to make way for new developments.</p> <p>Gentrification: Neighbourhoods face forced displacement of low-income residents who are replaced by upper income, higher paying new homeowners.</p> <p>Heightened social inequality as new developments have no affordability criteria and often serve as assets rather than homes.</p>	<p>Vulnerable Lebanese households who may have been on rent control.</p> <p>Lebanese households with small shares in property.</p> <p>Syrian Refugees and migrant workers who live temporarily in the old buildings</p>
	Public Projects	Since the 1960s, road projects (e.g., Fouad Boutros, Petro Trad) earmarked numerous lots for expropriation to allow for vehicular road developments. Many of these projects are outdated.	Threat of eviction to residents in these areas.	All residents of such districts.
	Neighbourhood Level Abandonment	Block and neighbourhood level abandonment of entire buildings typically due to property conflicts, predatory development, or absentee ownership	<p>Liveability: Quality of housing and livelihoods for several districts has severely deteriorated with no means to repair.</p> <p>Public safety as many buildings are unrepaired and sometimes cause public safety risks.</p> <p>Displacement or evictions that might be induced by predatory developers</p>	All residents of such districts; particularly Mar Mikhael ⁸³ and Karantina ⁸⁴

Form of vulnerability	Type	Description	Associated threat	Most affected population
Affordability	Spending on Housing	<p>Inability to pay rent, as its value rises to make over 30% of a household income.</p> <p>Inability to pay housing services following the effects of the financial crisis.</p>	<p>Negative coping mechanisms: borrowing or selling belongings to secure rent, miss medical treatment, resorting to debt etc.</p> <p>Evictions: particularly after the end of 1-year no-eviction policy set by the Law 185/2020 and Law 199/2020 and the end of Cash for rent programs</p>	All vulnerable tenants.
Blast specific challenges	Delayed repair because building suffers from structural damage	Buildings severely damaged by the blast have seen the repair delayed due to official permitting process, cost, and sometimes know-how.	<p>Delayed return may encourage some of the residents to leave permanently the neighbourhoods. This, in turn, may delay neighbourhood recovery. Others remain in their structurally damaged apartments because they do not have the financial means to live somewhere else until repairs are met.</p> <p>Block level dilapidation is sometimes associated with neighbourhood-based deterioration as empty structures are seen as public threat.</p>	Residents in severely affected zones from the blast, particularly Mar Mikhael, Badawi, and Karantina.
	Delayed Repair because building has heritage value	Buildings with heritage value have seen their repair delayed due to higher costs, difficulty in securing materials, and complication of permitting that involves several agencies.	<p>Delayed return may encourage some of the residents to leave permanently the neighbourhoods. This, in turn, may delay neighbourhood recovery.</p> <p>Block level dilapidation is sometimes associated with neighbourhood-based deterioration as empty structures are seen as public threat.</p>	Residents in severely affected zones from the blast, particularly Mar Mikhael and Karantina.

Form of vulnerability	Type	Description	Associated threat	Most affected population
Blast specific challenges	Insufficient financial means	Many low-income dwellers lack sufficient funds to repair the damage caused by the blast.	<p>Poor liveability: poorly insulated and serviced apartments pose a threat to health, safety, and dignity.</p> <p>Negative coping mechanisms: Borrow money to repair, sell belongings to repair, or live in unrepaired housing.</p>	Residents of all nationality in areas affected by the blast.
	Inadequate Repair	<p>Units recorded as “repaired” in the online records of the FER diverged considerably in their conditions.⁸⁵</p> <p>Quality of repairs and assistance are inconsistent across neighbourhoods depending on NGOs/INGOs approach</p>	<p>Poor liveability: poorly insulated and serviced apartments pose a threat to health, safety, and dignity.</p> <p>Exploitation: Some NGOs with limited experience in housing rehabilitation engaged in repair activities, securing access through local actors.</p>	Residents of all nationality in areas affected by the blast, particularly in low-income neighbourhoods.
	Dispute over Repair	Dispute between landlords and tenants over who will bear the cost of repairs and/or whether repair will be allowed or not.	<p>Eviction Many disputes over repair are leading to induced evictions</p> <p>Poor liveability: poorly insulated and serviced apartments pose a threat to health, safety, and dignity.</p>	All residents in areas affected by the blast.
	Lack of Access to Repair Actors	Low visibility of vulnerable groups and limited access to assistance	Poor liveability: poorly insulated and serviced apartments pose a threat to health, safety, and dignity.	Migrant workers and refugees are disproportionately affected, but all residents in blast areas may be concerned.

Form of vulnerability	Type	Description	Associated threat	Most affected population
Blast specific challenges	Dispute over Compensation	Numerous disputes arose over compensation to residents in the aftermath of the blast, particularly between landlords and tenants.	<p>Dispute: landlord-tenant tensions over who should be the beneficiary of compensation may exacerbate earlier tensions.</p> <p>Landlord-tenant tensions over the allocated months to be covered by cash for rent compensation, considering payment defaults were caused by salary cuts during COVID-19 lockdowns.</p> <p>Evictions: Landlords in some cases evicted tenants and brought in relatives in order to obtain the compensation.</p>	Migrant workers and refugees are disproportionately affected, but all residents in blast areas may be concerned.
	Temporary Displacement	Several families were temporary displaced from their homes with no repairs so far.	<p>Liveability: Some had to live in alternative ad-hoc housings.</p> <p>Eviction: Some landlords found opportunity to evict residents (tenants, squatters, or contested owners)</p>	Migrant workers and refugees are disproportionately affected, but all residents in blast areas may be concerned.
	Post Repair Evictions	Property owners evict tenants when higher quality of repairs make it desirable to either move in or rent at higher value.	Evictions: tenants are evicted from the repaired units in which they had dwelled sometimes for decades.	Migrant workers and refugees are disproportionately affected, but all residents in blast areas may be concerned.

Form of vulnerability	Type	Description	Associated threat	Most affected population
Individual vulnerability	Refugees	Refugees suffer from the compounded effects of an often-criminalized presence, high economic vulnerability, and weak social protection.	<p>Harassment: Subject to abuse by Lebanese landlords who confiscate aid, verbally abuse tenants, etc.</p> <p>Poor liveability: Living in poor housing conditions that are overcrowded and dilapidated.</p> <p>Evictions: Face higher threats of evictions due to lack of social support</p> <p>Exclusion: from compensation disbursed by the government</p>	Blast areas contained a high number of refugees. In Karantina most notably, it is estimated that about 50% of residents are Syrian Nationals.
	Migrant Workers	Migrant workers suffer from the compounded effects of an often-criminalized presence due to the Kafala system, high economic vulnerability, and weak social protection.	<p>Harassment: Subject to abuse by Lebanese landlords who confiscate aid, verbally abuse tenants, etc.</p> <p>Very little recourse in cases of eviction/abuse.</p> <p>Discrimination: Suffer from discrimination attached to their legal residency status and work.</p> <p>Liveability threat: Live in extremely poor and overcrowded conditions</p> <p>Confinement because they are not allowed to live outside their kafeel's households.</p>	Blast areas contained a high number of migrant workers particularly Camp Nor Hajin, Karantina, and Kar Ez-Zaytoun ⁸⁶

Form of vulnerability	Type	Description	Associated threat	Most affected population
Individual vulnerability	Elderly Households Living Alone	<p>The absence of pension plans in Lebanon for all private sector employee left numerous elderly households vulnerable.</p> <p>Vulnerability is exacerbated by devaluation of the currency and banking crisis.</p>	<p>Poor social protection exposes residents to negative coping mechanisms.</p> <p>Eviction: Elderly households are over-represented among households benefitting from rent control and consequently more expose to threat of eviction after termination of old rent controls.</p>	Lebanese households
	Women-headed Households	Laws and social norms that discriminate against women in Lebanon compound women's vulnerability.	<p>Discrimination in treatment and accessing aid/ compensation in highly patriarchal society and more subject to harassment.</p> <p>Loss of property: Lebanese women are more vulnerable to loss of property given that their inheritance shares are smaller.</p>	<p>All women of all nationality.</p> <p>Lebanese women also for property issues.</p>
	Individuals with disability	Buildings lack simplest accommodations to account for special physical needs	Poor visibility and Confinement: Those with physical disability are at a disadvantage and confined to worse units and are unable to accommodate accessibility	All individuals with physical impairment.
	Individuals perceived as "outsiders" to a neighbourhood	Most neighbourhoods in Beirut have strong identity protected by actors who may exclude entire population groups.	<p>Discrimination: in treatment and accessing aid/ compensation</p> <p>Exclusion: from aid and repair assistance.</p> <p>Threat of eviction if one is seen as undesirable.</p>	All individuals.

7 Understanding the urban context

This chapter highlights some of the dynamics of housing, land, and property exchanges and repairs documented in Beirut after the post-blast recovery, as observed directly in the city. The research aims to unravel some of the mechanisms that dominate everyday life, showing that the regulatory framework, while consequential, is far from determining the actual practices of landlords and tenants. Given space limitations, the report focuses only on three critical entry points that improve the understanding of HLP mechanisms in Beirut. These are: (1) the informality of processes of housing production and exchange, (2) the predatory practices of development interests, and (3) the effects of the ongoing overlapping crises.

7.1 The process of housing production, acquisition, and exchange is highly informal

A high level of informality governs the processes through which the vast majority of vulnerable dwellers in the areas of the post-blast recovery, access housing. Informality can be described as a process of housing acquisition and exchange regulated through social rules and bodies rather than public institutions and/or state law.⁸⁷ Thus, scholars⁸⁸ have shown that in many cities of the global south, landlords, tenants, developers, and clients rely in organizing housing production and exchange on an array of rules or norms sanctioned by social institutions (e.g., church, charitable associations, religious bodies, political parties) to regulate and organize their interactions. It is noteworthy that this is far from a lawless or entirely unregulated framework. Indeed, the housing production and exchange processes are highly regulated, albeit not by state law.

The description of housing production and exchange as being essentially regulated by informal mechanisms is well in line with earlier findings on Beirut's housing market in which the processes of informal housing production, acquisition, and governance have been duly documented.⁸⁹ Even in relatively consolidated sections of the city, informality dominates the housing market in the blast's aftermath. Informality seeps through the forms through which individuals claim ownership of properties and the arrangements through which households secure access to housing, whether as tenants or as owners-in-the-making (i.e., individuals who have some claim of ownership and look to consolidate it either through debt repayment or through clarifying landholding). Informality is also dominant in conflict resolution and evictions. In what follows, the documented forms of informality are fleshed out and analysed to show how this factor affects the processes of housing acquisition. These findings guide the recommendations presented at the end of the report.

7.1.1 Informal building additions

Numerous buildings were documented with informally added housing units and/or re-subdivided apartments. These illegal additions of floors and/or room on the roof are typically occupied by Lebanese families displaced during the civil war, who have expanded buildings incrementally by adding rooms or by re-subdividing existing units without securing building permits, in violation of building law and/or zoning regulations. Although these additions are illegal, they were not demolished when the civil war ended. Instead, the Ministry of Displaced granted their occupants compensation for eviction in the 1990s, and original property owners recovered the buildings with the added spaces. Many of these units are currently rented out informally to vulnerable tenants such as migrant workers or refugees. On the property records, some of the buildings or lots have been marked as having illegal additions, a step that complicates transactions such as sales or the recording of inheritances.

7.1.2 Informal contractual agreements

According to the Municipal Fees Law⁹⁰, tenants are responsible for paying the occupancy tax at the Municipality once the contract is registered. Failure to register residency exposes the landlord to a financial penalty from the Municipality since the occupation of the unit was undeclared.

Almost all the landlord/tenant agreements documented by the research team are unrecorded.⁹¹ Albeit legally binding, these verbal agreements maintain a level of uncertainty for tenants and could leave them exposed to a change of circumstance imposed by the landlord. Moreover, even those who adopt a written contract tend not to register the contract, as legally mandated, at the Municipality. Instead, tenants

Month	Date	Water Fee	Electricity Fee	Rent Fee	Total	Signature
January	10	25,000	524,000 Kw 110,000	400\$	paid	
February	06	25,000	53,000 120,000	400\$	paid	(100,000)
March	13	25,000	535,500 Kw 110,000	400\$	paid	
April	31-3	25,000	538,34 60,000	400\$	paid	
May						
June						
July						
August						
September						
October						

Informal Contract Templates in Camp Nour Hajine, April 2021. Photo: Soha Mneimneh/NRC

sign unregistered and informal documents. The research team documented multiple different versions, indicating there is no unified lease agreement template in the surveyed neighbourhoods.

There are multiple reasons why landlords and/or tenants prefer informal contracts. The choice of not registering a contract at the Municipality stems essentially from the imperative of reducing costs by evading taxes. It is also due to a generally shared feeling that minimal benefits can be granted by the municipal authority. There are also cases when registration is impossible. Landlords and tenants are thus unable to record rents legally if the property titles are clouded or if the tenants are migrant workers who are held by the kafala system and consequently unable to rent their own home.⁹²

Moreover, both tenants and landlords may also prefer the flexibility granted by the absence of written agreements. Still, both parties also attempted to balance the possible costs they would incur if a tenant defaults or if a landlord decides to evict a tenant on short notice. The urgency of protecting tenants from eviction and the exposure induced by lack of official paperwork came particularly to the fore in the post-blast context, when the possibility of collecting assistance⁹³ from relief agencies, local NGOs, and/or the Lebanese Army enticed many landlords to evict tenants and claim residency so they can collect compensation themselves (**Case 01**)⁹⁴.

Conversely, the research team found evidence of landlords relying on written records when they go through a third party to collect the rent, possibly as a strategy to keep the middlemen in check. The team also documented a case where the landlord relied on a written contract with a third party who guaranteed the actual tenant. In this case, the landlord was concerned about allowing an “outsider”, someone from a different religious group to move into a relatively homogeneous neighbourhood.

By developing a contract with a third party, the landlord was (i) protecting himself from the accusation of allowing an intruder in the neighbourhood and (ii) securing his ability to evict the tenant whenever he needed since he trusted the third party in that regard.

Case 01: Informal rent contract in Karantina

Two Lebanese households are threatened with eviction because the landlord intends to replace them with Syrian tenants from whom he can request higher rent. George has rented an apartment with his family for the past 15 years and his neighbours, Rana and her family, a little less. In the past months, Jamal, the landlord, has decided to replace the two Lebanese households with Syrian households. The landlord finds it more lucrative because he can extract higher rent, particularly because several families share the same apartment and these families can be evicted easily if they default on payments, given that they lack social or political protection.

Jamal has deployed multiple strategies to force the households to leave. With nowhere to go, the families have suffered from cuts to the water supply, leaks, and resistance to repair assistance in the aftermath of the port blast. More recently, the landlord has also reported them to the police department, claiming they were squatters. With only oral contracts at hand, George and Rana feel particularly vulnerable because Jamal has forced the Syrian tenants living in another apartment in the same building to testify that the Lebanese families have occupied the housing units illegally. George consulted several lawyers to help him prove legal occupancy. He has kept all paid electricity and service bills as proofs, but these may be insufficient since they are not issued in his name.

7.1.3 Clouded property titles

The research team documented multiple cases in which property ownership was unclear, leading to conflicting claims over ownership, vulnerable tenancy, and the deterioration of the building stock. Property titles can be clouded through multiple circumstances. They are listed below; keeping in mind that some of the factors outlined may be overlapping.

Informal registration: In numerous cases (*Case 02*), property transactions and/or inheritances were not adequately recorded. In other words, the property was transferred, however, either to avoid taxes and/or because of other difficulties, the transaction was not recorded in the Land Registry. Instead, in most cases, property sales are recorded with the notary public.⁹⁵ According to Lebanese law, property sales registered at the notary are valid for ten years, after which they become void and lose legality according to statute of limitations; which sets the maximum time for a document to remain valid. During this period, the buyer is mandated to register the sale at the Land Registry and secure the official title deed as proof of ownership. In several cases where building development had been halted (e.g., sales with forward payments that were never completed), “owners” were unable to register their purchases at the Land Registry. For these buyers, the contracts they registered at the notary are now time-barred after the statute of limitation have passed.

There are multiple repercussions to informal registration. In at least one case, misinformation on the part of inheritors had led to the resale of the same unit. The unit was eventually recorded officially by the stronger party, a land developer, while the other claimant finds his property claim voided and now hopes to receive financial compensations.

Case 02: Informal registration

An eight-floor apartment building in Bachoura stands in poor condition, with dilapidated facades, breaking down water pipes, crowded electricity wires, and several broken windows and balcony sills. The ground floor seems to have been designed for high-end stores, the spaces are however mostly used for car-repair garages. Despite the battered appearance, the 50+ apartments are fully occupied. Among the residents, there are several property claimants and squatters, in addition to numerous tenants. All the squatters and the property claimants are Lebanese. The tenants reflect the diversity of vulnerable social groups in Lebanon. They include migrant workers, refugees, women-headed households, and other impoverished Lebanese families. Aside from its physical decay, the building is notorious for housing illicit activities.

According to the property records, the building had first been developed in the early 1970s as the ambitious investment of five Syrian businessmen. Given its location, however, along the dividing line of Lebanon’s civil war, the building’s construction was interrupted by the eruption of violence in 1975. At the time, at least 32 housing apartment units had been sold as property shares to 12 owners, awaiting official registration once the building is completed and proper residency permits filed to allow its legal subdivision into individual property titles. In the absence of an official recording, however, there could be two types of official registrations. On the one hand, individuals who had purchased individual apartments filed registration orders and court cases to transfer ownership. On the other, property transactions occurred at the level of the entire lot, including the building, which shifted hands at least twice. To date, the record of who owns what seems confused, with multiple overlapping and unresolved court cases. The Syrian businessmen developers face multiple litigation cases from buyers demanding the eviction of squatters, completion of

the building and its subdivision/registration. It is noteworthy that a court order to evict all residents was issued in 2013 but remained unimplemented. Interviews with local informant indicated that without compensation, the squatters –backed by local parties- refused to leave the grounds. Since then, the plaintiff has resold his shares in the building.

Meanwhile, the life of the actual structure is hardly reflected on the property title. The years of civil war had seen the building squatted by populations displaced from other areas of the country by war violence. In line with the rest of the post-civil war policies, the Ministry of Displaced had intervened in the early 2000s to evict all illegal occupants. These war-time residents were paid financial indemnities as compensation for displacement. The units they inhabited were sealed with concrete when no property owner was identified. This evacuation however only lasted for months. In 2006, during the Israel war on Lebanon, the closed-off units were reoccupied illegally again by squatters displaced by war violence. To date, these squatters have kept their hold over the apartments that they either occupy or rent out. In both instances of squatting, access was facilitated by local actors. These same actors also guarantee some level of tenure security for Lebanese families as well as the provision of urban services. In the aftermath of the port blast, these actors have filtered repairs and aid, channeling repair assistance and monetary compensation to many of the residents who share their affiliations. In contrast, other vulnerable residents such as migrant workers and Syrian nationals, who have mainly rented squatted apartments, are left unprotected and exposed to the threat of eviction if they default on rent. These tenants are also mostly excluded from repair assistance and aid.

Unrecorded inheritances: Ownership in shares and/or contested inheritance and ownership is a major source of vulnerability for households in Beirut's aging neighbourhoods. In many cases, descendants have either not registered shares properly over one or more generations and/or they disagree over inheritance and the respective shares or spatial allocations in the property. Inheritance procedures are also costly for low-income households, hindering proper processes of bequeathing. Consequently, transactions are unrecorded, tax payments missed, and property claims mutually weakened. The main repercussion of conflicting or unrecorded inheritances is the vulnerability of shareholders vis-à-vis predatory purchases.⁹⁶ Vulnerability is further exacerbated when only a few of the inheritors inhabit and/or access an apartment or when the apartment falls in a potentially lucrative area for redevelopment.

Ownership exchanged in shares over multiple decades: Ownership in shares, especially when exchanged over several generations, creates conflicting claims over building units and/or mutual shares. According to the Lebanese Property Law, all property is recorded in 2,400 shares that are only earmarked to a specific housing unit once the building is subdivided into individual apartments, each as an independent property unit. Consequently, ownership of lots and/or buildings in shares generates numerous conflicts since only a proper subdivision, allocation, and recording (with due payment of property registration) can clarify ownership.

The research team found evidence of ownership exchanged in shares within the neighbourhoods affected by the blast in multiple scenarios. There are cases where lots had been incrementally built, with conflicting claims over buildings and land. In addition, in at least one building, developers left construction unfinished when the civil war broke out (1975), and the building was consequently squatted and occupied intermittently since then. To date, the multi-story apartment building stands with numerous claimants, court cases, and no official lot subdivision. **(Case 02)**

In practice, ownership-in-shares often leaves some of the claimants in weaker conditions when others have accessed more advantageous positions on the ground. Moreover, similar to unrecorded inheritances, ownership-in-shares leaves all shareholders vulnerable to predatory purchases. It also allows for multiple conflicting sales that require clarification.

Unsubstantiated property claims: In the neighbourhoods affected by the blast, there is evidence of property claims that cannot be substantiated legally. This was particularly the case for residents who claimed that they owned “the building” or “the apartment” but not “the lot” (**Case 03**). The Lebanese property law doesn’t allow for separate ownership of the land and the building.

Case 03: Unsubstantiated property claims

In Badawi, multiple conflicting property claims overlap in a 6,000m² lot where over 40 buildings have accommodated about 100 households for at least 6 decades. The dwellers, themselves a diverse group of migrant workers, refugees, and Lebanese families, occupy the spaces in multiple tenancy forms (e.g., old/new oral and written rental contracts, claimed ownership, squatting).

A historical analysis of urban development indicates that the 3-4 multi-story apartment buildings were incrementally developed over the years, largely in violation of property, zoning, and building codes. Currently, some of the residents claim that they “own the apartment in which they dwell, but not the land”. These claims seem to be based on the investment in labor and money that these dwellers have historically made in building their homes, rather than land purchases. In practice, their property claims are invalidated by the Lebanese property law that does not separate the ownership of the land from that of the buildings. Consequently, city-dwellers have traded homes since the 1950s through informal transactions, sometimes recognized by local figures, without official registration in public records.

An investigation of the property title of the lot reflects the complexity of its legal history. Since the 1950s, several court cases have opposed claimants to the lot, including contested inheritances and unrecorded transactions.

The conflicting claims over the land, opposing on one hand those whose names are recorded on the property titles, and, on the other, some of the occupants, have taken a legal dimension as the former have submitted their demand to evict tenants to court since 2001. In response, the residents have mobilized around their collective right to remain. Narratives collected in the neighborhood indicate that a group of 17 lawyers have represented Lebanese households in this case. As for refugees and migrant workers who rent or sublet rooms on this lot, they display a higher level of vulnerability and a more immediate threat of eviction that relates to the increasingly prohibitive incidence of rent on their modest incomes.

7.1.4 Informal landlordism

The research team documented multiple cases in which the tenants paid rent to informal property claimants or, simply, to alleged “landlords” illegally charging rent for a property they do not own. Among those claimants, two predominant groups, based on the claim over the property rented out, are identified:

The landlord is a claimant of a pre-1992 rent contract and/or her/his descendent: Although the old rent-control law is clear in barring sublets, numerous holders of

pre-1992 rental contracts in Beirut, particularly those who had been displaced by the civil war, rent out the unit over which they hold a contract. It is noteworthy that the policies of the Ministry of Displaced in the post-civil war era had maintained the contractual hold of rent-control agreements to original tenants and/or their descendants, as stated in the pre-1992 rental law. As such, property owners were mandated to maintain the tenants in place. **(Case 04)**

Two motivations, sometimes overlapping, are guiding this practice. The first is a dire need for cash which many property owners, particularly the elderly, rely on to support their livelihoods. The second is related to expectations of compensation by old tenants, for eviction cases. Given the illegality of the practice, official tenants sometimes resort to legal scams in which they either claim that they subdivided the unit and live with the tenant or that the tenant is a house guard. In one case, the tenant had even been forced to sign a form to that effect.

The landlord is a strongman who controls several property units, rented out for profit: This is particularly the case in areas of low security where absentee landownership facilitates the process. Additional cases were documented in an area expropriated for a public project, where holders of “old rental contracts” had maintained a claim over space and, in some cases, sublet the apartments they should have occupied. Tenants are typically vulnerable individuals such as refugee households or migrant workers.

Squatting: Aside from the landlord/tenant relation, the team documented several forms of illegal occupation that materialize in multiple housing arrangements. Most squatters are Lebanese households displaced by the violence in the country. A neighbourhood strongman typically facilitates the first access to an illegally occupied unit. In other cases, access happens through monetary compensation that could be conducted in the form of a “sale”, leaving the purchaser duped into thinking he/she owns the property. Over time, some of the households have remained in place while others have opted to rent out the unit to another, typically more vulnerable households, from which they collect rent. Aside from benefitting from residency and/or renting out the units for profit, some of the squatters hold on to the units they have occupied in order to collect compensation against their (future) eviction.

One important cluster of squatted units is located along the planned and unexecuted Fouad Boutros highway, whose trajectory along the edge of Mar Mikhael/Geitawi has created a state of uncertainty for almost 50 years. Since the early 1970s, many properties along the highway trajectory have been either partially or fully expropriated, leaving over 70 buildings and their residents in limbo. Most of these units were evicted for the implementation of the infrastructure project. In some cases, residents on old rent contracts who had not been compensated kept their hold on the housing units. In others, the units were re-occupied by squatters. Squatters or renters live today with the threat of uncompensated eviction since their residency is deemed illegal. Many of the buildings along the expropriated trajectory of the highway were severely affected by the blast. Their repair is delayed by the severity of the damage and the age of buildings, which complicate considerably repair, due to the lack of funding and the complexity of the permitting and rehabilitation process.

7.1.5 Informal service provision

Informal service provision: Aside from access to housing, access to urban services in the neighbourhoods relies, at least partially, on informal practices. This informality covers both water and electricity. Residents typically rely on a mix of formal and informal providers to secure these services, in line with the rest of the city.

Illegal electricity connections: Illegal electricity connections are a standard practice across neighbourhoods with mixed income groups. People who cannot afford to pay for electricity usually hook-up to cables leading to nearby apartments without informing neighbours. In several cases, electricity and water connections are impossible to secure because the owners have unrecorded claims of ownership, and residents are therefore not eligible for public connections. Consequently, residents have secured access to the services through negotiations with the residents of adjacent buildings or other apartments in the same building.

Sharing service quarters among several units: This is a common practice across buildings not officially subdivided into units to share one waterline. These buildings have access to water through water wells or they buy water from cisterns on a regular basis. This is a similar pattern in buildings that were subdivided officially, but landlords chose to re-subdivide them into smaller units and rent them out as studios without securing proper permits and new titles. Property managers hired by landlords usually monitor service expenses using special cheap measuring techniques or by turning on the water during specific times of the day.

Increasing service fees instead of increasing rent: The research team documented several cases where the landlord increased service fees (both water and electricity) for Syrian refugees and migrant workers who lack recourse instead of increasing rent.⁹⁷ It is noteworthy that migrant workers and refugees typically are not consulted on how they are serviced and how the fees are charged. Landlords may resort to illegal connections or other strategies and charge them a flat fee. Increases in service fees are mostly noticed when landlords have signed cooperative agreements with NGOs/INGOs committing not to increase rent and planning to default before the period expires.



Illegal Electricity Hook-ups in an incomplete building in Bachoura, April 2021. Photo: Abir Zaatari/NRC

7.1.6 Informal evictions and recourse

Irrespective of the forms in which the rental contract was made, most evictions happen informally, through direct coercion, and without proper notice or due process. Such evictions often involve steps in which individuals are locked out of the home they rent, and their belongings are either confiscated until they manage to secure funding or, in some cases, thrown directly on the street. Migrant workers and refugees whose presence, social relations, and labour are criminalized in the country are also threatened with “reporting their illegal presence to the police” if they do not evacuate a premise immediately. Most evictions currently happen because tenants cannot pay the rent, due to the socio-economic crisis. However, evictions also occur because the landlord has found another occupant willing to pay more, or because neighbours have made complaints about the tenants.

Similar to all other steps of housing acquisition, recourse in case of eviction largely relies on informal arrangements in the neighbourhoods affected by the blast. Recourse here points to the process through which a resident threatened with the demand for higher rent and/or eviction can appeal and/or force a landlord to backtrack his/her demands.

In terms of recourse against eviction, many non-Lebanese nationals acknowledge that they have no option and that they prefer to leave the premises if they are threatened with eviction or faced with a demand for higher pay. A conversation with ARM, the Anti-Racism Movement, assisting migrant workers, reveals that the organization tries to appeal directly to the landlord and secure a deal, with uneven success, depending on the circumstances. Aside from ARM, NRC and a handful of other organizations reported intervening through collaborative dispute resolution sessions on behalf of refugees and migrant workers when/if possible.⁹⁸ To pursue a legal recourse before the Lebanese courts is not considered viable by refugees or migrant workers. Similarly, Lebanese households did not consider courts as a potential recourse when threatened with unfair rent increases and/or the threat of eviction. Instead, there was evidence that many had appealed to a local neighbourhood strongman, to members of local parties, or to other respectable figures.

In a few cases, Lebanese residents are able to rely on the local police station to implement the law and force the landlord to resort to a court order rather than force them out. In one case, the police force removed a lock placed by a landlord to lock out a tenant unable to pay his rent, although the tenant had no written contract. The police demanded that the landlord secures a court order before he implements the eviction. However, in most cases, and consistently when the residents are migrant workers or refugees, the option of resorting to the police station is not considered.

7.1.7 Informalization of the rental process

There is evidence among interviewed residents that several landlords are forcing an informalization of the rental process, particularly landlords trying to terminate contracts (e.g., pre-1992 rent). The main strategy consists of refraining from collecting payments to accumulate a legal basis for eviction. **(Case 05)**

Case 05: Informalization of the rental process

Sanaa is a single elderly woman living alone in an apartment she has held under the pre-1992 rent control since the 1960s. Over a year ago, Sanaa's landlord, who also happens to be a relative, has stopped collecting rent. He presented the gesture as an act of solidarity, one that Sanaa appreciated given the ongoing financial meltdown and her lack of resources. Twelve months later, however, Sanaa received a notice of eviction based on a court case filed by the landlord who claimed she has been defaulting on rent payments for the past year. Sanaa's house falls within area affected by the blast, but not within the perimeter protected by Law 194/2020. She is struggling to find a way to halt the looming eviction.

7.1.8 Informality among mortgage holders

Although mortgages are tightly recorded, informality also seeps through the practices of mortgage holders. First, mortgage holders resort to multiple informal arrangements in order to be eligible to a publicly subsidized loan. They may thus report a higher or lower income and provide fake evidence with/without the help of employers. Second, mortgage holders resort to multiple (informal) strategies in order to secure a down-payment, either by paying instalments well ahead of securing the loan, or by securing false papers from the developer who will require parallel monthly instalments next to the loan reimbursements. Seemingly doable before the financial meltdown, many of these informal arrangements have now backfired as mortgage holders find themselves more vulnerable than they had reported, and poorly protected since the fake paperwork they have leveraged can now be used against them. **(Case 06)**

Case 06: Informality among mortgage holders

For the past few months, Salma has failed to pay her publicly subsidized housing loan for the 2-bedroom apartment she occupies with her elderly husband and three children in Bachoura. The 60-year-old woman had made the decision to purchase the house a few years ago, when, considering her age and situation, she had found it the only option to secure housing as retirement, when she can no longer afford rent.

Today, Salma fears that she will lose the apartment as soon as the temporary suspension instituted by the government during the COVID-19 crisis expires. She has missed all her instalments since March 2021, although they are very modest. She has suffered several salary cuts since the beginning of the crisis while her husband, a cab driver, had virtually no income during COVID-19 lockdowns. Worse, her sisters on who she could have relied have both lost their employment in the past year and they now depend on her for survival. By now, Salma has sold all her jewellery to cover the costs of basic needs, including the general fees required for her children's online classes during lockdown, and blast repairs. She says that she has not been visited by any NGO after the blast and reported that she had to repair the house on her own.

Salma's house was also severely damaged by the port blast, but she did not receive any form of aid despite reporting, so she had to conduct self-repairs and sought labour assistance from her previous student who assembled back roof bricks in return for 50,000 LBP.

7.1.9 Not paying taxes

The dozens of property records retrieved in the course of this study provided ample evidence of property holders and tenants refraining from paying municipal and property taxes. By looking at 100 randomly selected property titles within the areas

of study, 42 of them had a note indicating that the property owners have overdue municipal fees and property tax payments. Although the treasury has recorded the failure to pay taxes on records, the default has limited effects.⁹⁹ Conversely, the Municipality, which loses a main source of income, does not seem to be monitoring defaulting taxpayers.¹⁰⁰

7.1.10 Informal claims to post-disaster compensation

Given the above-listed practices, it comes as no surprise that some of the informality has also seeped into the post-blast compensation claims. Thus, numerous landlords have resorted to informal claims of residency in the post-blast in order to collect compensation. Others seek to block refugees and migrant workers from receiving compensation. This, too, is well in line with earlier episodes of post-disaster recovery, as seen in Section 2 of the report. **(Case 07)**

Case 07: Exploitive practices and informal claims to post-disaster compensation

Samia, a Syrian tenant in Al-Khodr neighborhood, is one of many refugees who have been subjected to exploitive practices by their landlords following the Beirut port blast. Samia lives with her nuclear family of four and two extended family members in a one-bedroom apartment on the ground floor of a 3-story dilapidated building in Karantina. The landlord's family of four lives on the first floor of the same building. With only one provider in the family barely making the minimum wage, the landlord's family relies heavily on renting out two inherited apartments for direly needed income. In the blast's aftermath, the landlord's family found in the Syrian tenants an excellent opportunity to obtain benefit, maximize aid, and upgrade their building. Emboldened by the circulation of rumours in the neighbourhood that claimed that Syrian refugees were the primary aid recipients, the landlord's family pressured Samia and her Syrian neighbours to reach out to aid agencies and secure multiple forms of aid and repair assistance. The landlords, then, confiscated the received furniture and appliance aid that their tenants had secured, claiming that these compensated for the low rent. Fearing harassment and potentially eviction, Samia preferred to play along to keep benefiting from the relatively cheap rent in an increasingly tight housing rental market. This concession has not brought peace to her life. Neither landlords nor Lebanese neighbours have reduced the pressure: she reports recurrent harassment for those who blame her for "taking away aid that should be allocated to needy Lebanese families".

7.1.11 Consequences of informality

As can be seen in the table below (**Table 7.1**), informality has both advantages and liabilities for home seekers. Aside from understanding the underlying factors, it is imperative to consider that while informality is often considered as a form of resistance by poor households, power hierarchies and inequities embedded in societies are reflected in informal relations and reproduced through informal exchanges.¹⁰¹ Therefore, those who could claim less informal power frequently fell in extremely vulnerable as they were also unable to resort to formal channels of recourse. For example, the condition of refugees and migrant workers who, unlike Lebanese households, are unable to appeal to local institutions for protection. They are more easily evicted and more often abused. Also, the conditions in which they generally dwell are worse, although they do not pay lower rents than their Lebanese counterparts. Interviews with refugees and migrant workers in Camp Hajine, for example, showed a cluster of individuals who have resided in makeshift units, paying

hefty rent, absorbing additional demands from the landlords (e.g., additional costs for electricity), while reporting that they have no option but to leave if they are asked to. In Bachoura as well, a few Lebanese residents were offered free accommodations in one of the buildings, and an interviewed strongman mentioned that “No one (meaning Lebanese) is evicted here”. Conversely, interviewed migrant workers and Syrian refugees in the same neighbourhood reported that they were still paying rent regularly -immediately after the blast-, and that they risked being forcefully evicted whenever they defaulted on payment.



Cluster of dilapidated buildings housing migrant workers and Syrian refugees, April 2021.
Photo: Soha Mneimneh/NRC

Table 7.1: Observed advantages and risks of informality

Type of informality	Advantages	Risks	Remedy
Informal building additions	<ul style="list-style-type: none"> • Increase space • Increase number of affordable units • Adapts structures to needs 	<ul style="list-style-type: none"> • Poor living conditions • Poor construction quality • Possible structural threats, safety hazards 	<ul style="list-style-type: none"> • Decide at neighbourhood scale on local standard of what is acceptable/ desirable.
Informal contractual agreements	<ul style="list-style-type: none"> • Flexibility • Landlord more willing to rent out without feeling a loss of property, thus increase in available rental stock 	<ul style="list-style-type: none"> • Landlord changes conditions erratically reduces security of tenure; • Tenant may leave and not pay, needy landlord loss of livelihood 	<ul style="list-style-type: none"> • Make informal templates and mainstream the practice of 2 “guarantors” for the contracting parties to increase security of tenure.
Clouded property titles	<ul style="list-style-type: none"> • Halts predatory developments; • Saves holders costs of registration 	<ul style="list-style-type: none"> • Loss of asset • Transaction risks are higher, price of land is lower • Reduced ownership security 	<ul style="list-style-type: none"> • Informal registry
Informal landlordism	<ul style="list-style-type: none"> • Increase rental stock • Secure income to needy person 	<ul style="list-style-type: none"> • Low tenure security for tenants • Landlords potentially taking advantage of more vulnerably parties 	<ul style="list-style-type: none"> • Informal registry
Informal service provision	<ul style="list-style-type: none"> • Service accessibility in difficult conditions 	<ul style="list-style-type: none"> • Public Agencies lose money, become unviable • Environmental costs 	<ul style="list-style-type: none"> • Create a “public lifeline” • Introduce cheap/greener technologies
Informal eviction	<ul style="list-style-type: none"> • Landlord feels more comfortable renting out, increase of housing stock 	<ul style="list-style-type: none"> • High level of tenure vulnerability for residents 	<ul style="list-style-type: none"> • Legal Awareness • Create local forms of recourse through neighbourhood associations.
Informalization of rental agreements	<ul style="list-style-type: none"> • Tenant alleviates cost of rent 	<ul style="list-style-type: none"> • Higher risk of eviction and loss of entitlement 	<ul style="list-style-type: none"> • Legal Awareness
Type of informality	Advantages	Risks	Remedy
Informalization of mortgage access	<ul style="list-style-type: none"> • Otherwise ineligible, lower income households get a chance to secure housing 	<ul style="list-style-type: none"> • Risk of default and losing housing and investment 	<ul style="list-style-type: none"> • Secure recourse such as buyout with option to live in the property but not bequeath
Informal recourse	<ul style="list-style-type: none"> • Provides recourse to those who cannot appeal to public agencies/police 	<ul style="list-style-type: none"> • Inequitable, renders some more vulnerable 	<ul style="list-style-type: none"> • Create local forms of recourse through neighbourhood associations for example.
Tax evasion	<ul style="list-style-type: none"> • Alleviates costs to poor families 	<ul style="list-style-type: none"> • Public agencies lose direly needed income 	<ul style="list-style-type: none"> • Improve governance, create system that taxes fairly.
Informal claims to post-disaster	<ul style="list-style-type: none"> • Wider access to aid 	<ul style="list-style-type: none"> • Inequity, loss of resources 	<ul style="list-style-type: none"> • More coordination and transparency among agencies.

7.2 A city high-jacked by predatory development

The profiling of housing scenarios and the rapid and in-depth observations showed that while landlords are often considered as “one category”, the areas affected by the blast displayed a diverse array of landlords that vary from the small-scale, impoverished individuals to the large-scale corporate purchasers. In this section, the circumstances through which the processes of housing acquisition for the most vulnerable groups are shown to be highly dependent on the context in which property is held and exchanged in the city. The section profiles the types of landlords briefly in the city before delving into the consequences of predatory developments.

7.2.1 Profiling landlords

Although landlords are often lumped together as one group, the profiling of cases in Beirut showed a wide diversity of profiles with radically different conditions and attitudes. Excluding the forms of informal landlordism highlighted above, Table 7.2 lists the different profiles of formal landlords:

Table 7.2: Types of landlords				
Type	Category	Stock	Description	Relation to residents
Corporate	Real-estate development companies	Sizable	Clear strategy of buying clusters of lots, renting them out while awaiting development opportunity to evict informal tenants and develop upscale residential or commercial projects. Buildings are left in dilapidated conditions.	Most rely on “broker” or property manager to deal with residents
	Commercial companies and banks	Sizable	Interested in real-estate to diversify their portfolio, act like real-estate development companies. At least two of them are housing workers in the company as part of “employment benefits” in dilapidated conditions.	Most rely on “broker” or property manager to deal with residents
Professional developers	Aspiring neighbourhood developers	Limited	Similar to real-estate companies, smaller operations, less experienced. In at least one case, the economic downturn incentivized the developer to renovate and rent out the units at higher price, shifting from the dilapidated housing option.	Most rely on “broker” or property manager to deal with residents, and a lawyer in the event of eviction for Lebanese tenants.
Individuals households	Small-scale landlords with/ without contested ownership	Limited	Typically rent out 1-2 units (mostly inherited) to secure living income. Many of these landlords live within the neighbourhoods. Some only own the property in shares and redistribute profit. Tend to have a small margin of profit.	Direct.

Institutional	Religious Institutions	Relatively Limited	Religious institutions (including Armenian Associations and Maronite Diocese Waqf) rent out some properties.	Collect rent through a property manager. Offer free accommodation in some cases.
	The Municipality of Beirut	Limited	Property occupied without rent.	Municipality does not collect rent, and has no contact with residents
Informal landlords	Squatters	Limited	Strongman who has forced his rule over several property units that he rents out for profit	Collects rent directly from the residents
	Old Tenants	Limited	Old tenants who illegally sublet the unit they rent for direly needed cash or as they wait for eviction compensation from the landlord	Collects rent directly from residents, claims they are concierges if visited by the landlord

7.2.2 Understanding predatory developers

Many of the vulnerable households interviewed by the research team rent out units from developers and/or landlords who are waiting for an opportunity for redevelopment. Some of these tenants still hold on to an old rent control contract that they hope to extend, while landlords had sought to displace them. The team documented several court cases, some dragging for decades and leading to court orders in which the tenants could be evicted against indemnities. Others tenants have rented out units after the original residents were evicted. Their contracts were oral, and they could not show any official documentation and/or guarantees. Their presence is understood as temporary, even if they do not know about any development project;



Corporate developer renting out land and buildings as they await lucrative development opportunities, April 2021. Photo: Soha Mneimneh/NRC

they are allowed to use the spaces while awaiting redevelopment. In most instances, the latter group of tenants was formed of migrant workers and/or refugees who are typically described by landlords as easier to evict. Interestingly, the ongoing financial crisis and the consequent lull in the real-estate market is providing the vulnerable tenants with a short breather since the opportunities for redevelopment have been considerably reduced, alleviating the pressure from landlords to evict the units.

Such practices are occurring in multiple scenarios. These are perhaps best epitomized on the edges of the city, particularly in Badawi, where the entire district has been the subject of predatory purchases. **(Case 08)**

Building development, when initiated by registered developers, is typically conducted in the formal sector. Interactions between developers and processes of land acquisition however do not necessarily rely on strict formal relations. On the contrary, interviews revealed a fair amount of coercion, the intervention and reliance on local parties, and other forms of informal mechanisms through which individual developers can impose themselves as property purchasers. Interviews with developers in precarious neighbourhoods revealed a strategy in which they target buildings owned in shares, where inheritance is contested, and they patiently reassemble transactions, record and process missing inheritance documents with absentee owners, until they acquire the lots. In the process, the developers heavily rely on their networks within specific community group that facilitates the business. Caught by the financial meltdown and the consequent downturn of the real-estate sectors, the developers are now renting out residential units on a temporary basis. In some cases, they have even increased the number of units either by adding rooms incrementally on roofs or by re-subdividing apartments into individual studios to increase the number of units.

Case 08: Predatory real estate competition across blast affected neighbourhoods

In Camp Hajine, two clusters of predatory real-estate development were identified housing highly vulnerable residents who will most likely get evicted in the near future. One of these clusters has 5 residential buildings of unequal condition: one is an old renovated building used as furnished apartments for temporary rent, two largely dilapidated buildings housing tenants in insecure and precarious conditions, while the others are empty.

This cluster of buildings is subject to severe competition between two landlords who have targeted buildings with conflicting ownership schemes, each buying shares in the lots/buildings with the long-term perspective of evicting all tenants, pooling the lots, and developing a higher-end tower in line with the development trends of the last decade. Current zoning in the area does not allow the redevelopment of individual lots since none of these lots fulfils the legal requirement of the 200m² minimum development area. Whoever buys more shares will eventually take over the lot/cluster for redevelopment, as per property law, as long as the buyer can pay for them. Meanwhile, these developers adopted three main strategies, all relying on evicting old tenants: (1) renting out dilapidated buildings to migrant workers and/or refugees informally and in poor conditions, (2) renovating the buildings, subdividing apartments in smaller units, and renting them out as free contracts, and (3) demolishing the building and replacing it with temporary commercial land uses.

Further South East, still in Badawi, another cluster has been bought by a citywide developer who has now laid claim on a cluster of 10 buildings and is negotiating the purchase of shares with landlords, some of whom are reluctant to sell. In fieldwork, buildings appeared deteriorated, largely rented out to vulnerable households who had taken charge of the post-disaster recovery, solicited NGOs, used the compensations received from the Lebanese

Army to fix their homes without a guarantee that they will be able to stay beyond the expiration of the deadline granted by Law 194/2020.

Predatory development was also widespread in Bashoura (viewed as an extension to Solidere), where several clusters were observed to have been purchased by developers awaiting the opportunity to demolish them. Land purchases in Bashoura were easier than Badawi, since lots are larger, and the families displaced by the war had no intention of returning. The conditions of tenants in these units were nonetheless equally deplorable. Tenants also often suffered from poor repair and no compensations because the landlords/developers sought to delay or halt repairs. This was particularly the case of migrant workers and Syrian refugees who seemed to have been consistently missed by the Lebanese Army during assessments.

7.3 A post-disaster housing recovery amidst a devastating crisis

The post-blast recovery in Lebanon is occurring amidst a devastating set of crises that complicate considerably the possibilities for an adequate reconstruction. Indeed, the port blast came on the heels of a massive financial meltdown, which also overlapped with a debilitating political crisis and was topped by the COVID 19 pandemic. Months of political tensions over government formation are coupled with a sharp devaluation of the currency that lost more than 90% of its value to the U.S. dollar. Moreover, high unemployment rates that already exceeded 12% according to World Bank estimates in 2019 have reached almost 40% in 2020, according to several economic experts. Currently, over 50% of the individuals living in Lebanon fall below the poverty line.¹⁰² Among those, 23% are below the extreme poverty line. The real-estate sector, until recently celebrated for securing 25% of the GDP, has come to a full halt with less than 10 permits filed in Beirut this year. As these events unfold, they are reshuffling conditions and priorities for residents, complicating a possible recovery. Conversely, they may also allow for new possibilities.

It is evident that the ongoing financial crisis weighs heavily on everyone, with many families and individuals unable to pay rent, secure sufficient nutrition, or cover the costs of basic healthcare. Yet, the crisis points to a handful of opportunities that may serve as spaces of intervention for the implementation of the right to housing. This section outlines both the threats and the possibilities generated by the crisis as a way of accounting for the urban context under study and how it affects housing accessibility.

7.3.1 The financial crisis as a threat

Heightened vulnerability

The financial crisis has undeniably created multiple vulnerabilities that are critical to understand in order to steer the post-disaster recovery adequately. The primary concern among tenants, mortgage homeowners, and landlords is the inability to secure daily basic needs following hyperinflation, unemployment, and salary cuts during the COVID-19 pandemic lockdowns which has resulted in multiple forms of household vulnerabilities:

Evictions and threats of eviction due to inability to pay rent: an inquiry with the Housing Monitor¹⁰³ reported that the majority of evictions and threats of eviction identified were occurring because tenants were unable to pay the rent, without an increase in the rental costs. Another survey of 204 households conducted by NRC between September 2020 and April 2021 showed that 98% of the reported reasons behind threats of evictions were the inability to pay rent. In addition to those struggling to pay rent, interviews pointed to landlords intending to increase rent erratically particularly in the lower-income neighborhoods such as Badawi and Camp Hajine where the market is highly informal and access to information is scarce and clouded. More recently, landlords holding a large number of properties in Camp Hajine have conspired together and demanded an increase in rent as of June 2021, despite signing cash-for-rent agreements with INGOs.¹⁰⁴ These tenants will most likely move to apartments with worse conditions if no recourse is offered to them. They might also live in overcrowded apartments. Others may even become homeless. Notwithstanding, a focus group in Karantina about housing showed rent at a stable rate, but noted landlords attempting to request additional service fees.

Some PCH mortgage borrowers are defaulting on payment: all subsidized mortgage loan borrowers benefit from extensions on deadlines related to foreclosure implementation and payment of installments (Laws 160/2020, 194/2020, and 199/2020). The laws however expire in July 2021 or August 2021, depending on the location of the mortgaged apartment. While some PCH mortgage borrowers are benefitting from the devaluation of the currency, homeowners who defaulted on payment will consequently have to reschedule loans, which means their monthly installments will increase, further exacerbating the housing burden, and possibly leading to foreclosures.

Costs of household services have also increased since the beginning of the crisis. This includes costs of water for those buying water from water trucking services as well as electricity for those who can still afford the neighborhood generator.

Muddling through at the expense of basic needs: Both tenants and mortgage homeowners have developed negative coping mechanisms. Many have reported selling their personal belongings. Others are reallocating their rental payments or housing installments to cover the costs of food, medication and basic needs. The severe impoverishment of landlords is also making them less permissive and more demanding of rent, where tenants in some cases are obliged to prioritize paying rent over repairing their damaged units and cutting down on food and other basic needs.

Exclusion from informal provision of services and aid: in lower-income neighbourhoods rife with informality and marked by the presence of political parties, strongmen¹⁰⁵ are usually in charge of negotiating informal access to basic services, securing housing (sometimes through squatting) for impoverished members of the community, and safeguarding the neighbourhoods¹⁰⁶. Amid the current financial crisis, residents belonging to the neighbourhood's social/family networks or other affiliations are given priority in receiving aid and services, while other individuals living in these neighbourhoods are subjected to heightened deprivation and are excluded from this informal protection and provision of services. Interviews showed that post-blast, individuals holding Syrian nationality, migrant workers, and Lebanese individuals living outside their social circles are often excluded from assistance, even though they ask the strongman in their neighbourhood to list their names for assistance. In other cases, landlords have appealed for help and channelled aid to migrant workers.

Erosion of public institutions

The bankruptcy of the state and the full delegation of recovery to NGOs/INGOs has translated into the absence of a public body coordinating recovery and unifying the criteria for repairs of damaged properties. Political paralysis has ruled since the government resignation in the aftermath of the blast. Consequently, affected residents are unequally treated in the recovery process –some having seen their neighbourhoods and/or buildings allocated to more capable NGOs than others. Only 10% of the compensation that was originally earmarked by the state in October 2020 was distributed to affected individuals (150 billion LBP out of 1500 billion LBP).¹⁰⁷ Given the rapid pace of devaluation, these indemnities have lost more than 170% of the value only during the span of this period. The outcomes are concerning: heightened social tensions among residents, and, more generally, a sense of grievance and unequal treatment has translated into further distrust in public agencies. The Lebanese Army’s criteria for distributing and valuing “emergency compensation” was not widely publicized, adding to people’s discontent in public actors. The limited cases covered for this study suggest that compensation may not have been distributed according to strictly equitable criteria.

Delay in repairs

At least 600 buildings¹⁰⁸ were severely damaged by the port blast in Municipal Beirut. With limited funds allocated for repairs per household¹⁰⁹, most NGOs/INGOs deferred undertaking what was described as “Level 2” and “Level 3” damaged buildings, due to the high cost to repair, lack of capacity to engage in structural works, and the intricate permitting process.¹¹⁰ Most donors have also prioritized “Level 1” damaged buildings and excluded “Level 2” and “Level 3” damaged buildings from allocated funds. This has left a substantive number of inhabitable housing units and buildings in an indiscernible state, while property owners and tenants unable to repair are left in extreme precarity. The situation is exacerbated by the delays in disbursing total compensation. Numerous disputes over compensation materialized primarily because many city dwellers are already extremely impoverished and because, as stated in earlier sections, the principle of compensation incentivized opportunism among city-dwellers created tensions and abusive treatment between landlords and tenants, owners in shares, and between Lebanese citizens and residents from other nationalities. In several low-income neighborhoods such as Karantina, Bachoura and Camp Hajine, landlords devised multiple schemes to confiscate aid that was channelled to tenants. For example, preconceptions that developed around Syrian refugees being the main recipients of aid, created resentment and tensions between Lebanese residents and their Syrian counterparts, and rationalized abusive and exploitive behaviour towards them.

Lack of legal recourse

The suspension of court sessions in light of the pandemic and the strict health measures adopted since March 2020 have further reduced access to the legal system. The suspension comes after months of political instability that started with the October 17, 2019 uprising, and was ultimately followed by sporadic strikes by lawyer and judges. Recurrent suspensions of activities have aggravated a general distrust in the judiciary system and discouraged further individuals from seeking legal recourse, settling instead for mediocre solutions and relinquishing rights.

7.3.2 The crisis as an opportunity

Conversely, the financial crisis can be seen as an opportunity at multiple scales, ranging from the individual tenant-landlord scale, to the urban policy neighbourhood scale. Below are different forms in which the crises benefitted residents previously struggling with eviction.

Solidarity between landlords and tenants: The financial crisis is providing a temporary lull for many tenants as most development interests that threatened them with displacement are currently on hold. Numerous interviewed households expressed relief because landlords were no longer eager to evict them in recent months. Rather, aware of the heavy burdens of the crises and conscious that they may be unable to replace their current tenants, the landlords sometimes showed more patience –particularly when the tenants had not received aid, repairs, or compensation.

Extensions of deadlines: Benefiting from the delay in eviction and/or mortgage takeover, many mortgage holders have benefited from the freezes introduced by Laws 185/2020 and 160/2020 to delay payments. Laws 194/2020 , 199 /2020 and 212/2021 issued post blast further extended the deadlines that, however, are due to expire in October 2021 and risk of default is significant.

Currency devaluation as an opportunity for PCH homeowners: Among mortgage holders, the crisis has reshuffled the cards. All publicly subsidized loans are in Lebanese currency, which means that the value of the instalment has crumbled with the Lebanese pound. Thus, those mortgage holders who have secured compensation and/or foreign income from a relative find themselves at a massive advantage. Many have even rushed to close the loan. An interview with the Head of the Public Corporation for Housing thus revealed that the agency has been receiving daily a substantial number of mortgage holders who are choosing to close the loan because they benefit from the devaluation of the currency. Interviews conducted with PCH homeowners who have benefitted from the crisis and did not close their loans during winter/spring 2021 also showed that these mortgage holders were paying less than 10% of their income on housing, a sizable reduction that was secured by the currency devaluation (**Case 09**). Some opted not to close their loans in order to remain eligible for the waiver of registration fees and property taxes that they benefit from as holders of a publicly subsidized housing loan.

Case 09: Predatory real estate competition across blast affected neighbourhoods

Salim is a PCH homeowner who bought his apartment in 2004 and renovated it. Salim used to pay around 20% from his monthly income on the mortgage instalment. While manageable, the instalment ate away a sizable section of his income.

Over the past 15 years, Salim moved to work abroad. He currently works in Saudi Arabia. Since Salim is paid in USD, he has benefited enormously from the devaluation and the fact that his mortgage payments are in Lebanese pounds. Salim has reported paying less than 1% from his monthly income on the housing instalment. He does not want to close the loan because he would no longer benefit from the exemption from property taxes that he had secured as the recipient of a subsidized public loan.

INGOs providing recourse to vulnerable groups: Tenants and residents with claims of unrecorded property ownership were previously struggling with eviction or expecting eviction threats with successive defaults on rent payment. After the blast, some of these city-dwellers have found that INGOs can provide protection from

eviction, especially by organizations that encourage landlords to sign cooperative agreements to repair the properties. These city-dwellers cannot afford to hire lawyers or have no backing to protect them from eviction if they are asked for higher rent. Landlords also feel they need to keep a good relation with NGOs so they can receive monetary aid, repair assistance, and benefit from rent assistance programs, and so that their eviction schemes are not exposed.

Makeshift housings: In many cases, refugees and migrant workers who were living in ad hoc housings on rooftops benefitted from the blast to upgrade the housing units they occupy. Today, they are among the very few whose housings are in better conditions than prior to the blast.

8 Recommendations

Based on the research findings, it is evident that addressing the housing challenge in Lebanon is a long process that requires a societal change vis-à-vis the conception of housing, land and property and its translation into an actual enactment of this right. At this time, the Beirut post-blast recovery is occurring while the national economic, financial, and political crises are still raging. Without a government, and in a context where real estate interests are deeply embedded in policy decision-making, it is unlikely that public policymaking will be a reliable channel to address housing inequities. However, as a long term intervention, it is important to target improvements in the institutional framework and regulatory environments in which housing is managed in Lebanon. It is imperative that a discussion at the policy level occurs and that the institutional framework in which housing interventions are designed rely on inclusive and participatory criteria that account for the representation of vulnerable individuals and groups in each district.

The majority of the recommendations included in this report focuses on the area-level, that suggest specific building or block level interventions that fit into a broader policy orientation without having to wait for policy changes to be implemented. Finally, a lot of attention has been given to the individual landlord/tenant interactions in the past few years, owing mainly to local and international organizations who have adopted a rights-based approach. These interactions can be organized with household targeted sets of interventions responding to the immediate context of the post blast.

The recommendations section will be divided into three levels: policy level, area-based level and household level, each operating at a scale.

8.1 The policy level

Housing is a right enshrined in the Lebanese law and recognized by successive Lebanese governments through the ratification of international agreements.¹¹¹ At the general public policy level, it is imperative to consider that multiple practices conducted over the past thirty years have heavily swayed the role of land from “housing” to “real-estate asset”. Consequently, a comprehensive national public housing framework is paramount to correct this distortion over the coming decades. This task remains primarily the responsibility of public agencies (i.e., the Public Corporation for Housing, the Directorate General of Urbanism, Municipalities), the national government, and the Lebanese parliament. These actors need to adopt new regulations and either invigorate their roles in housing or establish new housing agencies. In addition, international development agencies and local research centres can provide advice and support the process.

8.1.1 Articulating a national public housing framework

It is imperative to articulate a national public housing framework, translating the commitments of the State of Lebanon into actual policies that contain the

financialization of the sector and restore the role of public agencies in securing housing provision. Such policies will have to recognize the need to intervene on multiple levels, most notably through a combination of planning policies that expand urban boundaries and introduce transit-oriented development and introduce new planning tools such as zones of special social interest or inclusionary housing. Housing policies should also adopt progressive taxation schemes that incentivize the provision of affordable housing and halt speculation, in addition to regulating rent, facilitating land trusts, and other means.¹¹² In doing so, the Public Corporation for Housing may recover its original role as a Public Housing Agency and/or be reinstated as a Ministry of Cities in line with progressive practices around the world.

Once adopted, a national policy framework could start with a number of relatively easier to achieve goals. Among those, a few are briefly outlined below:

Regulate rent: cities around the world are coming to terms with the necessity of regulating rents.¹¹³ While the old rent-control schemes –such as the one imposed currently on a section of housing stocks in Lebanon- have shown to be inadequate, the conclusion is evidently not the lifting of all rent protections but identifying what mechanisms can regulate rent without introducing severe distortions to the market. This is particularly the case because legislation/regulation and policy settings are well known to generate the structure of rental tenures and, consequently the level of security and stability that can be obtained by tenants.¹¹⁴

Fight vacancy: the current property taxation framework in Lebanon encompasses two annual property taxes that exempt cases of vacant properties: the Built Property Tax and the Municipal Rental Value Fee. The practice of exempting vacant built property from taxes undermines the vital contributions the built environment could play to boost the economy. Earlier studies¹¹⁵ have found that these exemptions provide the wrong incentives and encourage speculative behaviour, discourage increasing the available rental housing supply, reduce tax revenue potential for both local and central authorities, and facilitate tax evasion. Therefore, it is recommended to revoke those tax exemptions and reintroduce taxes on all built property, irrespective of the occupancy status, within a progressive scale that accounts for hardship cases. It is noteworthy that the 2021 budget includes this proposal in one of its annexes.

Introduce a *rente viagère* mechanism to build a stock of affordable housing: a *Rente Viagère*, or life annuity, is a popular land acquisition tool in France, mostly used to purchase properties from elderly homeowners for a minimal amount, while pledging to make monthly payments to the elderly while allowing them to live in the property –but not bequeath it. After their passing, the apartment is included in a pool of affordable housing that the city can use for non-profit purposes. The *Rente Viagère* benefits elderly who lack a retirement plan, and need to secure housing with a source of income to cover basic needs, especially in times of crisis.

Reactivate housing cooperatives: housing cooperatives are voluntary associations of individuals who come together with the shared goal of organizing their housing arrangements within a set of solidarity rules that do not conform to market laws. If adopted in the areas affected by the port blast, one or several housing cooperatives could acquire and manage properties within strict regulations that limit the penetration of market laws. Thus, members of a housing cooperative dwell in and manage property along shared rules that allow them to decide collectively on duties and privileges, rules to expand and/or organize payments and services, the selection of new members, and other short and long-term choices. The rules of a cooperative should also include a minimum quota of women, migrant workers, and Syrian refugee representation to make sure it is managed in a socially just manner.¹¹⁶

Introduce property mechanisms such as Community Land Trusts to protect the social function of land: A “Community Land Trust” mechanism allows one or several property owners to allocate land to a specific purpose, typically the production and stewardship of affordable housing.¹¹⁷ The Lebanese law does not have a clear provision for land trusts. Still, the Property Law allows a title holder to allocate her/his property to a specific function such as affordable housing¹¹⁸. Thus, a landholder may ascribe a function to her/his land and record this affection at the land registry. By making the affection inalienable, the property owner can still transfer ownership, while keeping a cap on land value given the affection, which is secured over several generations. Land trusts have shown to be effective measures in addressing the challenge of maintaining affordable land in cities, hence protecting the social fabric of neighbourhoods in the context of rampant real-estate markets.¹¹⁹ In Lebanon, such mechanisms of ownership are deeply lacking. The closest form is Emphytheose¹²⁰, which provides a long term lease of a land for a minimal fee. This measure exists within the Lebanese legal system and could be effectively used to introduce a sustainable option for land trust. The property owner of such land subjected to the Emphytheose mechanism is typically a religious institution or a philanthropist willing to relinquish capital gains for social ones.

Consolidate and target public housing loans:¹²¹ there are 15 different types of subsidized housing loans in Lebanon; 14 types are granted exclusively to public sector employees. Consolidating all public housing loans into one agency, the Public Corporation for Housing, has the benefit of reducing clientelism attached to employment in state agencies. Selection criteria and eligibility should be unified to cover the actual limited needs of the people instead of promoting them as a critical solution to housing acquisition. This choice also equalizes between citizens, irrespective of employment. It finally targets subsidies to the neediest.¹²²

Targeted housing loans could also be used to solve property conflicts caused by inheritance. In several cases, one of the inheritors wanted to acquire full ownership of an apartment but could not afford to do so, so he/she acquired a housing loan to compensate for the shares of his/her siblings and/or relatives. This model can be adapted at the policy level whereby the reintroduction of housing loans becomes an adequate solution to solve these conflicts for first-time buyers, instead of leaving contested property resolution to predatory real-estate developers who will most likely evict vulnerable tenants.

8.1.2 Adopting a human rights framework that protects people with specific vulnerabilities

It is necessary to adopt legal reforms that protect vulnerable groups such as refugees and migrant workers, legislate the respect of women’s rights, the elderly, and people with special needs. Indeed, housing vulnerability is exacerbated by a restrictive regulatory framework that discriminates against multiple social groups through structural inequalities inscribed in the Lebanese law and/or perpetuates in public practices.¹²³ Such steps should include:

Abolish the Kafala system: the Kafala or sponsorship system regulates the relationship of at least 250,000 migrant workers in Lebanon with their sponsor/kafeel. With no protection under the Lebanese Labour Law, migrant workers are subject to exploitation, their presence and movements often criminalized, and their earnings limited. Consequently, migrant workers have limited adequate housing options. Joining efforts calling for the revision of the unified Labour Law issued in 2020¹²⁴ and the adoption of a standard unified contract that respects and protects the

rights of migrant workers is a crucial first step towards dismantling the Kafala system and securing better housing conditions and rights to migrant workers.

Facilitate access to legal residency for Syrian refugees: The 2014 policy approved by the Council of Ministers that halted the registration of Syrian refugees and introduced new restrictive measures on Syrian nationals living in Lebanon exacerbating the vulnerability of this group is consequently undermining its right to adequate housing. Joining efforts to improve the framework that regulates the presence of Syrian refugees in Lebanon and their access to livelihoods is a crucial step to improve often inadequate housing options.

Implement the laws related to minimum required building standards for people with special needs: advocate for the enforcement of Law 220/2000 that protects the Rights of Persons with Disabilities in accessing adequate housing by introducing mandatory amendments to the Lebanese building law to ensure accessibility and ease of circulation of persons with disability in all buildings and public spaces. Although ratified, Law 220/2000 has not been fully enforced, due to lack of investment by the concerned authorities.¹²⁵

Adopt the progressive regulations that protect women rights: although there is no explicit discrimination against women's housing, land and property rights in Lebanese laws, intra-familial practices reflect the tendencies of a male dominated society where the distribution and management of property, for example, is ascribed to men by default. In addition, the intersectional nature of poverty indicates that clear gender discrimination in personal affairs laws spills to other domains of everyday life, leaving women at a major disadvantage with respect to the adequate access to housing. A well-rounded housing, land and property framework would therefore account for the effects of gender discrimination and support women's claims for equal rights to improve their housing protection.

The translation of these recommendations to housing will also require vigilance in relation to housing issues, such as paying close attention that assistance is not solely allocated to male heads of households but in joint names, strengthen information and advisory services to women who may face particular challenges accessing formal and informal justice mechanisms, and involving a diverse range of groups in programming and support empowerment of women in leadership and decision-making.¹²⁶

Reverse the discriminatory effects of the Law 296 / 2001 regarding the acquisition of real-estate rights by foreigners in Lebanon:¹²⁷ Restricted property rights to stateless individuals, including Palestinians, will carry major repercussions on housing, land and property rights of the generations to come. More efforts should be put to support the reform of the 2001 Law and to look for legal venues to challenge the consequences of its provisions.

8.2 Area-based interventions, an urban based approach

In the current policy deadlock, several types of area-level interventions are proposed. These interventions build on specific case-study findings developed during this research. They are formulated at the block level and can be adopted in the blast areas and beyond. Such proposals seek to set in place interventions that are possible within the existing regulatory framework, yet fall under the larger vision of making urban

spaces more inclusive. Depending on the nature of the project, it can be championed by residents, local neighbourhood organizations, or non-profit organizations (local or international).

In developing those interventions, two public agencies should be imperatively invited to contribute to the design and implementation: the Public Corporation for Housing and the Municipality of Beirut or the City's Governor. Both of these public agencies are legally mandated to support affordable housing provision to the Lebanese population in Beirut. In addition, the Municipality of Beirut has within its jurisdiction numerous authorities that it could rely on to initiate a housing recovery.

In parallel, further reflection is needed on the institutional frameworks in which these projects are introduced in order to balance the weight of local actors on the ground and consistently secure the participation of dwellers.

8.2.1 Informal land registries as a first step towards tenure security

Informal land registries¹²⁸ can be adopted as a first step towards the clarification of property claims and within a framework that encourages the introduction of shared forms of tenure and/or public benefit ownership (e.g., land trust). This process can be initiated either by municipal authorities or by a non-governmental organization, in partnership with local neighbourhood committees that are formed of residents and trusted local figures. The process could also be initiated by property shareholders, their heirs, or any of the individuals with vested interests in dispute resolution.

As shown in the report, the clouding of property titles (both lots and buildings) has led to numerous instances of conflicting property claims where vulnerable property owners and tenants are exposed to the heightened threat of eviction by claimants who sometimes have no legal grounds.¹²⁹ It also threatens vulnerable individuals with the loss of property claims, when/if they have purchased property without properly recording it. A handful of individuals are benefiting temporarily from legal loopholes to secure housing at no cost and the clouding of property titles has also encouraged strongmen to squat or rent out properties, complicating neighbourhood level dynamics.

The set-up of an informal land registry can clarify and resolve property claims fairly, constituting hence a first step towards the reconstruction of a legal property record. It does not necessarily need to translate into the final and formal recording consistently. It nonetheless will allow the activation of a framework of social rights that can reduce conflicts, provide a reliable framework for dispute resolution, and stabilize housing conditions.¹³⁰ It can also help improve tenure security, particularly if a non-governmental body can act as a fair arbitrator of informal transactions, relying on the informal registry as a strategy to stabilize and clarify claims and consequently reduce abuse.¹³¹

Conversely, approaching the clouding of property as a limited "titling" or "regularization/registration process" may disempower vulnerable property claimants who cannot cover registration costs. It can also lead to gentrification, evicting the more vulnerable tenants. Therefore, in developing a "regularization" intervention, special attention should be given not to liquefy property ownership and facilitate eviction. Instead, informal land registries should be seen as a necessary intermediate solution for the protection of vulnerable households who are renting from individuals who do not own the units, purchasing lots without protecting their rights, or being threatened with eviction because of absentee shareholders or predatory developers.

Informal land registries need to be built through participatory strategies that account for informal power relations. Gender matters, since women's property rights are too often misrepresented and compromised. Informal solutions should also allow those barred legally from property ownership to claim units they have invested in.

8.2.2 Incentivizing landlords in abandoned property to repair and rent out affordable housing

A two-pronged approach can be adopted with landlords who are locking up and/or maintaining housing units in a limbo while awaiting redevelopment. Repairs could be incentivized, with the option to mandate in exchange affordable rent for a 5-year period. This transitional solution, albeit temporary, may allow the city to demonstrate that a lived and active urban context is economically more productive than the previous economic model, which was based on rent. Conversely, the city can penalize large property owners who neglect property and/or those who use neglect as a deliberate strategy to evict tenants on protected contract. The rationales behind these proposals are fleshed out below.

As described above, many individual buildings and clusters are in a limbo, awaiting redevelopment. In some cases, developers or landlords are renting out the dilapidated units. In others, they are absent, leaving buildings to deteriorate or to be occupied by squatters. In developing this proposal, the research team probed one landlord about the possibility of adopting a 5-year agreement with a relief agency through which the building is rehabilitated and rented out and/or used for free accommodations in exchange of repair. He was responsive and keen on hearing more. Such avenues should be sought out, particularly in the areas of Badawi and Bashoura where landlords are not consistently wealthy and many were enticed to consider the redevelopment of their buildings.

Conversely, it is possible for tenants to force landlords who are deliberately neglecting their properties to repair by filing case reports to the judge of urgent matters^{132,133}. If the owner refrains from improving building standards after a court ruling is issued, the tenant may execute such repairs at her/his own expense and legally deduct costs



Abandonment in Mar Mikhael, March 2021. Photo: Mona Fawaz/NRC

from the rent. When both landlord and the tenant are impoverished, it is possible to bring an NGO on board to repair the building in exchange for rent alleviation, longer contractual agreements, and/or additional benefits that would improve liveability for both landlord and tenant.

Municipalities also have a great role in pushing landlords to make the needed repairs by periodically examining dilapidated buildings, particularly when these buildings constitute a risk to public safety, and mandate landlords to conduct immediate works with the threat of penal repercussions. The municipality, however, is not legally allowed to execute those works.

8.2.3 Considering on-site resettlement

On-site resettlement, the redevelopment of existing clusters into higher density, medium-rise apartment blocks, should be considered in contexts where dilapidated buildings and very small lots prevent incremental additions and/or upgrading. On-site resettlement can occur in multiple ways. It could involve a public-private or a private-private initiative in which individual lot claimants partner with a development company (public or private) to pool all lots and redevelop the area into multi-story residential buildings and shared amenities. The increase in density, which is possible in at least one context, could improve housing conditions considerably. The developer's cost could be covered through the sale of the units. In this context, the original property claimants can be entirely cross-subsidized.

As noted above, conditions of severe impoverishment and dilapidated housing units will prevent numerous property claimants from improving their homes. This is particularly the case in the area of Karantina where some of the property was recovered by pre-civil war claimants in the early 2000s, but no urban upgrading intervention was conducted. Dilapidated buildings were severely damaged by the port blast and despite NGOs intervention, clusters are in very poor conditions. In addition, very small lots subdivided before the city's zoning in 1952 remain unbuildable unless they are pooled. Consequently, on site resettlement may offer an adequate localized solution. In other contexts, the presence of municipal land and/or religious land also incentivizes on site resettlement and the development of additional affordable housing units.

On site resettlement needs to be developed upon comprehensive community consultations and designs should be developed with participatory and gender sensitive strategies to account for the needs of residents. If the solution is adopted, common pitfalls (e.g., form of property, temporary housing during work) should all be taken into consideration to avoid hardship and/or negative outcomes for dwellers.¹³⁴

8.3 The household level

Most of the current interventions by non-governmental bodies within the housing sector target the household level through providing shelter support, legal services and cash-for-rent assistance to residents. These interventions are critical and need to be maintained.

These activities also need to be reinforced with heightened awareness of the structural impediments that exacerbate the vulnerability of social groups, particularly women-headed households. Here are the most important approaches that non-governmental

organizations and advocacy groups working to improve access to housing should account for:

8.3.1 Housing vouchers need to replace the 6-months rental support and extend it for the most vulnerable households.

Several international organizations have currently introduced cash-for-rent interventions through which they provide temporary emergency relief. Interviewed households received immediate relief when cash-for-rent interventions halted their eviction. However, many tenants who had benefited from cash-for-rent have found themselves immediately thrown back into vulnerability once the cash for rent period passed.

In selecting households targeted with cash-for-rent, it is recommended that INGOs/NGOs channel funding for a longer period towards tenants occupying units rented out directly from small scale and needy landlords rather than from developers and/or predatory lenders.¹³⁵ Such interventions would then have a positive spill-over effect in alleviating poverty for the households in need rather than allowing predatory lenders to benefit from accumulated wealth.

It could also be an adequate strategy to avoid landlords squeezing multiple tenants in one housing unit by making a three-party contract in which the NGO acts as an oversight on the contractual agreement and makes conditional the housing subsidy that, on the one hand, limits the number of families or individuals who can share an apartment and, on the other, constrains the landlord with specific conditions (e.g., duration of contract, cost, fees).

8.3.2 Written documentation should be mainstreamed, including with public authorities.

Written lease agreements tend to strengthen claims of a tenancy when the threat of eviction rises. It also clarifies the terms of an arrangement between landlords and tenants, reducing the risks of conflict that may emerge, particularly given the volatile market conditions. Although oral contracts are effective, a written contract can help stabilize rent and allow households to plan their livelihoods with more certainty. If mainstreamed among tenants, especially for refugees and migrant workers, such contracts can be protective against eviction. Given that many refugees and migrant workers have irregular residency status, it is imperative to secure informal channels, institute mechanisms to record contracts in official municipal records irrespective of the legal status of tenants, and/or introduce recourse that may occur through community institutions such as religious or social venues and/or NGOs.

In the absence of a written contract, tenants can also declare their tenancy to the municipality and pay the municipality fees attached to the rent, as mandated by the law. The registration would grant tenants renting housing units informally further protection against eviction, since the municipal tax receipt can serve as evidence of residency in the event that the landlord decides to evict them before the three-year period is passed. This is possible because the municipality taxes occupancy and not rental agreements, so once the municipality is informed of an occupancy of a vacant property according to its record, it must change the property category to occupied and subject it to the taxation it determines. When an informal tenant follows these steps and pays the municipal taxes, they are providing proof of tenancy.

8.3.3 Legal service provision

Interviews reflected the value of legal service provision, both among Lebanese households who do not activate the legal venues that they may access, as well as refugees and migrant workers who have limited access to these services following their personal status and/or their limited financial capabilities. Legal awareness should extend to helping households identify possible parties they can appeal to, that can effectively halt informal evictions that do not follow the legal judicial process.¹³⁶ Legal awareness can also clarify the rights and responsibilities of landlords and tenants vis-à-vis each other, in relation to repair or entitlement to compensation. For example, individuals benefiting from the ongoing rental protection need to know that an interruption in payments renders them more vulnerable to eviction. In addition, informal tenants should be aware that the absence of written contractual agreement does not deprive them of legal protection. They should also be aware that they could enhance their protection by recording their rental agreement and paying municipal taxes. In addition, tenants should know that they could force the landlord to execute repairs through court, when the latter leaves the apartment building to deteriorate as a strategy to evict them.

The provision of information, counselling and legal assistance services on housing, land and property, including collaborative dispute resolution, should be strengthened, in order to support landlords and tenants. In addition, it is worth considering neighbourhood-scale assemblies in which NGOs or training bodies help foster collective legal awareness and consensus over rights and responsibilities between landlords and tenants.

8.3.4 Strategic litigation

In some cases, it may be adequate to consider strategic litigation as an option. For example, the report points to clusters where predatory developers are willingly allowing buildings they rent out, particularly heritage buildings, to deteriorate. Strategic litigation in this case may help oblige these developers to repair and upgrade the housing units and rent them as affordable housing. It may therefore serve strategically to deter predatory practices. Strategic litigation may also be considered in cases where predatory developers are purchasing property shares and evicting small shareholders. It can also be used to protect tenants where property owners deliberately refuse to receive the rent, claiming that the rate is inadequate with the devaluation of the Lebanese pound. This approach can help raise awareness and create social consensus. It however cannot be used for short-term gains given that the Lebanese judiciary system is slow and vulnerable to interferences.

8.3.5 Developing neighbourhood-based conflict resolution units around local respected individuals would make a big difference

Many problems (e.g., overcrowding, tenant-landlord disputes, and disputes over repair/compensation) are already being addressed at the neighbourhood scale. For example, given the limited legal recourse and ineffective legal court system, most of the neighbourhoods where fieldwork was conducted such as Bachoura, Badawi, Karantina and Mar Mikhael have already established committees as a strategy to resolve conflicts within neighbourhoods, channel aid to residents, and resolve conflicts. In addition, successful conflict resolution conducted by local organizations

like the Anti-Racism Movement and Public Works' Housing Monitor are encouraging. They suggest the necessity of developing further mechanisms for a community-based conflict resolution unit, potentially championed by NRC's legal experts, to reinforce the activity of the committees and ensure an equitable and fair set up for conflict resolution.

8.3.6 Support households defaulting on housing loans

The Beirut Urban Lab survey of 100 public mortgage holders in Beirut has shown that about one third of these households have benefited from the year-long suspension of payments exceptionally introduced to alleviate the burden of households during the ongoing crisis. Given that the exceptional suspension expires by September 2021, at the latest, it is imperative to target these households with adequate interventions that protect them from losing their property and life-investment. This intervention could take the form of a property resale in which the households acquire a right-of-use for life, a loan restructuring, or other adequate forms that protect the right to housing.

8.4 Improving the post-disaster housing recovery

8.4.1 Better coordination and unification of standards

Better coordination and unification of post-disaster recovery work is imperative. This should include better coordination among all actors intervening on housing, land and property issues in the humanitarian system. It should also necessarily lead to the unification of rehabilitation standards, a direly needed intervention in order to improve recovery and reduce social tensions. In addition, some of the best practices (e.g., written contracts with landlords) need to be adopted universally across organizations.

8.4.2 A one-stop shop for building permits

It is highly recommended that a one-stop-shop is set up in the Municipality of Beirut to facilitate permit processes, clarify steps, and unify imposed criteria on all stakeholders. Over the course of the past few months, coordination among authorities issuing permits has improved, easing some of the earlier restrictions that were faced by residents and NGOs investing in repair works. Still, these measures remain ad-hoc, and dependent on individuals eager to facilitate rather than a matter of law. Conversely, applications for permits remains legally the mandate of a landlord who may decide to halt repairs. In addition, heritage buildings are designated outside clear classification schemes and their repair is subject to unequal scrutiny and difficulties.

8.4.3 Forming neighbourhood committees and providing recourse

Aside from neighbourhood committees chaperoned by local actors and/or political figures, a recent an initiative has sought to form official Resident Committees

in neighbourhoods affected by the blast. The initiative promises to institute a coordination and/or recourse bodies independent of political groups within neighbourhoods and organize dwellers to advocate for shared needs. Relief agencies, non-governmental organizations and local authorities should work closely with resident-based initiatives and try to foster their role and coordination with advocacy groups to protect the housing rights of the most vulnerable social groups, including migrant workers and refugees. Such committees could be instrumental in improving legal awareness, facilitating conflict resolution, and advocating for best practices in contractual agreements, landlord/tenants shared responsibilities, and more.

8.4.4 Adopting an area-based recovery approach

Neighbourhood recovery is not simply an individual intervention at the scale of the apartment. Instead, adequate attention needs to be paid for communal spaces where life needs to return. It is indeed well documented that residents' return is premised on the reactivation of local life and economies and hence the improvement of shared infrastructures. Consequently, it is highly recommended that in the coming phase, attention is paid to these shared spaces.



Buildings with uncoordinated repair initiatives in Camp Nour Hajine, April 2021. Photo: Soha Mneimneh/NRC

9 Conclusion

The report has confirmed that housing, land and property issues figure on top of the challenges that stand in the way of an adequate recovery of the neighbourhoods affected by the Beirut Port Blast^{137,138}. These challenges stem from at least three different sets of reasons that weigh unequally on the ongoing recovery process.

The heaviest set of factors arise from pre-existing conditions to the blast, in which numerous households affected by the blast already suffered from deteriorated housing conditions, vulnerable tenancy and threats of eviction, a high percentage of household incomes paid on rent, and a generalized environment of urban renewal in which the threat of displacement had been normalized.

The second set of factors is related to the direct physical effects of the blast. It affects those whose homes suffered severe structural damage and/or those who lived in historical structures where repair is complicated. Many among these households are unable to repair the homes where they lived due to heavy costs and, in the case of heritage houses, the lack of building materials.

The third set of factors results from disagreements and complications that stem from the modality in which repair and/or post-disaster reconstruction has been managed. The lack of a unifying framework in which repairs are introduced has generated numerous tensions across communities. It has led to disagreements among landlords and tenants over the responsibility of repair and entitlement to compensations.

In making recommendations for addressing these challenges, the report has presented three levels of interventions built on the findings of the research team. These recommendations responded to the three sets of challenges in multi-scalar form and proposed to locate responses within three temporalities. The short-term immediate responses inform interventions at the scale of the household and within the context of the overlapping crisis. The mid-term interventions operate at the block scale and begin to implement this vision through strategic approaches that respond to critical challenges by anchoring city-dwellers in their areas and improving the context of their residency beyond the housing unit. Here, the critical importance of the neighbourhood as a space of livelihood and the context of thick social networks that support urban dwellers is emphasized. Finally, the long-term vision has the ambition to reengage public agencies within a holistic vision of public policymaking that recognizes housing as a human right and adopts policies to support it.

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- 9 This included the findings of (i) the three-month investigations that were conducted at the Beirut Urban Lab in six neighbourhoods (Karantina, Badawi, Geitawi, Mar Mikhael, Karm ez-Zaytoun, and Bashoura) affected by the port blast and mapped on the Beirut Built Environment Database, (ii) cases from the research on social protection and housing loans at the Beirut Urban Lab, as well as (iii) complex eviction and displacement cases highlighted on social media and in journal articles. A total of 223 cases were identified and classified under six rubrics of housing challenges.
- 10 Beirut Built Environment Database: <https://experience.arcgis.com/experience/e4268e4d6b9748668b5c7ca9891709c4>
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- 13 Residents can be tenants, squatters, or owner-residents.

- 14 Several of these interviews were conducted with a couple, woman and man, but since men were the head of household, the interview was ascribed to them.
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- 25 A notable Municipal intervention on housing provision is that of the Municipality of Bourj Hammoud that launched in 2017 a housing project, building affordable housing units for more than 600 families: <https://www.lbcgroup.tv/news/d/lebanon>
- 26 According to figures shared by the Public Corporation for Housing, around 80,000 loans have been granted in Lebanon since the introduction of housing loans by the agency in 1997. Of those 2,795 were granted in Beirut. Loans disbursement schemes by the PCH regulate who can access loans and for what housing productions. Thus, subsidized housing loans from the PCH were granted until 2017 to Lebanese nationals whose income was below 6,750,000 LBP, who could prove a minimum of two years of employment, and could secure 10% from the price of the apartment as down-payment in addition to life insurance. Each bank also had the right to add eligibility criteria as a way of minimizing risks of default, more often excluding elderly and individual employed in the informal sector.
- 27 Article 49 and Article 50 of the Municipal Law in 1977 through Legislative Decree 118 authorizes the Municipal Council to undertake, establish, contribute or manage personally or through an intermediary a spectrum of public projects within its jurisdiction including public housing projects.
- 28 For example, urban zoning regulations can be designed to work with transit-oriented development, expand the city's boundaries, ease commutes, and consequently by facilitating the provision of affordable housing in the city.
- 29 The Kafala system that organizes the labour of migrant workers puts the burden of household provision onto the employers, without mandating a minimum liveability standard. Consequently, many live in difficult conditions, sometimes with no dedicated private spaces. Interviewed migrant workers sought housing outside their Kafala's household, despite the legal prohibition.
- 30 The Forward Emergency Room includes representatives from the Ministry of Telecommunication, the Ministry of Public Works, the Ministry of Energy, the Ministry of Health, the Ministry of Social Affairs, the Municipality of Beirut, the Red Cross, the Civil Defense and the High Relief Council. <https://www.lebarmy.gov.lb>
- 31 In coordination with United Nations Office for the Coordination of Human Affairs (OCHA).
- 32 Beirut Forward Emergency Room: [Beirut Forward Emergency Room](#) | Official Website of the Lebanese Army (lebarmy.gov.lb) <https://gis.army.gov.lb/lm/index.php/view/map/?repository=15&project=open>

- 33 Decision 137/2020 on 19/10/2020 whereby the High Relief Council allocated 150 billion LBP compensations to people affected by the blast. The FER was tasked to distribute the fund.
- 34 The committee is headed by the representative of the Lebanese Army and includes: a representative of the Ministry of Interior/Governor and Municipality, Ministry of Public Works/Directorate General of Urban Planning, the Ministry of Finance/Directorate General of Land Registry, the Ministry of Culture, The Council of Development and Reconstruction, Order of Engineers and Architects, Public Corporation for Housing, and the High Relief Council.
- 35 As per Article 2 of Law 194/2020.
- 36 As per several interviews conducted with three of the public officials appointed on the committee.
- 37 The Forward Emergency room allocated more than 1000 soldiers and 500 civilians to do the surveys and distribute 150 billion LBP that were allocated by the High Relief Authority/government to affected individuals
- 38 The Higher Relief Council took charge of the compensation of the families of the blast victims only.
- 39 A public policy consensus in Lebanon has allowed the Central Bank to rely on real-estate as one of the main levers to attract foreign investments in Lebanon. For more, see Beirut, A City for Sale? at <https://www.beiruturbanlab.com/en/Details/644>
- 40 See a full review in Beirut, A City for Sale? at <https://www.beiruturbanlab.com/en/Details/644>.
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- 43 Article 835 of the Lebanese Code of Contracts and Obligations
- 44 Article 840 of the Code of Contracts and Obligations defines these rules. In addition, the sales/purchase of a lot, even if it is simply a process of subdividing a building into individual apartments, requires each of the claimants to register her/his apartment and pay registration fees equal to 6% of the value of the apartment. This cost is prohibitive for low-income households.
- 45 Financialization of Housing: <https://www.beiruturbanlab.com/en/Tag/?tag=180>
- 46 Article 1(2) of the 2001 Amendment Law states “No real right of any kind may be acquired by a person who does not have citizenship issued by a recognized state or by any person if such acquisition contradicts the provisions of the Constitution relating to the prohibition of permanent settlement [Tawteen].”
- 47 NRC & ICLA (2016). Palestinian Refugees’ Right to Inherit under the 2001 Amendment Law – Beirut Test Case. <https://www.nrc.no/globalassets/pdf/reports/palestinian-refugees-right-to-inherit-under-the-2001-amendment-law.pdf>
- 48 Fawaz, M. and Zaatari, A. (2020) "Property Tax: No More Vacancy Exemptions", LCPS featured Analysis, July.
- 49 The Rent Gap as explained by Neil Smith in “Gentrification and the rent gap (1987) is the difference between the actual and potential ground rent from a given property.
- 50 The ban (المنع المباشر) is recorded by the Directorate General of Land Registry on lots records directly.
- 51 The protected areas are Marfaa, Saifi, Mdawar, and Rmeil property districts, with the notable exclusion of Bashoura and Beirut Downtown.
- 52 The law excludes properties in Solidere as well as apartments put up for sale by real estate developers provided that the project is still under construction or recently completed but still registered in the name of the primary owner, and that the latter is registered in the Ministry of Finance as a real estate developer.
- 53 Law 185/2020 (dated 27/08/2020) and 160/2020 (dated 08/05/2020) suspended the legal, judicial, and administrative deadlines including those related repayment of loans and evictions of tenants. Law 185/2020 also waived the Built property tax and municipal fees for the year 2020 for all residential and non-residential buildings damaged by the blast.
- 54 It is noteworthy that due to the sharp devaluation of the Lebanese currency the current value of the compensation fund allocated by the government stands at \$119 million while it was originally estimated at \$204 million at the time of the allocation of the fund (October 2020). Affected individuals who have repaired their properties at their own expense and have not

- received compensation will incur dire losses due to current and potentially further currency devaluation.
- 55 As pointed out above, the Governor of Beirut has trumped property owners and mandated repairs particularly in the context of heritage buildings.
 - 56 According to the World Bank data, only 29.89% of the poorest 40% of the population living in Lebanon in 2018 owned bank accounts. Retrieved from: <https://data.worldbank.org/indicator/> Hence, At least two thirds of the population in the affected areas are likely not to hold bank accounts, even less in foreign currencies.
 - 57 Legal Agenda (2020). Post Disaster Guide, based on Obligations and Contracts Law.
 - 58 Legal Agenda & Public Works Studio (forthcoming). A Legal Guide on Reconstruction and Compensations in Blast affected areas.
 - 59 The amount paid to people will be deducted from the total compensation amount.
 - 60 Ghosn, N. (2020) تعويضات 4 آب: كيف وزع الجيش المساعدات للمنازل المتضررة؟ Legal Agenda. Retrieved from: <https://legal-agenda.com>
 - 61 This is the original target of the first emergency instalment (150 billion LBP). The 62,087 households will be covered by the 1500 billion LBP (not disbursed yet). Lebanese Army. (2020). آلية توزيع مبلغ المئة مليار ليرة لبنانية على أصحاب الوحدات السكنية التي تضررت جراء انفجار مرفأ بيروت. <https://www.lebarmy.gov.lb/ar/content>
 - 62 Ghosn, N. (2020) تعويضات 4 آب: كيف وزع الجيش المساعدات للمنازل المتضررة؟ Legal Agenda. Retrieved from: <https://legal-agenda.com>
 - 63 The Lebanese Army posted on its webpage a note on the framework for distribution of compensation, but it remains unclear how the vulnerable individuals were identified. See here: <https://www.lebarmy.gov.lb/ar/content/>
 - 64 Source: The Legal Agenda (2021). The Legal Guide for Victims of the Beirut Port Blast. See here: <https://english.legal-agenda.com/a-legal-guide-for-victims-of-the-beirut-port-blast/>
 - 65 Source: Public Works Studio (2021). How Do We Protect the Residents of the Neighbourhoods Affected by the Port Blast and How Do We Support its Rehabilitation? (Booklet).
 - 66 Source: Lebanese Army (2020). آلية توزيع مبلغ المئة مليار ليرة لبنانية على أصحاب الوحدات السكنية التي تضررت جراء انفجار مرفأ بيروت. Retrieved from: <https://www.lebarmy.gov.lb/ar/content>
 - 67 According to the opinion of the Legal Agenda assistance paid by NGOs/INGOs or the costs of repairs conducted by these organizations will be deducted from the compensation to be paid by public institutions. Such decisions significantly affect the beneficiaries as they will be compensated at a devaluated rate and may thus find the repairs insufficient.
 - 68 Article 969 of the Contracts and Obligations Law: The insurer is not responsible for any damages incurred by an external war or civil war or civic violence or movement unless agreed otherwise. The insurer should clarify these terms at the signature of the contract.
 - 69 The Head of the PCH noted that he had intervened on behalf of numerous mortgage holders in the blast areas to help them secure their insurance money. He also pointed out that many among them preferred to use the money to cover their outstanding mortgages and sometimes close the loan, rather than repair their homes. However, the Beirut Urban Lab team has interviewed about 100 residents in Beirut without identifying such cases. All 30 respondents in the Blast area have claimed that the insurance companies have refused to pay them compensations.
 - 70 Beirut Urban Lab (2020). Initiatives in Response to the Beirut Blast. Retrieved from: <https://www.beiruturbanlab.com/en/Details/680/for-an-inclusive-and-just-urban-recovery-for-post-blast-beirut> Saksouk, A. & Abu Roufail, C. (2020). تغييب السكان عن إعادة تأهيل أحيائهم. Public Works Studio
 - 71 Beirut Urban Lab (2020). Initiatives in Response to the Beirut Blast. Retrieved from: <https://www.beiruturbanlab.com/en/Details/680/for-an-inclusive-and-just-urban-recovery-for-post-blast-beirut> Saksouk, A. & Abu Roufail, C. (2020). تغييب السكان عن إعادة تأهيل أحيائهم. Public Works Studio
 - 72 Legal Agenda & Public Works Studio (forthcoming). A Legal Guide on Reconstruction and Compensations in blast affected areas.
 - 73 The legal framework that authorizes the Governor to take this step was not clarified to the researchers. The Governor is nonetheless mandated to protect public safety and may use this imperative to authorize repair.
 - 74 According to interview with the Head of the DGA.
 - 75 The latter are best elucidated by the Legal Agenda's published opinion, which placed almost squarely the responsibility on landlords. More specifically, the Legal Agenda's legal opinion

- was that the responsibility of repair depends on the date of the contractual agreement between landlords and tenants. The responsibility of repair falls fully in the hands of the owner, who is responsible vis-à-vis a tenant, when rental contracts follow the liberalized post-1992 law. Conversely, tenants who benefit from the protections of the pre-1992 law are mandated to repair the units themselves.
- 76 Adapted from Preliminary remarks on the proposed law to protect the affected areas as a result of the port blast, Jad Tabet. Found online: [Preliminary remarks on the proposed law to protect the affected areas as a result of the port explosion](#)
 - 77 Legal Agenda's stipulation of the Contracts and Obligations Law infer that the landlord does not have the right to ask for rent if the unit is uninhabitable and that landlord should reduce rent when a unit is partially damaged.
 - 78 Bou Akar, H. (2005). Displacement, politics and governance: Access to Low-income Housing in a Beirut Suburb. Massachusetts Institute of Technology. Master's Thesis.
 - 79 Sawalha, A. (2010). Reconstructing Beirut. University of Texas Press.
 - 80 Planning agencies and local authorities have relied on compensation payments displace dwellers (irrespective of their status as landlord, tenants, or squatters) in development projects. Compensation payments have also been disbursed in earlier rounds of post-disaster recovery to support reconstruction to all these groups.
 - 81 Several emergency laws (Law 194/2020, Law 185/2021, Law 199/2021) were issued to protect temporarily mortgage holders threatened with eviction or foreclosure by banks during the crisis.
 - 82 Social Protection and the Missing Middle, research conducted by the Beirut Urban Lab (forthcoming)
 - 83 A survey conducted in 2017 in Mar Mikhael showed that at least 12% of the buildings in Mar Mikhael were either partially or fully abandoned. This was exacerbated after the blast, where many tenants decided to leave the neighbourhood due to the high repair cost and the significant time needed for repair. (Ghaddar, A.; Yassine, B.; Zaatari, A. (2018). "Pockets of Resistance in Transforming Urban Settings: The Case of Mar Mikhael Neighborhood in Beirut City". Urban Planning Workshop.
 - 84 According to NRC multi-sectoral survey, 7.2% of the buildings in Karantina are abandoned.
 - 85 Until recently, most large-scale NGOs/INGOs were reporting to the Forward Emergency Room set-up by the Lebanese Army in the Municipality's building the progress of their work. This reporting is available online at this [link](#).
 - 86 NRC, (2020) multi sectoral assessment survey shows that migrant workers make up 12% of the residents in Camp Hajine and Karantina.
 - 87 Issar, S. (2020) Conceptualizing the connections of formal and informal housing markets in low and middle-income countries. Housing Studies.
 - 88 Azuela de la Cueva, A. (1987). Low-income settlements and the law in Mexico City. International Journal of Urban and Regional Research 11 (4): 522-42. Benton, L. (1994). Beyond legal pluralism: Towards a new approach to law in the informal sector. Social and Legal Studies. 3:223-42
 - 89 Fawaz, M. (2009). Contracts and retaliation: Securing housing exchanges in the interstice of the formal/informal Beirut (Lebanon) housing market. Journal of Planning Education and Research, 29(1), 90-107.
 - 90 Articles 6 from Municipal Fees and Surtaxes Law 60/88
 - 91 Quantitatively, NRC's multi-sectoral needs assessment indicates that 75% of the tenancy agreements in Mar Mikhael-Nor Hadjin and Karantina are verbal and unrecorded.
 - 92 Human Rights Watch Report (2020). Lebanon: Abolish Kafala (Sponsorship) system. Retrieved from: <https://www.hrw.org/news/2020/07/27/lebanon-abolish-kafala-sponsorship-system>
 - 93 Although most international organizations were providing in-kind help and physical repair, a number of local organizations, including a handful of religious organizations, provided financial assistance.
 - 94 The names mentioned in the case studies are pseudonyms to protect the anonymity of the respondents.
 - 95 The team recorded only one case in which informal property ownership was recorded at the Mukhtar during the civil war. This made ownership claims officially unrecorded and unsettled.
 - 96 See Section [7.2](#) On Predatory Developments

- 97 The cost of private electricity generation has increased enormously over the past months in Lebanon, as fuel subsidies have been lifted. It is however unlikely that any of these dwellers are actually benefiting from private electricity generation. Given, furthermore, that many of the buildings have legal violations and do not record rentals, connections are probably illegal.
- 98 According to the Anti-Racism Movement, the first attempts they made on behalf of migrant workers' housing rights combating evictions were made through the court system. Having however failed to activate the law, the NGO shifted to conflict resolution based on negotiations between landlords and tenants, occasionally also intervening with cases cash for rent. ARM found that negotiations worked better informally and were more successful.
- 99 Law 43 & 44 issued on 11/11/2008, and Law 97/2018 sets a limitation on the number of years that tax evaders need to settle, whereby tax evaders are only expected to pay tax that was due over past 5 years or less from the date of settlement.
- 100 Based on records retrieved from the Municipality by the Beirut Urban Lab, 1 in 2 apartments are reported vacant in Beirut, thus indicating weak monitoring and high incidence of tax evasion.
- 101 This is documented in cases where tenants are Syrian refugees having different experiences with the property manager. Some additional water and electricity fees were added for several refugees to pay. Rent defaults were unacceptable as well. Others experience solidarity with the same broker because they have social connections with the property manager. Complains were also recorded on the inability to reach out to the landlord. Property managers prohibit any form of contact between the landlord and the tenant.
- 102 HRW (2021). World Report 2021: Lebanon, Human Rights Watch. Retrieved from: <https://www.hrw.org/world-report/2021/country-chapters/lebanon>, also see World Bank figures about Lebanon and CRI.
- 103 Housing Monitor: <https://housingmonitor.org/en/about>
- 104 They asked those unable to pay rent at the rate 1\$=2000 LBP to leave.
- 105 The research team was able to identify through extensive fieldwork strongmen in Bachoura, Karantina, Camp Hajine and the Fouad Boutros clusters. Interviews conducted with these individuals showed that they are highly networked, linked to political parties, and respected in their community.
- 106 Particularly in neighbourhoods with poor law enforcement and low security presence. Strongmen also protect community members from potential evictions threats.
- 107 150 billion LBP were distributed by the Lebanese Army out of 1,500 billion LBP that were originally allocated by the Law 194 in October 2020.
- 108 Municipality of Beirut and UN-Habitat (Oct. 2020). Beirut Municipality Rapid Assessment. Retrieved from: [Online Document](#)
- 109 Interviews with NGOs showed that the budget for repairs allocated to each household ranged between US\$1,000 - US\$5,000
- 110 Exceptions such as Offre Joie and Beit El Baraka whose approach was to fully renovate and repair a limited number of buildings.
- 111 See Section 5 of the report for more.
- 112 Fawaz, M., Salamé, D., and Serhan, I. 2017. "You Can Stay in Beirut."
- 113 Hulse, K and Hulke, V. 2014. "Secure Occupancy: A New Framework for Analyzing Security in Rental Housing", *Housing Studies* 29(5): 638–656.
- 114 Hulse, K, Saugeres, L. (2008) Housing Insecurity and precarious living: An Australian Exploration. *Australian Housing and Urban Research*. Retrieved from: <https://apo.org.au/node/3189>
- 115 Fawaz, M. and Zaatari, A. (2020) Property Tax: No More Vacancy Exemptions <https://lcps-lebanon.org/featuredArticle.php?id=319>
- 116 Fawaz, M, Saleme, D, Serhan, I. (2017). You Can Stay in Beirut: Towards Inclusive Housing Policies. Issam Fares Institute for Policy. Retrieved from: https://www.aub.edu.lb/ifi/Documents/publications/policy_briefs/2017-2018/20180318_you_can_stay_in_beirut.pdf
- 117 Greenstein, R. and Sundu-Eryilmaz, Y. 2007. "Community Land Trust, A Solution for Permanently Affordable Housing," *Land Lines*, January 2007. Retrieved from: <https://www.lincolnst.edu/publications/articles/community-land-trusts-0>
- 118 Article 84 of the property law 3339 of 1930.

- 119 This model proved to be effective in several European countries. More on this here: <https://www.nweurope.eu/projects/project-search/shicc-sustainable-housing-for-inclusive-and-cohesive-cities/resources/community-land-trust-financial-case-studies/>
- 120 Article 193 of the property law 3339 of 1930.
- 121 Although currently halted because of the ongoing financial meltdown, there is evidence that property loans remain on the agenda of Lebanese public agencies. The Public Housing Corporation is, for example, awaiting a Kuwaiti instalment that could allow it to reintroduce loans. This proposal by the Public Corporation for Housing was mentioned by the Director of this public agency, during the interview conducted for this study.
- 122 See Table 7.1 above.
- 123 See Table 7.1 above.
- 124 Human Rights Watch (2020). Lebanon: Abolish Kafala (Sponsorship) System. Retrieved from: <https://www.hrw.org/news/2020/07/27/lebanon-abolish-kafala-sponsorship-system>
- 125 Lebanese Council of Disabled People, (2005). Where do we stand regarding the application of Law 220/2000 and admitting the rights of the disabled people in Lebanon? Retrieved from: <http://alraidajournal.com/index.php/ALRJ/article/view/321/319>
- 126 For more information: NRC ICLA (2016). Women Refugees in Lebanon and the Consequences of Limited Legal Status on their Housing, Land and Property Rights.
- 127 NRC. (2013). No Place Like Home: An Assessment of the Housing, Land and Property Rights of Palestinian Refugee Women in Camps and Gatherings in Lebanon.
- 128 About the importance and processes of making a land registry, Lai et al. (2016), “Informal land registration under unclear property rights: witnessing contracts, redevelopment, and conferring property rights” <https://www.sciencedirect.com/science/article/pii/S0264837715002872>
- 129 This is the case of land lots in Badawi, numerous multi-story apartment buildings in Badawi and Bashoura, as well as public and private land in Mar Mikhael and Geitawi. See, for example, Case 02 and Case 03.
- 130 Muhawak et al. (2019). Peri-urban informal land market and its implication on land use planning in Gondar city of Ethiopia. Ethiopian Renaissance Journal of Social Sciences and Humanities. Retrieved from: ejol.aau.edu.et/index.php/ERJSSH/article/download/624/457
- 131 Edesio, F. (2011). Regularization of Informal Settlements in Latin America. Lincoln Institute of Land Policy. Retrieved from: https://www.lincolninst.edu/sites/default/files/pubfiles/regularization-informal-settlements-latin-america-full_0.pdf
- 132 Article 547 of Code of Contracts and Obligations.
- 133 Article 579 of the Civil Proceedings Law.
- 134 On pitfalls, see: Patel et al (2014), <https://search.informit.org/doi/abs/10.3316/INFORMIT.904815528058127> and also Mukhija, V. (2017) *Squatters as developers?: slum redevelopment in Mumbai*, London: Routledge.
- 135 Although no dataset is available to reflect the overall profile of landlords in the city, the surveys conducted by researchers for this and other studies have shown small-scale holders to be more numerous.
- 136 As shown in the section above, the police station in Badawi has effectively stopped evictions, asking the landlord to show an official court order.
- 137 This is further confirmed by interviews with members of the FER, who indicated that housing, land and property conflicts figure second in the list of complaints collected, immediately after disagreements over compensations. <https://www.beiruturbanlab.com/en/Details/683/post-disaster-karantina-towards-a-people-centered-heritage-led-recovery>
<https://www.beiruturbanlab.com/en/Details/689/why-socio-spatial-practices-matter-to-urban-recovery>
- 138 [The Urban Recovery](#) track at the Beirut Urban Lab, profiling initiative with ACTED –funded by UNHCR-, and [The Observatory of the Reconstruction](#).



NORWEGIAN
REFUGEE COUNCIL