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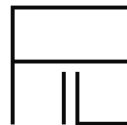
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## INFRASTRUTTURE, URBANISTICA E PAESAGGIO



La collana si propone di pubblicare i contributi di coloro che si occupano dei temi relativi alle interazioni tra il paesaggio, inteso come prodotto delle civiltà umane e quindi, oltre che rappresentato da pittori, poeti e letterati, analizzato ed interpretato da studiosi e scienziati di molteplici discipline, le infrastrutture, a rete e puntuali, viste nel loro più ampio senso di componenti caratterizzanti la struttura di un territorio secondo le necessità umane e l'urbanistica, vista sia come progettazione dello spazio urbanizzato, sia come disciplina della pianificazione coerente delle modificazioni del territorio, in senso architettonico, economico, amministrativo e normativo.

La collana pone, pertanto, al centro della sua attenzione, il rapporto strutturale, in senso statico, sistemico e dinamico, tra le tre dimensioni citate. Essa è volta a colmare il vuoto culturale relativo all'interazione tra parti compositive di un tutto che non può essere disgiunto, tentando la messa in relazione di saperi, articolati e complessi, che hanno come esito la promozione di civiltà a partire dalle competenze tecniche, sociali, politiche e culturali necessarie.



# Social housing in Sicily

Renewal in weak contexts

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## Preface

GIUSEPPE GANGEMI\*

When the Regional Law 3 January 2012 n. 1 on social housing was officially presented in Trapani by the Council Member responsible for Infrastructure, Mobility and Transport, a university cooperation with the regional government a bodies actually started in order to smooth out and try to solve some criticalies of the Law, especially in town planning, wich emerged at the initial debate.

The cooperation was institutionalised throug the signing of a Protocol to be put in effect by the Regional Office of Infrastructure, Mobility and Transport towards the Architecture Department of Palermo. The people in charge were Enrico Gugliotta for the Regional Government and Giuseppe Gangemi, who was also the coordinator of the experts Francesco Cannone and Ferdinando Trapani.

The protocol was signed on 27th July 2012 by Councillor Andrea Vecchio, replacing Councillor Pier Carmelo Russo, signatory of the Law.

With the protocol, the partnership between the University and the Region saw the creation of a “Territorial Observatory on Urban Social Housing in Sicily”, which was given the task to outline the widespread experiences, skills and interests for the study, the research, the evaluation and the spread of the information on the status of the organisation, the planning, and the design of social housing projects in Sicily, within the framework of the need of the requalification of existing building heritage, for contrasting ground consumption for speculative building and for the enhancement of the architectural quality in Sicily.

Town plans, integrated programmes, ongoing interventions and urban and architectural renewals standing in our urban systems, no-

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tably on our historic centres, where a growing trend towards the abandonment is emerging, and on our degraded suburbs, must be increasingly with attention to the economic–environmental load capacity, the social equity and cultural and the institutional and cultural rooting.

Such tools of apparently detached and autonomous disciplines, long known in literature and scientific practices, are to be understood as the intervention models almost always of public drive, and, in any case, they are inevitably moved by public interest, but they should increasingly involve private entities who have, therefore, private–enterprise interests, with consequent problems of conflict in the management of housing heritage to recover and/or to design and of public spaces in terms of distributive and equalizing justice of benefits induced by the transformations of cities and contemporary areas.

Therefore, the use of research has to be interested in the status and the tendency of social housing in Sicily as a promotional tool of urban and territorial innovation and development.

The Observatory, as established and oriented, in general, support the Regional offices, in particular has coordinated data information and progressive elaboration of the individual proponent municipalities, as well as the amendment suggestions considered necessary and, according to the trend of the debate developed during the specific implementation stages of national and regional legislative measures, it has contributed to identify specific territorial, contexts characterised as sample areas which can be considered as cases of good practices with regard to the Law and legal purposes on social housing in Sicily.

According to the Protocol, between September 2012 and January 2013, several public meetings with other experts have been organized, among them Giuseppe Trombino as full professor of Town Planning, and director of CIRCES (Interdepartmental Research Centre on Historical Centres) of the University of Palermo, as well as chairman of the regional section of the National Institute of Urban Planning (INU).

On February 2013, at the seat of the Regional Department of Local Autonomy and Public Function, with the participation of the Departments of Economy, Infrastructure, Cultural Heritage, Tourism and Territory and Environment, the definition of a further Protocol has been agreed in extension of the first, for a scientific methodological collaboration on deregulation and administrative simplification regard-

ing, directly and indirectly, social housing and all the competences for the territorial government, in general, including the proposal of legislative interventions aimed at the overall improvement of development conditions of cities and Sicilian territories.

By the very nature of the new Protocol, extending its fields of interest to local autonomy areas and their formative and business supporters, its signature has been extended, in turn, to ANCI, FORMEZ and ANCE, also modifying its name to “Permanent Observatory for deregulation and simplification in the fields of social housing and urban requalification in Sicily”.

The scientific members of the new Observatory are Giuseppe Gangemi, scientific manager of CIRCES, Giuseppe Trombino, director of CIRCES, Francesco Cannone and Ferdinando Trapani as experts. The Observatory coordination is still assigned to Enrico Gugliotta as representative of the Regional Administration.

Meanwhile, the University has decided to activate a parallel scientific research funded by FFR 2012/2013 funds (MIUR, Ministry of Education, Universities and Research ex 60%), even for the retrieval of financial contributions available for the publication of the first results achieved. On this scientific research line we made use of the authoritative contributions of Nicola Giuliano Leone and Carla Quartarone, excellent re-builders of social housing events in Italy and Sicily since the Luzzati Law of 1903, then the crisis of the policy of the house of the 1980s and 1990s, up to the reform of Title V of the Constitution, to the Housing Plan of 2008 and the contemporary Sicily events in the field.

Ferdinando Trapani examines the most structural conditions of social housing, with indisputable references of international levels of urban theory, but with solid planning choices and principles in the complex issue of soil conservation. Giuseppe Trombino, by tradition of study and affection to his role, does not hesitate to provide an original contribution to the research on social housing, rediscovering the public function of housing in Sicily between illegal buildings and urban regeneration, with operating mechanisms of intervention on the huge housing heritage, already property of the municipality, but still not used. The team of University research, in addition to all the already mentioned Professors, has been implemented with the presence of young researchers who, in their turn, provided scientific contributions to the issue of social housing.

So, Giovanni Cancelliere has developed an aseptic reading of the legal text that helps everyone to better understand the regulatory contents of the initiative in Sicily. Maria Chiara Tomasino has reinforced the hypothesis of actual effectiveness of social housing, relating to the criteria and methods of intervention of a case study of a project integrated with typological social housing solutions within a massif recovery of two aristocratic buildings in Caltagirone. Fabio Cutaia, collecting the results of a massive English research, describes the European context of social housing which is far more advanced than the Italian one, but from which to draw valuable lessons to avoid past mistakes.

Palermo, 6 July 2015

## Exegesis of a concept

GIUSEPPE GANGEMI\*

The complexity of social housing starts from its definition. In fact, in European countries various definitions are adopted according to social groups considered as relevant, for the housing assignment criteria and for the degree of integration of housing services with the social ones.

The only unitary and EC definition available of social housing has been developed by CECODHAS (Comité Européen de Coordination de l'Habitat Social), which refers to « housing solutions for those households whose needs cannot be met by the market conditions and for which there are allocation rules », to which, followed in 2010 the intervention of the European Commission, mainly focused on the managing and organizational profile of the operations and on the social integration and cohesion aspects of the users of social housing:

The development, renting/sale and maintenance of affordable housing and their assignment and management, possibly including the management of housing estates and neighbourhoods; [...] it may include support services involved in housing programs or re-arrangement of specific groups or debt management for low-income families.

In Italy, social housing intersects the public housing (ERP), but maintains a more flexible and project-oriented approach, more extensive concern to social targets, involved operators, applicable rents, and the planning of services for communities.

In order to identify the different approaches of the European countries to the problem of housing policies, CECODHAS has brought the various experiences in two models:

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- a) the “targeted model”, which requires the identification of the specific goals and an inclination to be based on the market capacity, acknowledging the need for public intervention to ensure access to the housing for excluded households;
- b) the “universalistic model”, which is based on the principle of responsibility of the public subject to ensure affordable decent housing to everyone.

The “universalistic model” is typical of the Northern European countries and Netherlands, characterized by a wide variety of social buildings; on the other side, the majoring of the European Countries to adopt the targeted model, albeit declined in various ways.

Indeed, residential social housing, as defined at a national level, is an attempt to increase the offer of rented houses, and partially of sales, through the realization of new home units for those subjects who, are excluded from the house free market for income reasons as well as from the allocation of public houses.

Thus, social housing represents a new way of intervention which considers as well, social contents that are those that contribute to the balance of the housing market, encourage energy saving and satisfy the housing needs in terms of access to the houses, in general, both from a qualitative and an economic point of view. Moreover specific attention is paid to the study and the definition of multiple typological proposals based on different social needs. The logics on which they are based may, indeed, concern a series of parameters among which it is essential to highlight the state of necessity rather than the familiar and individual applicant conditions.

Thanks to the partnership between public and private, social housing allows, to define interventions that requalify and add value to urban areas and tend to obtaining services at a neighbourhood level, raising the overall quality of life in the area and the profitability of the project, essential to attract private investors. Besides, great attention is also given to the use of new technologies able to reduce costs and building time, but also to obtain significant energy saving required to reduce management costs.

This kind of intervention allows in achieving a social mix through the granting or selling of houses to very different social categories, and through different financial mechanisms, and to control both the

rent and selling prices: in both cases prices are on average 30% less than the ones that can usually be found on the market.

The request for social lodging concerns distinctive subjects, who have always been used to rented houses, such as young couples and single-income families, but also social segments with new needs, such as away students, immigrants, commuters, temporary workers, and people with special housing needs, such as elder people and disabled people.

## The Housing Plan

In Italy social housing does not have a legal definition; the only existing definition is the Public housing (ERP) one. It makes mainly reference to the direct intervention in the public sector of the housing section, which account for 5% of the house offer.

By the Decree of the Ministry of Infrastructure of 22 April 2008, together with the Ministry of Social Solidarity, the Ministry of family policies and the Ministry of Youth and sports, entitled, “*Definition of social housing . . . under Articles 87 and 88 of the institutive Treaty of the European Community*”, in Italy it has been introduced the definition of social housing, thereby meeting the new trends that have developed in the rest of Europe.

Under art. 1 of the above mentioned Decree, social housing is defined as follows:

The housing unit used for residential use in a permanent location that fulfils the function of general interest in the safeguard of social cohesion, to reduce the housing hardships of disadvantaged individuals and families, who are not able to access the housing lease in a free market. Social housing emerges as an essential element of the social housing system. It consists of the set of housing services finalized to the fulfilment of the basic needs.

Social housing, as defined above, can be realised by public and private operators, with the contribution of funds or public subsidies, and can be addressed both to temporary rent (for not less than 8 years) or to property. Furthermore, this housing offer pursues the integration of different social groups and contributes to the improvement of life conditions of the assignees. Moreover, social housing:

as a service of general economic interest, constitutes an additional urban standard to be ensured through the free transfer of areas or lodgings, on the basis and in the manner established by regional legislation.

Thus, the concept of public housing is broad, shifting towards the concept of social housing, revived and outlined in its current version of Law n. 133/2008.

The following Decree of 25 June 2008 n. 112 (called Piano Casa) converted to the already mentioned law of 6 August 2008 n. 133, in the Art. 11 introduces the fundamental principles of a new National Plan for Housing, by innovating in a remarkable way the approach to residential housing market assisted by public intervention. The Plan is aimed at « ensuring throughout the national territory the minimum essential levels of housing requirements ».

In the fulfilment of the above mentioned Art. 11, the Prime Ministerial Decree of 16 July 2009 presents the implementing rules of the Plan and it is basically addressed to « the increasing of real estate for residential purposes by offering residential housing, to be carried out in compliance with the criteria of energy efficiency and polluting emission reduction, with the involvement of public and private funds, primarily intended for the first home». In the same Prime Ministerial Decree, the so-called disadvantaged groups are identified. They are the addressees of the lodgings made in the context of this plan. In particular, clause 2:

- a) low-income households, even the one-parent or single-incomes;
- b) low-income young couples;
- c) elderly people in social or economic disadvantage;
- d) non-resident students;
- e) people subjected to executive issuing procedures (editor's note: eviction);
- f) other subjects who have the requirements referred to in art. 1 of Law n. 9/2007;
- g) legal immigrants.

The other subjects referred to in par. f) identified in the Art. 1 of Law 8 February 2007, n. 9, are those for whom the procedures of forced eviction were suspended, because - being residents in the mu-



municipalities that are also Provinces, in the neighbouring municipalities with more than 10,000 inhabitants, and in high-density municipalities referred to an ICEP resolution no. 87/03 - they have a gross annual family income of less than 27,000 Euros, they are or have in their household over 65 persons, terminally ill or people with handicap with more than 66% of disability, fiscally dependent children, provided that they do not own any other house for the household in the region of residence.

In the Prime Ministerial Decree the lines of intervention are also identified. According to them, each region can organize its own intervention taking into account the actual housing need and the different territorial realities.

The abovementioned legislation, particularly the resources for the implementation of the National Plan for residential housing, contributed to start a series of social housing programmes in some areas of the national territory.

With this new model of intervention, through the creation of the FIA (the Investment Fund for the Housing) and through public tender procedures, the State has developed, a fund managed by Cassa Depositi e Prestiti SGR (Asset Management Company) which is still to be invested in social housing programmes. Cassa Depositi e Prestiti SGR contributed, through a promotion plan carried out in all Italian regions, to the creation of various local funds (including regional ones) that are starting up definitely broader activations than those allowed by the few resources available for the State.

The available resources of in the FIA shall be invested primarily -through local funds - in those interventions capable of providing a significant number of accommodation, to be leased to sustainable rent, using all the opportunities in the national and regional legislation in town planning matters.

This is the model of intervention that, integrated with proper action of simplification of the administrative procedures, will allow a greater efficiency, effectiveness and low costs of the housing project – out of the usual schemes used until the 1990s - and will be focused on solvable distressing situations related to a strong partnership between public and private. Early interventions are being realised especially in central and northern Italy, and represent a clear reference model for all operators.

One aspect of differentiation of social housing forms introduced by the “Piano Casa”, compared to earlier housing policies, regards the ownership of residential properties. In fact, in the configurations characterized by greater public involvement within the ERP and the integrated programs of residential housing promotion, once finalised the period of management, functional to the return of the investment, the private operator, transfers the ownership and full availability of properties to the public reference body, if the conventional agreement provides for it. On the other hand, if they opt for real estate funds, the house ownership remains available for the fund or for the company established for the purpose.

Recently, the National Government with the Decree n. 47/2014 (so-called *Lupi Decree*) has intervened on several aspects of residential building in order to support and revitalize the lease, increase the ERP offer and facilitate the development of social housing.

In particular, the emphasis has been put on social housing development, providing incentives and tax allowances with regard to rented housings. It has also been established the right to redeem the social houses by tenants at the end of a seven-year lease, with the provision of certain benefits for the purchases of the rented house.

### **The social housing in Sicily**

The Sicilian Social Housing scenario has recently opened up with the issuing of a Regional Law, the first directly related to it, which deals with programming interventions notably in favore of social housing.

In fact, on 27 January 2012 in Trapani, at the seat of the Association of Industrialists, a meeting-seminar in which and the Law was presented for the first time to the public: Regional Law 3 January 2012, n. 1 called “Urban requalification with social approved housing interventions. Urgent measures for economic development”. The Law was published in the Official Gazette of the Sicilian Region, p. I, n. 2 of 13 January 2012, i.e. a few days before the meeting-seminar in Trapani. A distinguished guest of the event was the then Regional Councillor for Infrastructures, Mobility and Transport Mr. Pier Carmelo Russo, who had signed the resolution along with the other members of the Government: the Councillor for productive activities Mr. Venturi,

Councillor for economy Mr. Armao, Councillor for the territory and environment Sparma, and the President of the Region Mr. Lombardo.

It was immediately clear, since the presentation, and then with the following interventions, that the structure of the Law hinged on the economic resources made available in the Regional Budget for the financial year 2011. Yet - as a good tradition of regional financial laws - the social housing is used to “insert” in economic resident provisions a fair amount of money for other initiatives so-called “special”: the requalification of the distress housing areas of the Province of Messina (10 million Euros), the urban requalification of the city center of Favara in relation to the conditions of risk for public safety (3 million Euros) and the requalification of deteriorated urban areas of the city of Messina (extension of the benefits by Law 12 July 2011, n. 106), as well as the fulfillment of obligations towards the Municipality of Furnari (ME) related to the Fire Station and the Town Hall (1,070,000 Euros).

### **The administrative and financial scenario**

The main focus of the promotion of development, apart from the inevitable (even if necessary) special cases above mentioned, is still the establishment of an integrated system of property funds of social housing, finally complying with - though some years later - the initiative already delivered at national scale with the art. 11 of the Prime Ministerial Decree. 16 July 2009.

In fact, Art. 3 of our Regional Law requires specific time and manners for the establishment of the regional property fund: within 120 days the two regional Councillors, the Economy and the Infrastructure and Mobility ones would have had to regulate the procedures for the constitution, the organization and the functioning of the regional property fund, in line with the principles of the national ones; in the following thirty days both of the two Councillors would have had approved the announcement for the identification of the manager of the fund, only through public procedures.

Another important aspect of innovation is that the shares of the regional property fund can be subscribed and implemented by public institutional investors or private entities, among which, the investment funds managed by CDPI SGR, asset management Company

controlled by Cassa Depositi e Prestiti, is central for tradition guarantees and financial solidity.

There are two obligations imposed by Art. 5 of the Regional Law:

- a) the participation of the Region in property funds pursuing, even indirectly, speculative purposes or not attributable to the required goals is excluded;
- b) the proceeds originating from the divestment of properties owned by the municipality are addressed by each municipality, minimum of 30%, to the regional property fund for social housing interventions to be carried out in their territory.

If this is the organizational condition established by the Regional Law and supported by similar experiences already launched in other Italian regions, in any case, it is necessary to accept the incompetence of the regional administrative–bureaucratic system which is affected in turn by the incompetence of the regional political class who that controls and manages it. In fact, no matter how much we try to avoid the querulous complaints of those who usually “bring bad luck”, it cannot be avoided to report that:

- a) the first announcement for the identification of the subject managing the property fund for the implementation of measures of social Housing in Sicily has been approved by Councillor Decree No. 1771 of 17 August 2012, thus with a delay of almost three months in regard of the timetable fixed by Regional Law 1/2012;
- b) the provisional award of the announcement took place with the General Accounting Decree n 781 of 11 April 2013 in favour of Est Capital SGR S.p.A. from Padua, thus after a period of fulfillment which lasted more than eight months from the call;
- c) the final award in favour of the same Company took place with a Councillor for Economy Decree along with the Infrastructure Councillor n. 1087 of 2 April 2014, i.e. one year after the provisional award.

Therefore, two and a half years have passed since the issuing of the Regional Law n. 1/2012. We could be happy with the timing threshold,