# Neoliberal Abandonment in Disability Housing Provision: a look at England and Chile

## Abstract

Public or ‘social’ housing provision in many nations in the Global North is increasingly being driven by neoliberal strategies that include austerity cuts and market-led privatisation. This context raises an important question of how likely the state’s reliance on the private sector can ensure that housing remains available and accessible to more disadvantaged low-income groups. To help answer this question, we draw on a comparative study of social housing provision for disabled people in England and Chile; two pioneers of neoliberal reform in this sector. Using interviews with key stakeholders, our findings reveal that the neoliberal reform strategies being employed have tended to dilute the statutory duties of providing accessible housing and to undermine disabled people’s choices in finding appropriate homes. Such lessons are timely and important in order to remain cognisant of the spaces of neoliberal abandonment that are leaving many people unable to gain access to appropriate housing.

## Introduction

The decline in state-managed public or ‘social’ housing provision and the increasing reliance on privatisation has become a pervasive feature of neoliberal reform strategies across many nations in the Global North, including the US, Australia and England (Blessing, 2016). England, for example, has recently seen an acceleration of this trend towards privatisation of state-subsidised rental housing provision with the recent *Housing and Planning Act 2016* and cutbacks to local authority housing budgets. Policy convergence is evident with the US, where the Department of Housing and Urban Development’s Rental Assistance Demonstration programme is handing over public housing to private management (Burns, 2015). While much scholarship has documented the shifting focus towards neoliberal reform of housing policy (Hodkinson *et al.,* 2013), one significant omission from this debate has been the issue of housing access for disabled people[[1]](#endnote-2). Disabled people have long struggled to access a home of their own with a choice of where to live and who to live with (Power *et al*., 2013). While significant strides have been made in achieving independent living, it is increasingly unclear how the decline in statutory housing provision is affecting this constituency. Given this context, the provision of social housing for (low-income) disabled people serves as a telling exemplar for understanding the impacts of these reforms for disadvantaged groups. Also missing from debate is how some nations in the Global South have been instrumental in advancing the marketisation of social housing. Indeed, in the case of Chile, this marketisation emerged earlier than many Global North nations (Gilbert, 2002). And yet little focus has been paid to the potential comparative lessons that could be learnt, and how disabled people are faring within such contexts.

To address these gaps and inform debate over the future impacts of austerity and neoliberal social housing provision, our aim was to examine local accounts of how market-led housing policy is impacting the provision of appropriate, accessible housing on the ground for low-income disabled people drawing on two comparative examples from England and Chile. Our paper responds, in part, to the call for ‘interdisciplinary research examining everyday geographies of public sector ‘austerity’, ‘economic crisis’ and ‘neoliberalisation’’ (Horton, 2016: 349). By everyday geographies, we mean a focus on the locally-situated experiences of policy on the ground, from those involved in housing provision.

The paper builds on other geographical cross-scalar and relational comparative policy analysis (see DeVerteuil, 2015; Peck and Theodore, 2010a). Peck and Theodore (2010b: 170) demonstrate that social policies, rather than being complete ‘packages’, should be viewed as ‘selective discourses’ and ‘inchoate ideas’ which give rise to different local mutations. We are aware of the problematic global-power geometries between nations in Global North and South, which undermine such comparisons (Massey, 2011). Nonetheless, important lessons can be learnt if approached critically and reflectively, as Peck and others have shown. Such approaches can help us to understand the variable ways that ‘local neoliberalisms’ (Peck, 2002) can unfold. While Chile is a Latin-American country with a very different cultural and political history to England, similarities nonetheless exist which are relevant for this study, and which helped steer our original comparative focus. Specifically, for our study, both countries have advanced and *shared* neoliberal reform of social care with the introduction of ‘market based’ mechanisms in the provision of social housing. We acknowledge that the weakening of housing provision for disabled people cannot be completely attributable to neoliberal forms of governance; rather we are concerned with understanding the specific (and more subtle) ways that this form of governance has shaped this area of policy.

As stated, England has recently seen an acceleration of neoliberal reform in housing policy. Its flagship measure in the *Housing and Planning Act 2016* is the provision of public subsidies to private sector property investors for the development of ‘affordable’ starter homes. Affordable housing is being redefined, to include properties that are affordable only to people on some of the highest incomes[[2]](#endnote-3), thus making it largely a meaningless term for many (Gavron, 2016). Moreover, it forces local authorities (councils) to make payments to government based on selling social housing properties (council homes), thus hampering their ability to invest in new social housing provision. In response to this new legislation, it has been argued by the Local Government Association (2016) and others (Wainwright, 2016) that it will put at risk the crucial supply of social rented homes for people not in a financial position to buy a dwelling and, more generally, replace a public-sector ethos with a developer-led ethos.

Alongside the looming risk associated with the housing Act, the guiding principle of austerity has driven many reforms and cutbacks to housing since 2010. These reforms include reducing budgets to local authorities for social housing provision as well as introducing eligibility restrictions, increased charges and reductions in social care funding required to enable disabled people to live independently (Duffy, 2015). In this paper, we examine the extent to which these recent changes have shaped the spaces of social housing provision to (low-income) disabled people and the extent to which the recent legislation and the affordable housing programme will potentially exacerbate these changes.

As noted, private sector involvement in social housing is not unique to England and has become a feature of broader neoliberal reform strategies in the Global South. As stated, Chile pioneered an approach to the marketisation of housing earlier than England (Richards, 1995; Gilbert, 2002) and private sector developers have more autonomy than their English counterparts. To help offer more original insights and further our understanding of the future potential impacts of private-sector involvement in social housing, our study therefore included a comparative element with this jurisdiction. For the purposes of this paper, the comparative analysis is not made point by point in a systematic way. Rather, the English case is presented as the prime one, and the comparison with Chile aims at further clarifying this case. In Chile, as we shall examine, other neoliberalisation principles are present: de-regulation and self-responsibilisation.

To meet our aim, we examined the views of key stakeholders who *provide* and develop social housing, including local authority housing representatives and housing association managers in England, and central government, regional government, housing representatives, architects and non-state housing entities in Chile. We also examined the views of disabled people’s organisations and advocates who understand the local impacts of these changes for this constituency.

Our critical analysis of the increasingly market-led provision of housing for disabled people is informed by the work by Ong (2006) who argues that such practices create ‘spaces of exception’ (p.6). Such spaces occur when the state makes exceptions to their usual practices of governing, which can exclude (or include) people through less-overt acts such as de-regulation of out-sourced public services for example (p. 3-5). Spaces of exception refer to those spaces that are opened up outside neoliberal spaces of acceptance created for those entitled to full citizenship status, i.e. for able-bodied citizens in full-time employment. In such spaces, civil rights protections are replaced by ambiguity and contingency in provision which can indirectly make those reliant on such rights being abandoned or given up on (p. 5-6). According to Ong (2006: 6), the elements that typically ‘come together to create citizenship – rights, entitlements, territoriality, a nation – are becoming disarticulated, and rearticulated with forces set in motion by market forces’. Ong only briefly considers the welfare state in her work, focusing primarily on the citizenship rights of workers where the spaces of exception are more absolute. We are aware that ambiguity and contingency are more normative features of welfare provision (and historically have always been present, for example in the institutions which served as forms of exception from civil society); our focus thus hinges on an analysis of the particular *types* and *degrees* of exception that have emerged within the context of privatised social housing provision and neoliberal reform of welfare. In England, we examine the extent that such spaces have been shaped by austerity. In Chile, as stated, our focus turns to two other hallmarks of neoliberalism: de-regulation and self-responsibilisation. Appraising the degree of exception in social housing provision for disabled people offers a timely and relevant contribution to current debates on the future of housing and the very idea of having access to a home of one’s own.

The following section provides a more detailed analysis of the background context to social housing provision for disabled people derived from our academic and policy review in England and Chile. It then outlines the methods of our study before examining the findings.

## Background Context to Social Housing Provision for Disabled People in England and Chile

A core part of our study involved a detailed academic and policy review (justified in the methodology section), which informs the following section. In England, council housing has long been a key pillar of the British welfare state. For much of its earlier history in the 1940s and 1950s, the focus was on ‘general needs’ housing available to all low-income working families to rent. The 1980 *Housing Act* marked an initial shift in focus towards allowing families who could save and afford the (reduced) cost of the homes to buy them from the state. As summarised in Table 1 at the end of this section, housing policy continued this path towards privatisation from this time.

Building on this change in policy direction, the *Social Security and Housing Benefits Act 1982* replaced the traditional capital subsidy for the development of social housing properties with a means-tested housing benefit for low-income disabled tenants. This had the advantage of being portable, allowing a household to move without losing its subsidy. Wheelchair dwellings at this time were built as single bedroomed homes, as they were conceived as an alternative to residential care. For a more detailed historical review of this earlier period of social housing provision for disabled people, see Stewart *et al*. (1999).

Another important change, stemming from the *1986 Housing and Planning Act*, was that housing associations (private, non-profit organisations) began to become the main provider of social housing for disabled people (through rent with a housing benefit subsidy). A significant increase in their stock came from the large-scale transfer of dwellings from local housing authorities in the 1990s (DoE, 1995: 28). Since this time, the task of building social rented housing has fallen to housing associations including both the building and managing of accessible dwellings and other housing for disabled people. They are now funded and regulated by the *Homes and Communities Agency*, a non-departmental public body that reports to the Department for Communities and Local Government.

The *1996 Housing Act* shifted the emphasis from ‘general needs’ housing available to all low-income working families to ‘special needs’ (sic) housing for defined categories of priority need (including old age, illness, mental health issues or disability). Housing provision since this time became more residualised (and stigmatised) to those who needed it the most (Bradley, 2013). This meant that over time, the segment of public sector house-building declined, but dwellings for disabled people nevertheless represented an ever-larger proportion of the public-sector houses actually built, increasing from a fifth to a third of the declining number of completions (Stewart *et al*., 1999).

More recently, significant austerity cutbacks to the provision of social housing for disabled people were introduced with the 2010 Comprehensive Spending Review. The level of capital funding from government to build new social housing stock over the period 2011 to 2015 was cut by 60% compared to the previous programme which ran from 2008 – 2011 (Duffy, 2013). In addition, the government introduced a reduction in housing benefit, as well as a benefit penalty for households who have unoccupied rooms (‘the Bedroom Tax’).

Since this time, the policy direction from government has been squarely focused on its *Affordable Homes Programme 2015 – 2018*, and the subsequent *Housing and Planning Act* 2016. In terms of the future impacts for disabled people, disability is not mentioned once in the Act and it provides no duty on local authorities to accurately assess the level of need for wheelchair accessible homes or set appropriate targets in their local development plans. According to Aspire (2016), a national Spinal Cord Injury charity, the government’s measures in the Act have set no such objective for much needed wheelchair accessible housing. Already, 24,000 wheelchair users in England need wheelchair accessible social or affordable housing (Aspire, 2014). With the emphasis now being placed upon the private development of new affordable homes, Aspire (2016) argue that the supply of new wheelchair accessible homes is likely to decrease further and waiting times can only increase.

To provide comparative perspectives to these experiences, the Chilean case is also examined. Much like the Housing Benefit scheme that is by now well-established in England, Chile has some strong over-lapping strands to its history and contemporary provision of welfare and public housing provision. Chile, much like England in the post-war period, possessed one of the most comprehensive, universalistic welfare systems of Latin America, expanding from 1925 until 1973 (Jeong, 2013). It was acknowledged as a pioneer country and shared many advancements in social care policy with other Latin American countries during this time. One such area was the Chilean tradition of subsiding housing for the poor (Castiglioni, 2001; Mesa-Lago, 1994).

From 1973 to 1990, Augusto Pinochet’s military government substituted this universalistic welfare system with a market-oriented scheme (Jeong, 2013) that promoted ‘means tested-policies, transferred important responsibilities to the private sector, curtailed benefits, tightened eligibility rules, and significantly reduced the state’s participation in social policy provision and administration’ (Castiglioni, 2001: 37). According to Richards (1995: 515), it was a ‘revolution which saw full-scale privatisation, deregulation of capital markets, and a shift to export-led growth’. The mirroring of neoliberal traditions with England is well-defined during this period. A sustained period of political allyship existed from the mid-1970s to 1990 between General Augusto Pinochet and Prime Minister Margaret Thatcher, when both countries began to orchestrate and freely-share lessons of neoliberal reform of welfare state provision.

Despite its neoliberal economic agenda and free market rhetoric, the Pinochet government surprisingly still played a vital role in social policy and continued its tradition of subsidising housing for the poor. However, unlike the public provision of social housing, from 1978, subsidies needed to be ‘market-led’ and to be embedded in more competitive financial systems (pre-dating England’s 1982 and 1996 housing Acts) (Gilbert, 2004). Importantly for the purposes of our paper, on the supply side, social housing would be deregulated and built by an independent sector, comprising private and non-profit sector agencies. The implicit assumption was that private enterprise would produce housing stock more cheaply and be more driven by the demands of people in need of housing. Subsidies began to be paid to low-income families to increase effective demand for ‘social’ housing built by the private sector. From this time, the demand-side subsidy mechanism was consolidated into Chilean practice and was expanded during the later democratic governments of the 1990s. Indeed, the ‘model’ was praised internationally for its ability to reduce the housing deficit (Rojas, 2001), although its limitations were also recently acknowledged in this journal by Dohnke *et al.* (2015) that it has led to the large-scale segregation of poor families on the urban periphery.

The current policy iteration of this model is known as the *Supreme Decree (D.S.) No. 49[[3]](#endnote-4)* (MINVU -Ministry of Housing and Urban Planning, 2011), governing the *Housing of Choice Solidarity Fund*, to provide social housing to ‘vulnerable’ people. The statutory body responsible for this fund is SERVIU (*Servicios de Vivienda y Urbanización*), translated to ‘Housing and Urban Development Services’. According to *D.S. 49*, housing is built by ‘Sponsor Entities’ [in Spanish *Entidad Patrocinante*]. These are natural or legal entities (both for- and non-profit) including municipalities, housing cooperatives, corporations, foundations, real estate and construction companies. In exceptional cases, people applying for subsidies can also collectively form their own Sponsor Entity. Their role is to facilitate the generation, management and materialisation of housing projects financed with housing subsidies from the MINVU. The following quote helps illustrate this relationship:

*The Sponsor Entity is the company that makes the nexus between the families and the private company [project developers/architects]; they receive the money, the State aid, to build those dwellings* (Architect, Private Practice working in Social Housing Design).

The sponsor entities are required to sign a framework agreement with the Regional Secretariat (SEREMI) of MINVU, to provide technical assistance and social services to those eligible for the fund. Given the funding goes directly to these agencies, a key question emerges of how much the imprint of deregulation is still evident within the sector, and at what cost.

The similar emphasis on the use of private subsidiaries of the state to build housing in both jurisdictions serves to provide a suitable comparative subject to explore how this policy is being implemented on the ground. Given the rise of austerity and privatisation of housing in England, and the history of deregulation in Chile, it is a timely opportunity to examine providers’ views on whether disabled people are being left abandoned.

**\*\*\*Table 1 about here\*\*\***

## Methodology

The following section describes the methodological design of the study. The rationale for our study as stated was rooted in the motivation to provide an original comparative analysis of the different forms and effects of market-led provision on social housing for disabled people in two countries shaped by advanced neoliberal principles. The study was funded by a Santander Universities research award. As indicated in the introduction, our study sought to respond, in part, to the call for interdisciplinary research examining everyday geographies of public sector austerity and neoliberalisation. Considering the wide-ranging nature of transnational comparative policy research, the level of detail in our study was squarely at the meso-institutional scale, relying heavily on an extensive review of the policy literature and interviews with housing ‘providers’ (broadly conceived as both state and private entities involved in social housing policy implementation and delivery) as well as disability groups. It should therefore be acknowledged that the findings are based upon interviews with local actors and their interpretations, and not upon first-hand experience.

A policy review was undertaken from January to November 2015. Our justification for this review was to disentangle the commonalities and differences in both jurisdictions before and during the interview phase. It comprised media reports, policy guidance, relevant legislature, and policy studies. These documents encompassed relevant acts, policy directives as well as procedural documents that offer insight into the interpretation and application of the relevant provisions within housing law.

Interviews were conducted between April and December 2015. For the interviews, we designed a semi-structured interview schedule with open questions about the different trends affecting current provision and the participants’ outlook for future provision. In both study-sites, our sampling was purposive, in that we wanted to hear from each of the different forms of ‘providers’ and disability groups. While the original focus of the research was social housing provision for all disabled people (recognising that different impairments demand different adaptations of a house), the examples that emerged during the course of the research mainly referred to adaptations for people with a physical impairment. That said, we were also cognisant of and have reported on examples of declining levels of social care which impacts both people with a learning disability and physical disability alike in their ability to live independently in social housing.

The English study took place across the south coast of England (Southern Hampshire, Southampton, Dorset and Surrey). The rationale for interviews with local authorities and housing associations in these areas was primarily driven by the goal of gaining an in-depth qualitative account of people operating at a local scale to better understand their practices, decisions and experiences. We felt this focus was justified given the degree of discretionary powers by local authorities and housing associations in England. Interviews were conducted with participants working in social and disability housing from three local authority areas and four disability housing association managers (one operating in seven local authority areas across the South of England).

We also gained the views of disabled people’s organisations and advocates who are familiar with the local impacts of these changes for the constituency they represent, comprising five participants from disabled people’s organisations and four disability advocates. 16 key informants in total were interviewed. For other work in this vein, see Power (2014) and DeVerteuil (2014). DeVerteuil examined voluntary sector resilience in the context of declining welfare in Sydney, Los Angeles and London relying on comparative policy analysis and interviews with voluntary sector organisations.

In Chile, the city of Santiago was chosen as the study site. Our justification here was that it allowed us to look at the central and regional government dimensions of housing provision at the same place. The central government, represented by MINVU in matters related to Housing and Urban Planning, has a fundamental role in devising housing policy and their offices are located in this city. Also, the Metropolitan SEREMI-MINVU and the Metropolitan SERVIU are located in Santiago. The interviews were conducted with representatives from different units of MINVU (n=6), Metropolitan SEREMI-MINVU (n=1), Metropolitan SERVIU (n=2), the national statutory body relating to disability SENADIS (n=1), one architecture firm working in social housing design, one Sponsor Entity and one non-profit organisation focused on ‘universal accessibility’ that advocates for disabled people for a total of 13 key informants.

Ethical approval was obtained from University of Southampton and Universidad de Chile. In all cases, after gaining informed consent, the interviews were audio-recorded and transcribed verbatim. Analysis was informed by the theoretical framework examining neoliberal spaces of exception and consisted of mapping out the different policies in a large comparison table, and coding interviews to identify the participants accounts’ of implementing housing policy and wider neoliberal policy.

The findings in this paper are derived primarily from analysis of the English study on the provision of appropriate housing for low-income disabled people. The Chilean findings are presented after and serve to offer insights into how Ong’s dyad (of ambiguity and contingency) is manifested under a similar private sector model.

## Findings from the English study

### Housing providers’ outlook on key changes affecting access

This section discusses the findings from the English study. It details the most pressing changes affecting the provision of social housing for disabled people, as experienced by registered housing providers (local authorities and housing associations) and disability groups.

A first key change was the provider’s ability to continue offering housing and support to disabled people deemed to have mild/moderate needs as a result of austerity. The effects of this change were already being felt, as articulated by most participants:

*…something that has changed with austerity, is the height, the level at which Social Services will pick up people. So, whereas once upon a time someone would have been assisted by the learning disabilities team, now they have to manage on their own.* (Council housing representative).

This perspective is also shared amongst the housing association managers, of whom one argued that *‘more and more of our customers [are] falling below the threshold for publicly funded adult social care. So, they’re being cut adrift. People with low-level needs, low and moderate-level needs again, no support at all’* (Housing Association manager). According to one disabled people’s organisation participant, this is having a significant effect on many disabled people who can, with a little support, get by with living independently but without this support, they might not be able to do so; hence forcing them into a state of contingency as warned by Ong (2006). The same participant argued that this particularly impacted those who struggle with the practical tasks associated with renting a home, and face sanctions and private debt collectors if they fail to do so effectively.

A second key change reported was the government’s decision in 2010 to end its capital subsidy for the development of new social housing (coming into full effect in 2013 due to the lag time in house building) and to set a limit on how much registered housing providers could charge for renting new homes (at 80% of local market rent including service charges where applicable). These changes havebegun to place significant pressures on housing associations providing social housing for disabled people, as one Housing Association manager suggests:

*We’ve really had to slash our investment programme. And pre, up to about 2010 we were developing fifty new homes a year. We’ve done about half that in the past five years, yeah about twenty-five a year. We did actually complete forty last year but that was the end of the [previous] affordable homes programme, and that’s the end of the capital subsidy. So, for the next five years we’re now forecasting no more than five per year.*

Third, to exacerbate the capital subsidy issue and reduced market rate, participants also noted that the government introduced a decrease in rent settlements in 2015 (what providers can charge tenants in rent), with a change from an annual *increase* of CPI [Consumer Price Index] plus one percent, to a *decrease* of their rents by one percent every year for the next five years. In practice, both housing association managers and council participants alike confirmed the effects that this policy would have on provision: *‘one of the big impacts is going to be the one percent reduction on social housing rents, which is going to blow a massive hole in the council housing’s capital programme… So, I can’t foresee any extra, there certainly won’t be any extra money for adaptations. Our ability to build, going forward, would be constrained’* (Council housing representative).

Fourth, housing benefit for social housing tenants has also been capped in line with Local Housing Allowance (LHA) rates (a form of housing benefit for those renting from private landlords). This move according to the participants will have a larger impact on disabled people in specially adapted residential properties with one bedroom, which traditionally command higher rents. According to a Housing Association manager:

 *We [need to] factor in more recent announcements about rents being capped at local housing allowance levels. So that has the potential to harm our business even more than long-term rent cuts, because we have a very high proportion of one-bed households in one-bedroom self-contained flats. And if the local housing allowance restrictions are to apply, then all of those tenants will have their housing benefit restricted to the single room reference rent, which is typically round about seventy pounds a week* [varies by location]*. Whereas their current affordable rents are about a hundred pounds a week. That’s a thirty pound a week shortfall. And an organisation whose customer profile is maybe two thirds, approaching two thirds, one-bedroom households, that’s a real disproportionate impact* (Housing Association manager).

According to one DPO representative, the knock-on effect for disabled people is that more people will be ‘*more likely forced into inferior accommodation, you know, where you’ve got particularly unpleasant landlords and damp, cold and pretty grotty places really... And we’ve got a couple of cases of those.’*

Fifth, is the high-profile reduction in housing benefit for low-income households who have unoccupied rooms (the ‘Bedroom tax’). This was an issue which the stakeholders argued was disproportionately affecting disabled people in receipt of social benefit payments and families with changing caregiving situations.

 *I think it’s affected families, significantly in terms of their income, you know having to find fourteen percent or twenty-five percent extra. Obviously it’s had a detrimental impact on those families who are benefit dependent... What is difficult though, is changes. So, if you’ve got someone whose moved into a property that’s adapted for their need, when they do need a particular size, if their family circumstances change…* (Council housing representative).

One disability advocate interviewed also commented that the Bedroom Tax exacerbates other social care funding cuts. She referred to an example where a local man with a learning disability could not fill a room in his house (and therefore was being classified as under-occupying) because of delays from the care manager getting the support package agreed for another person to move in.

The five changes discussed above illustrate the multiple difficulties faced by social housing providers in trying to offer appropriate housing for disabled people in the current climate of austerity. To begin to understand the impacts for disabled people, we turn to examine the cumulative effects of these and the likely outcomes of the affordable housing policy.

### Housing providers’ wider outlook for future provision

During the interviews, the participants reflected on the wider cumulative effects of the changes above, and how recent policy changes would affect future provision of appropriate housing supply for low-income disabled people.

First, the participants reflected on the wider implication of the shift towards only supporting people with high-level needs, many of whom had been previously living in expensive, specialist residential care in out-of-county placements: ‘*These are the cohort that social care authorities are keen to get into supported housing’* (Housing Association manager). Despite the transformation being positive for this cohort, with the ongoing impact of the cuts, many felt this benefit will be tempered as future generations of high-dependency people will not have the same opportunities as those currently moving out of such placements. According to a housing association manager: *‘those good news stories I can trot out of people whose lives have been transformed by having the opportunity to have a home of their own, with a package of care and support, they’re not going to exist. There will be no growth in supply, because it just isn’t financially viable*’.

Second, there was a strong feeling amongst participants that the supply of supported housing options was declining, with some reporting a wholesale withdrawal of providers from the social housing market (including one participant who was taking early retirement):

 *We’re seeing a lot of providers of supported and specialist housing, are selling their supported and specialist stock, because it’s no longer viable… where low-level services [for people] have been withdrawn completely, the landlord is left with a block full of people who are going to struggle to cope and manage their tenancies without any support. And a lot of mainstream landlords have decided enough is enough, we’re out of this game… So, what really worries me, it’s about the fate of the people who have in the past depended on those kind of services* (Housing Association manager).

The council representatives and DPO’s also acknowledged that there are definite shortages in the supported housing stock, particularly for three or four-bedroom properties for families with a disabled person.

A third wider outcome reported has been a lack of investment in disability housing over many years, and this has resulted in a deterioration in the quality of the current stock of housing provision for disabled people:

 *Housing Associations have invested so little over the years in their specialist housing stock so, I’ve got some pictures on my phone I can show you, some shocking stuff. I’ve actually refused, I’ve gone I’m not touching that with a bargepole, that is not fit for human habitation, let alone providing housing for some of our most vulnerable citizens* (Housing Association manager).

 *We often see some really very difficult, dire, you know awful situations that people are living in, whilst they’re having to wait for something to be tailored for their needs* (Council housing representative).

While these findings offer a snapshot of local accounts, it is clear from the participants’ insights and experiences that they are aware of a wider seismic shift that is occurring within the disability housing market and its effects on both the quantity and quality of provision.

The waiting times for people on the social housing register are an indication of this. One council representative said that in their jurisdiction, ‘*the average wait for social housing has been in excess of five years*’. To compound this, or perhaps to reduce the numbers on the register, the same council recently introduced a new three-year residency restriction, limiting people’s ability to join the housing register until after three years of residing in the council area.

The recent emphasis on affordable housing development in the new housing policy gave little hope to the participants looking forward. Indeed, one housing association manager argued that the affordable housing programme would not lead to affordable or appropriate homes for disabled people.

 *I can only say that housing products, which will be developed over the various programmes, are of no interest or use to our customer base. They’re not affordable to our customers, and very, very few of them will be built to accessibility standards our customers need. So, the view we’ve taken is that we’d rather do some housing development, without public subsidy. Because without public subsidy we can build the homes our people need for the ten years they need and rent they can afford, but inevitably that massively decreases the amount* (Housing Association manager).

The same housing association manager argued that the government would likely provide some discretionary funding for the sector, to offset some of the cuts. Indeed, during the study, the government announced that it would devolve a £10m Discretionary Housing Payment to local authorities to protect those in supported accommodation (Spurr, 2015). However, the same participant argued this would do little to reassure investors:

 *My best guess, it’s an educated guess based on previous form, will be that the Government will put some extra money into discretionary housing payments. And also at the discretion of Local Authorities. So, you’re back in the game of discretion, making value judgements about which of these two people is the more deserving. No landlord is going to lend us money if we say oh yeah don’t worry, there’s a hundred million pounds in discretionary housing benefit payments. That’s not going to wash with an investor. Sit down with our investment manager from Barclays once a quarter; he’s going to laugh at me next time* (Housing Association manager).

The above findings offer a gloomy assessment of the current situation in the wake of the recent climate of austerity and the ability of recent policy to address this. Overall, they reveal a situation which Ong (2006) warns of, where greater degrees of ambiguity and contingency appear to be evident in provision. To help better understand these longer-term ramifications, we now turn to some of the key findings from the Chilean case, where private-sector subsidies for social housing development has been operating for a longer time.

## Findings from the Chilean study

At the outset, we found that despite the Chilean housing ‘model’ being praised internationally, the ability of disabled people to secure appropriate accessible homes under the Sponsor Entity scheme seemed to be significantly tempered. Here, rather than austerity, other principles of neoliberalisation were at play, namely the reliance on social responsibility and a lack of legal enforcement (de-regulation).

### Social responsibility

On paper, the process of securing a home through Sponsor Entities, including the provision of technical, legal and social assistance services, must comply with the obligations imposed on the Entity by the respective regulations. We first describe these obligations. Sponsor Entities are expected to consult families about their housing needs and develop or work with developers/architects to design and prepare housing projects to be assessed by SERVIU. The neoliberal principle of personal responsibility is embedded at the outset: subsidies are allocated to families who are both poor *and* who show willingness to accumulate savings; the longer they save and the greater their savings, the more likely they are to get a subsidy (Gilbert, 2004). The implicit assumption that public housing must go to ‘families’ is a specific political characteristic of Chilean social housing policy and different to English policy (although recent changes in England now penalise single younger people). As MINVU (2015) states:

 *Sponsor Entities support families throughout the application process to the different modalities of the new Housing of Choice Solidarity Fund. This includes, in some cases, from the organisation of applicants, design and preparation of projects, to nine months after giving the dwellings to the beneficiaries of the subsidy [collective projects with families]*.

The Sponsor Entity therefore has the obligation to carry out all necessary actions so that the person or persons who they organise, assist or advise, can access the subsidy and, if they are favoured, invest such State aid to the construction of their home. A sponsor entity representative expands on this point:

*From 2004-2005 ‘the private’ [entities] oversee searching for the land, designing [social housing] projects, searching for the construction company, overseeing the construction process, receiving the dwellings when they have been built, arranging the ownership deed and all the process that this entails* (Sponsor Entity representative).

Given the wide range of functions that are now out-sourced to sponsor entities, the absence of the state in the production process of social housing is notable. This level of out-sourcing leaves Sponsor Entities the ethical responsibility of defending the interests of the people they organise.

A SERVIU representative acknowledged that:

*The issue here is not that the 80 UF subsidy is not going to cover the alterations, but the entity does not gain anything, so we’re reliant on their ‘social responsibility’; there are some who do not have any problems and do it, but there are others who do not do it, their interest is more economic than social, at the end of the day, they are private companies for profit.*

### Legal responsibility

Despite the explicit intention of the D.S.49 of consulting families about their specific housing needs such as access requirements, the interviews revealed that sponsor entities often neglect these statutory legal duties. For persons that get through the initial barriers of eligibility for a subsidy, it appears that once deemed eligible in the system, additional barriers exist from the sponsor entity:

*The other very complex issue is that the entities that develop the projects, the building companies that are going to develop the projects, embrace these [disabled people’s] needs [because they get grants for this], but when it comes to providing homes, it is much more expensive, that is, compared to doing 100 houses all the same, doing one house for [people with] mobility impairment and another one for another disability, it is there where we have much difficulty…What has happened many times is that the entity does not tell us that there is a disabled person* (SERVIU representative).

The account above offers a potent insight into the impact of trying to provide for disabled people’s needs in a context where welfare policy, subsidies and benefits are guided by the logic of the private market. In short, the account above suggests that many sponsor entities are neglecting these obligations, and in doing so, neoliberal abandonment is materialised.

In terms of the direct impacts on disabled people, the above account provides an ethical dilemma for SERVIU whether they sign off a home that is unfit for a disabled person to occupy or leave them without any provision. This inevitably ends in lack of choice for those households with a disabled member, who are forced into inappropriate housing situations.

*We have had groups that include disabled people and the projects presented for them are not accessible and there you are faced with an ethical dilemma, one thinks “this family is going to have a dwelling that at least for one member is not going to be optimal, do we leave the family out and leave them without a dwelling?...Do we leave them in this dwelling with a child in a wheelchair who is not going to be able to go into the bathroom with the wheelchair, and the mother will have to lift him and put him in the bath tub, or do we just simply leave them with no dwelling? …The families confirm in writing that they are willing to live in that dwelling that is not adapted. Of course, they say “I will adapt it”, but those are the kind of measures for us to feel relatively safe too* (SERVIU representative).

To heighten the impact of this point, the neoliberal logic of self-responsibility is also evident here with SERVIU including a provision which makes the family take personal responsibility for *accepting* the inaccessible housing, by enforcing them to give the entity a written dispensation for their practices.

The Chilean case thus illustrates a context where private-sector development of appropriate, accessible homes is only lightly regulated. A major finding was the lack of enforcement of the regulations and an emphasis on voluntarist regulation.

*What are you not allowed to do? If I give you 80 UF to adapt the dwelling and you do not spend them in adapting the dwelling, you are not allowed to do that, but as there is nothing legal that impedes for a disabled person not to be given an accessible dwelling…we are giving families dwellings that are not going to be fully usable for them, I mean, of course, currently they are living in much worse conditions than the ones they will have in these dwellings, but they are not optimal* (SERVIU representative).

The suggestion that families would live in worse conditions before gaining access to a home points to the relevance of what timeframe is involved in waiting for a home. Like the English council areas we examined, we found a timeframe of 5 years articulated from the participants in Chile. This delay was explained by the emphasis on the capital grant for a collective scheme of house building; sponsor entities must wait until a group of families come together with recognised housing needs. This process can take a long time. The focus on home ownership also adds the additional limitation of being very inflexible to families whose circumstances may change.

*Sometimes 4 or 5 years can go by, we have families benefitted in 2012 that do not have projects built yet [by 2015], many of them will end up giving up, in the meantime, disabled children are born, and when they applied there was no one disabled, then it is very complex* (SERVIU representative).

### Housing providers’ outlook for future provision

Despite the awareness of the central role played by the private sector in the production of social housing and the implications of this, there was a perceived improvement of the financial and technical mechanisms used to provide accessible social housing in Chile:

*I believe that there has been a rather substantive progress …until around 2000 or 2002, the housing solutions delivered by the Ministry did not consider that variable as far as I know, did not consider special conditions to deal with disability or the elderly* (SEREMI-MINVU Representative).

This positive outlook was also shared by the Sponsor Entity participant:

*From [D.S.] 174 to [D.S.] 49 there was an increase in the amount [of subsidies] for disabled people: before it was 20 [UF] and now we are in 70-80 [UF]. Before there was a normative [general] spatial framework, but now there is a specific one for disabled people with the D.S 49 of 2011 [that includes access requirements], and 174 never contemplated that, it only allocated 20 UF, for whatever, but now the minimum spaces are regulated, before this was left to discretion and obviously there must be minimums for disabled people. I cannot provide a ramp [to the front door] and open the door to the outside, there has to be a place where the wheelchair can turn. All these things have to be well regulated, the door that opens outwards, but not if it occupies the wheelchair turning space. There were mistakes like that before and now that has been improved* (Sponsor Entity representative).

These two accounts suggest a more positive outlook, unlike that expressed in the English study. However, some of our interview participants revealed that in reality, two crucial barriers exist, as articulated by a SERVIU representative, *‘One thing is getting the subsidy and another one is getting an accessible dwelling’.* Both posed significant barriers according to this participant, who revealed how, even for those who secure the relevant subsidy, often there is no guarantee they will end up with a suitable home. In relation to the same point, the director of the universal access organisation said that even having the subsidies does not ensure getting a suitable home from the point of view of access because the people in charge of designing and building it (sponsor entity, or the design/building company that they hire) do not always have the knowledge required:

*I know that there are some subsidies [for adaptations], but how they are implemented? There are some access features that require some knowledge… The problem here is the knowledge of who is going to implement them, who will make the works, the person who will make the decision? That is problematic because not always the person themselves knows what the best solution is.*

The Chilean case has shown that the government has put in place initiatives to facilitate the provision of accessible social housing, such as allocating funding for building access features and improving access design standards. However, the market-led logic of the system has produced spaces of exception, where the provision of accessible social housing is ultimately at the discretion of Sponsor Entities; securing appropriate housing is not seen as a right, but as contingent on the will of private agencies.

## Analytical comparison of the two case-studies and conclusion

The present study reveals original findings about the limits and contradictions associated with a policy context of private sector development of ‘affordable homes’ driven by a market logic. Alongside privatisation, different neoliberal principles are evident in the two study sites: austerity in England, and deregulation in Chile; each prompting different local accounts of their impacts on provision.

The English findings reveal a subtler space of state withdrawal, brought to bear from multiple cuts to provision under austerity. The changes to eligibility criteria, the ending of the capital subsidy and decrease in rent settlements, and the housing benefit cap and bedroom tax, each offer important signals to Ong’s (2006) ‘spaces of exception’. As intimated at the outset, we recognise that ambiguity and contingency are always features of welfare provision to some extent; we are thus more concerned with understanding how – and the degree to which – they manifest in privatised housing provision for disabled people under austerity. Ambiguity was expressed in terms of how the ‘affordable housing’ programme is masking real housing need for the most vulnerable. The programme is of little relevance according to the participants to those with genuine housing needs unlikely to ever become homeowners. Ambiguity also appeared to be increasing in the sector, as seen in the replacement of secure statutory funding with the use of discretionary housing payments. We heard how such interventions will do little to reassure investors. Greater *contingency* was also identified as an outcome of increasing eligibility thresholds for social care and reduced benefits for those deemed to have ‘low’ or ‘moderate’ impairment. These thresholds are leading to a lack of certainty over support provision that can enable many people in this group to live independently, thus forcing them to have to adapt to unforeseen changes in their living arrangements.

The Chilean case provides an additional original contribution to our understanding of a system which has been steered by market forces for a longer time and more intensely. Here it is clear what can unfold in a system based solely on privately-administered public housing for disabled people within a neoliberal ‘market-led’ system. While capital subsidies have allowed Chile to reduce their national housing deficit (Gilbert 2004), the findings reveal accounts of a system beset by ambiguity and contingency derived from voluntaristic regulation and conditionality (a social policy programme that conditions payments on behavioural compliance), prompting the neglect, to an extent, of disabled people’s subject-hood.

The Chilean subsidy appears to exist somewhere between the two models of subsidy used in England (generic ‘bricks and mortar’ subsidy and an individual subsidy): it is an individually earmarked state subsidy (based on the unit of the family) approved for the social housing development that goes directly to the Sponsor Entity. One important difference with England is that the subsidies go towards the *purchase* of the housing units (at a discount). This is contrasted with the emphasis on (until recently) lifelong social renting in England and the optional Right to Buy scheme which allows social renters who can afford to buy their own social rented properties to do so.

While the two comparative jurisdictions’ legislative and policy contexts have dissimilarities as discussed above, they nonetheless have similar tenets. Both have advanced neoliberal models, which have championed private sector ‘market style’ development of housing for low-income people, handing over the reins from direct state provision to private agencies. Indeed, through our policy review, it appears that the *Housing and Planning Act* 2016 on paper goes further than Chile in dislocating public-sector investment for genuinely affordable social housing for low-income people.

Given the viewpoints of the participants in both jurisdictions of supply not meeting real demand for appropriate housing, Morris’ (1988) argument that the ‘freedom to choose’ in this market is in fact a ‘freedom to lose’ appears to be still relevant. Ong (2006: 22-23) draws on Agamben’s (1998) ‘zone of indistinction’ to illustrate the hybrid indeterminate state that can emerge for people who are affected by this ambiguity. Ong argues though that Agamben’s stark distinction between those classified as ‘political beings’ with citizenship rights and those that occupy a permanent state of ‘bare life’, abandoned by the state, is not as binary as this. Her point is that rather than creating a state of permanent exception, state policies exist within contradictory, unstable and ambivalent spaces that ‘interrupt, slow down, deflect and negotiate neoliberal logics and initiatives’ (Ong 2006: 17). Our analysis helps to build on this point by recognising how these contradictions to neoliberalism are found in the paternalistic safeguards in place, where local stakeholders continue to operate more social democratic, caring elements which cohabit alongside neoliberal rationalities. For example, in England, local authorities more closely check the suitability of accessible homes under direct let provision. However, as Newman (2013) warns, these contradictions are themselves traversed by multiple lines of antagonism, where those same actors can be complicit in punitive actions such as the deployment of sanctions to promote ‘self-governing’ subjects. The implementation of the *Housing and Planning Act 2016,* it would seem, will do little to avert the growing pressure on local authorities or housing associations to source suitable housing options for low-income disabled people.

The present study also shows that two contrasting and diametric outlooks are being expressed for the future. In the English case, participants’ accounts revealed a space of anticipated service withdrawal, of an acceptance of a challenging mess, of working in an increasingly thread-bare sector, with persistent anxieties of future funding. As we saw, these bleak outlooks exacerbated experiences of current funding shortfalls and manifested themselves in heightening providers’ fears over the viability of future generations to secure appropriate housing. This was articulated by stories of some deciding that ‘enough is enough’ and withdrawing from the social housing market. And yet, the contradictions noted above show that some paternalistic elements are more durable than it seems.

In the Chilean case, more positive accounts of things getting better were expressed, where the housing policy now recognises the need to accommodate disabled people, as opposed to earlier legislation. The Chilean ‘model’ has been celebrated as a success for some time in its native country for reducing the housing deficit (Rojas, 2001). The English favouring of private sector development of affordable homes is most likely rooted in a similar motivation. These accounts were tempered however by the Chilean government participants’ accounts of the reality failing to live up to this positive posturing; highlighting the degree to which sponsor entities can liberally disregard their obligations to families with disabled members. The situation evident in Chile shows how positive expected futures can also be conveniently ‘folded in’ to present day tactics for overlooking or glossing over the exceptions that Ong (2006) identifies: ambiguity and contingency. Indeed, in both cases, the lack of debate over the hidden exceptions and impacts on disabled people is notable.

This positive posturing resonates with findings by Peck and Theodore (2010a), of Latin American workfare models[[4]](#endnote-5) which have been embraced by North American and English policy makers and have helped to further the post-welfare consensus in these transatlantic jurisdictions. While we must be careful not to assert that there is direct policy mobility between nations, the Latin American comparator is nonetheless still deeply relevant for offering original insights into the effects that different ‘localised permutations’ (DeVerteuil 2014:78) of cross-cutting and ubiquitous neoliberal, market-led practices in welfare can bring. Indeed, it can offer a ‘deep analogy’ (Nijman 2007) to help us understand how similar processes are at work in places that are widely separated in space and/or time.

In conclusion, our findings offer original critical insights into debates concerning the growing international pervasiveness of neoliberalism in social housing policy; specifically, it reveals the negative impacts for disabled people from austerity cutbacks on and privatisation of housing provision in England, and from the ability for private entities to disregard peoples’ rights under a deregulated market-style system in Chile. These findings give rise to important questions for further study: Can the private sector be trusted to deliver civil rights’ protections? Is neoliberal abandonment acceptable, given the long-held struggles by disabled people for appropriate dwelling? Can the space of exception be recolonised with more caring ideologies and practices and if so, how? Further study would help get a fuller account of these changes as they are unfolding across space, and identify the possibilities for positive change that may exist. Future research should include the perspectives of disabled people themselves and their families whose experiences have no doubt been impacted in myriad ways by these statutory changes.

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**Table 1: Summary of key social housing policies**

|  |  |
| --- | --- |
| England | Chile |
| *1980 Housing Act*:introduced Right to Buy | 1973 Chile becomes the first Latin American country to embrace free-market neoliberalism under Augusto Pinochet. |
| *1982 Social Security and Housing Benefits Act*:replaced capital subsidy for development of social housing properties with means-tested housing benefit for low-income tenants. | *1978 Public Housing Policy*: introduced General Unified Subsidy, a demand-side housing subsidy targeted at poor families with saving capacity. |
| *Housing and Planning Act 1986*: Transfer of housing stock tohousing associations and registered social landlords (incl. private and non-profit organisations). | 1990- reinstitution of formal democratic ruling after Pinochet; housing policy continued.  |
| *1996 Housing Act*: changed emphasis from ‘general needs’ housing available to all low-income families to ‘special needs’ housing for defined categories of need. | *D.S. 174 (MINVU, 2005)*: Granted new type of housing subsidy called *Housing Solidarity Fund* (FSV I), designed for families from the most vulnerable 40% of households; incorporated the possibility of access to used housing. |
| *Welfare Reform Act 2012*: Introduced ‘Bedroom Tax’ | *D.S. 49 (MINVU, 2011)*: Introduced new *Housing of Choice Solidarity Fund* with access requirements to build accessible housing for disabled people and also a complementary subsidy (on top of basic subsidy granted by this programme) to develop dwellings with accessible features for people with reduced mobility (80 UF[[5]](#endnote-6)) and with other types of impairments (20 UF). |
| *Affordable Homes Programme 2015 – 2018*: outlined focus on affordable housing | *D.S. 105\* (MINVU, 2015)*:\*implementation began after fieldwork was conducted*.* Provides minor modifications to the text of D.S. 49 which do not affect provision of accesible housing for disabled people (access requirements and complementary access subsidies remain unchanged).  |
| *Summer Budget 2015*: reduced social rents by 1% |  |
| *Housing and Planning Act 2016*: Copper-fastened primary focus on affordable housing |  |

1. **Notes**

 While we recognise ‘people with disabilities’ as the more general term used in international legal instruments, we use the term favoured by British Disability Studies’ scholars ‘disabled people’ to denote that people with impairment are *disabled* by society. [↑](#endnote-ref-2)
2. ‘Starter homes’ will cost up to £450,000 in Greater London (and be affordable only to households earning at least £77,000 a year) or £250,000 for outside Greater London. [↑](#endnote-ref-3)
3. D.S. 49 was modified by D.S. 105 in late 2015 after fieldwork was conducted. However, the latter does not affect the provision of accessible housing as access requirements and complementary subsidies to build accessible features in the dwellings remain intact (80 UF for people with reduced mobility and 20 UF for people with other types of impairment). [↑](#endnote-ref-4)
4. Work-fare models, that became popular in New York City and then beyond, originated in Mexico with their *Oportunidades* programme. [↑](#endnote-ref-5)
5. The UF (Unidad de Fomento) is a unit of account used in Chile. The exchange rate between the UF and the Chilean peso is constantly adjusted for inflation so that the value of the UF remains constant on a daily basis during low inflation. [↑](#endnote-ref-6)